

ACLU of Virginia

530 East Main Street, Suite 310 Richmond, Virginia 23219 (804) 644-8022

May 21, 2012

Sent Via Fax and Regular Mail

Tim Bullis, Director
Chesterfield County Public Schools
Community Relations Department
PO Box 10
Chesterfield, VA 23832

Re: Single-Sex Programming at Bailey Bridge Middle School

Dear Mr. Bullis:

Thank you for your prior response to our Freedom of Information Act request seeking records relating to single-sex education programs and activities. Based on our subsequent correspondence, I have been informed that Bailey Bridge Middle School is not currently operating single-sex education programs and activities,¹ except that it appears based on the records provided that the single-sex physical education and health course may not meet certain requirements of Title IX of the Education Amendments of 1972. I was not informed if Bailey Bridge Middle School operated single-sex education programs and activities in prior years. We would appreciate it if you could provide additional written confirmation that single-sex education programs and activities have not previously operated at the school at any time within the past 5 years, from the 2006-07 through the 2011-12 school years. If they did operate in the past 5 years

As an alternative to pursuing our right to obtain these records, we seek your commitment that you will refrain from engaging in unlawful sex segregation in the future. We therefore ask that you enter into an agreement with the ACLU of Virginia, a draft of which is enclosed, to refrain from engaging in any and all single-sex (and gender-specific) programs or activities for the next five years,² effective at the start of the next school year. Pursuant to the terms of this proposed agreement, the ACLU of Virginia will agree to waive its rights to pursue any further records or to take any future legal action relating to any past single-sex programs, for a period of five years.

I look forward to your reply. In order to provide you with sufficient time to consider our offer, I am prepared to offer you an extension of your statutory time to respond until June 4, 2012. Do not hesitate to contact me with questions. I can be reached at the contact information below.

Sincerely,

Katherine Greenier, Director
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American Civil Liberties Union of Virginia
530 East Main Street, Suite 310
Richmond, VA 23219
Email: kgreenier@acluva.org
Phone: 804-644-8080

² We exempt from this request single-sex programs and activities permitted by Title IX, 20 U.S.C. § 1681(a)(6-9), and by 34 C.F.R. § 106.34(a)(1)--(a)(4).

AGREEMENT

This Agreement is entered into this _____ day of _____

Katherine Greenier
American Civil Liberties Union Foundation of Virginia
Patricia M. Arnold Y q o gpøu"Tk i j vu"Rtqlgev
530 East Main Street, Suite 310
Richmond, VA 23223

Bailey Bridge Middle School
Date