

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
CLEVELAND MUNICIPAL SCHOOL DISTRICT AND THE
CLEVELAND TEACHERS UNION, AFT LOCAL 279, AFL-CIO**

Whereas, prior to June 9, 2020, Cleveland Municipal School District (“District”) Board Policy AC provided for, among other things, an investigation procedure to address allegations of sexual harassment as required under Title IX of the Education Amendments of 1972;

Whereas, effective August 15, 2020, the investigation procedure required to address allegations of sexual harassment under Title IX was modified by the United States Department of Education;

Whereas, the District and the Cleveland Teachers Union (“CTU”) recognize the mandate for the District to modify the investigation procedure for sexual harassment required under Title IX, effective August 15, 2020;

Whereas, the District has proposed changes to the Student Code of Conduct in order to comply with the changes to the investigation procedure to address allegations of sexual harassment as required under the Title IX amendments;

Whereas, the District and the CTU understand that, but for the mandate for the District to modify the investigation procedure for sexual harassment required under Title IX, effective August 15, 2020, the investigation procedure for allegations of sexual harassment would not be modified;


Whereas, the CBA with the CTU provides that the Student Code of Conduct shall not be changed except by written mutual agreement between the CTU and the District; and

The District and the CTU agree as follows:

- 1) So long as the amendment to the investigation procedure to address allegations of sexual harassment under Title IX are in effect, allegations of sexual harassment will be investigated under a different procedure than allegations of other types of Discrimination or Discriminatory Harassment;
- 2) Investigations of allegations of sexual harassment will comply with the amendments to Title IX;
- 3) In the event the 2020 amendments to Title IX are either repealed, or stayed by a court of competent jurisdiction, the investigation procedures found in Board Policy AC and the Student Code of Conduct will apply to allegations of sexual harassment in the same manner as allegations of other types of Discrimination or Discriminatory Harassment;
- 4) CTU approves the District’s proposed changes to the Student Code of Conduct, pending approval from the District’s Board of Education.

SIGNED AND AGREED TO BY:


FOR THE UNION:



Shari Obrenski, President
Cleveland Teachers Union

June 9, 2020
Date

FOR THE DISTRICT:



Eric S. Gordon, Chief Executive Officer
Cleveland Metropolitan School District

06/10/2020
Date