

STATE OF NEW JERSEY  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION ON CIVIL RIGHTS  
DCR Docket No. PB42EF-66299

K.M. o/b/o her minor child, J.M., and K.M.  
individually,

Complainants,

v.

Boy Scouts of America, Northern New  
Jersey Council,

Respondent.

Administrative Action

**NEGOTIATED SETTLEMENT  
AGREEMENT**

WHEREAS, Complainant K.M. has filed a verified complaint with the Division on Civil Rights (“DCR”), both individually and on behalf of her minor child, J.M., alleging that Northern New Jersey Council, Boy Scouts of America (“Respondent”) committed unlawful discrimination; and

WHEREAS, Respondent has not yet responded to the allegations in the complaint and has not admitted or denied liability; and

WHEREAS, the Director of DCR has not made any findings on the merits of this matter and does not waive the right to enforce the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -49, regarding similar conduct; and

WHEREAS, the parties desire to resolve this matter without the necessity of further litigation;

NOW THEREFORE, it is agreed as follows:

1. Respondent shall continue to comply with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -49, insofar as it applies to Respondent.

2. Respondent agrees to pay to Complainants the sum of Eighteen thousand dollars (\$18,000.00) to resolve this matter.

3. Respondent agrees to deliver the full settlement payment to the Trenton office of DCR, in the form of a check payable to “Kristie Maldonado” within ten business days after the receipt by counsel for Respondent of this fully-executed Negotiated Settlement Agreement.

4. Respondent agrees to issue a written apology to J.M. regarding the allegations in the complaint.

5. Respondent agrees that, in conjunction with the Boy Scouts of America, it will adopt and implement revised written policies and procedures of the Boy Scouts of America regarding admission of transgender youth, including but not limited to its Website statement “*BSA addresses Gender Identity*”; “*BSA Position Statement on Transgender Youth*”; and “*Information for Unit Leaders Regarding Transgender Youth in Scouting*” to comport with the LAD’s prohibitions against discrimination based on gender identity and expression. Respondent agrees to provide DCR with copies of the Boy Scouts of America’s revised policies and procedures within 30 days of signing this agreement. Respondent also agrees that, in conjunction with the Boy Scouts of America, it will distribute same to all local councils in New Jersey within 90 days of signing this agreement.


6. If Respondent does not complete the actions described in paragraph 5 above, then DCR may take further enforcement action as provided by the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -49, may file a new administrative complaint addressing Respondent’s policies, or may exercise any rights otherwise available to file a timely Superior

Court action pursuant to N.J.S.A. 10:5-13.

7. Respondent and Complainant agree not to engage in any retaliatory conduct against each other or any participant in these proceedings.

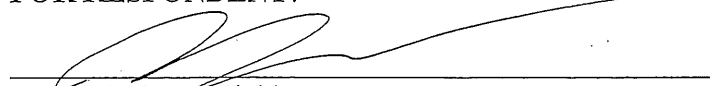
8. This Negotiated Settlement Agreement represents full satisfaction and release of all claims alleged or that could have been alleged against Respondent or the Boy Scouts of America in K.M. o/b/o J.M. et al. v. Boys Scouts of America, Northern New Jersey Council, DCR Docket No. PB42EF66299. This Agreement shall operate as a full and final disposition with prejudice of the allegations set forth in the verified complaint, subject only to the fulfillment of all the foregoing provisions.

**FOR COMPLAINANTS:**

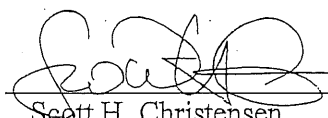
  
\_\_\_\_\_ on behalf of her minor child, J.M.,  
and individually

DATE: 3/2/17

**FOR RESPONDENT:**

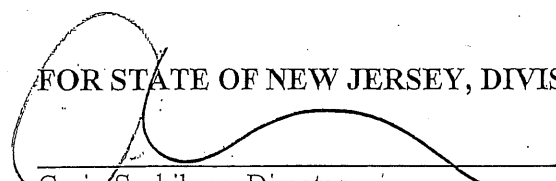
  
Name: Rebecca Fields  
Title: Scout Executive

DATE: 3/2/17

Attorney for Respondent:   
\_\_\_\_\_ Scott H. Christensen  
Hughes Hubbard & Reed LLP

DATE: 3/2/17

**FOR STATE OF NEW JERSEY, DIVISION ON CIVIL RIGHTS**

  
\_\_\_\_\_ Craig Sashihara, Director  
New Jersey Division on Civil Rights

DATE: 3-2-17