

## **REDACTION OF THE ATTACHED DOCUMENT**

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, certain portions of the attached documents have been redacted. Section 552(b)(7)(C) of the FOIA exempts from release investigatory records compiled for law enforcement purposes if such release could reasonably be expected to constitute an unwarranted invasion of privacy. Exemption 7(C) has been regularly applied to withhold references to persons who are not targets of investigations and who were merely mentioned in law enforcement files. OCR's FOIA Manual also states that there are some types of directly-identifying information that can be categorically withheld from release under Exemption 7(C), such as information that would reveal the identity of employees, students, and other parties with a privacy interest. OCR presumes that this inherent privacy interest will outweigh the public interest and that this information would never shed light on how OCR is performing its duties.

**Richmond Heights Local School District**  
**Resolution Agreement**  
**OCR Docket #15-11-1134**

The Richmond Heights Local School District Board of Education (District) submits this Resolution Agreement (the Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to ensure its compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, and to resolve the issues discovered by OCR during the investigation of the above-referenced complaint.

The District will take effective steps designed to prevent discrimination and harassment in its education programs and activities, including race discrimination, racial harassment, and retaliation; fully investigate conduct that may constitute harassment; appropriately respond to all conduct that may constitute harassment; and mitigate the effects of any harassment discovered, including by eliminating any hostile environment that may arise from harassment. The District agrees to take the following steps:

**I. Athletic Program and Individual Remedies**

- A. By May 14, 2012, the District will send a letter to each of the parents<sup>1</sup> of the participants on the 2010-2011 High School [ ] team (the Students), informing them of the outcome of the investigation of the allegations of racial harassment they filed in February 2011 against the District's 2010-2011 High School [ ] Head Coach (the Coach). The letter will also include the following statements:
- that the information gathered during the investigation supports that some or all of the Students were subjected to a racially hostile environment by the Coach;
  - that the District has taken steps and is continuing to take reasonable steps which are tailored to redress fully the specific problems experienced by the Students and reasonably calculated to prevent racial harassment and retaliation against the Students or any parent;
  - that responsive action taken by the District includes but is not limited to the provision of a new coach for the [ ] team, periodic climate checks with the Students, a student committee on race relations, a parent-driven working group, and appropriate training for faculty, administrators, Board members and the student body;
  - that the District is offering to each of the Students' parents the opportunity to request counseling for their child, at the District's expense (the parents will be able to select a qualified third party counseling service from a list of providers prepared by the District) to assist the Students in managing any mental or

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<sup>1</sup> The term parents, as used in the Agreement, refers also to legal guardians.

emotional consequences that may have resulted from their exposure to racial harassment. The letter will describe the steps necessary for the parents to opt in to the counseling for the Students and will include any necessary paperwork or permission slips that the parents will need in order for the Students to participate in the counseling by May 31, 2012. The letter will also state that the counseling sessions will be confidential, that the District will not have access to any of the information from the Students' counselors, the District's only involvement will be paying for the counseling during such time as the student is enrolled in the District, and the nature and extent of the counseling provided would be determined by the counselor and the parents;

- that the District is committed to ensuring that no students in the [ ] program are excluded from the benefits of the program on the basis of their race, including the opportunity to be contacted by college [ ] coaches and recruiters; that the District has taken steps to ensure that the current coaches are accurately representing the Students' interests and abilities, and those of all student athletes in the [ ] program, when communicating with college recruiters; and that the District's athletic director will require the current coaches in the [ ] program to timely report student athletic statistics to local newspapers; and
- that the Students and their parents are invited to participate in the student committees and advisory groups described under Items V.B and V.C of the Agreement.

**REPORTING REQUIREMENTS:** By May 14, 2012, the District will provide OCR with documentation verifying its implementation of Item I.A, including a copy of the letter, a complete list of intended recipients including all parents of the Students from the 2010-2011 [ ] team, and verification that the letter was mailed to all intended recipients. By the same date, the District will provide to OCR, for OCR's approval, a description of the counseling services being offered to the students, including a description of the counselors' qualifications. By May 31, 2012, the District will provide to OCR a list of the Students who have chosen to participate in the counseling services and documentation verifying that the services are being provided by the approved counselor and are being paid for by the District.

- B. By May 29, 2012, the District will initiate the steps necessary to ensure appropriate sanctions against the Coach, up to and including the initiation of proceedings under Ohio law and the applicable collective bargaining agreement for the removal of the Coach from any teaching and/or coaching positions in the District, for his role in creating a racially hostile environment at the District.

**REPORTING REQUIREMENTS:** By May 14, 2012, the District will submit to OCR written notification of the proposed initiation of sanctions. By May 31, 2012, the District will submit to OCR verification that the proceedings for sanctions have been initiated.

- C. By May 31, 2012, and each of the next two school years thereafter by October 31, the District will conduct an information session at which it will provide all [ ]

] players and their parents, athletic staff, and school guidance counselors with accurate information about the process for applying for athletic and academic scholarships and financial aid. The information will include a comprehensive overview of the athletic opportunities presented by colleges in all three of the athletic associations and the scholarships and financial aid opportunities available to student athletes at each of the athletic divisions within those athletic associations. The information session will clearly communicate that student athletes are not limited to the NCAA Division I and Division II schools in seeking athletic scholarships and will set forth the eligibility requirements for each of the divisions within all three athletic associations. The information will be provided by someone who is knowledgeable about academic and athletic scholarships and financial aid packages and is familiar with the process followed by college [ ] recruiters and coaches seeking eligible student athletes. The District will also provide information at this session about the District's [ ] program's rules for student interaction with college recruiters and its process for following up on inquiries made by college recruiters and/or coaches, including how and when the students or their parents will be advised of a particular college's interest in the student. The session will also include information for parents about how they can schedule a meeting to discuss their child's goals for college with a coach pursuant to item I.D of the Agreement.

**REPORTING REQUIREMENTS:** By May 31, 2012, the District will provide OCR with documentation that Item I.C has been implemented, including the names and credentials of trainers, the date on which the information session was held, copies of notices about the session, materials disseminated, speaker's notes or outlines, power points presentations, attendance sheets, and any other documentation generated pursuant to this activity. The District will send OCR documentation verifying that the requirements are met each subsequent school year by October 31, 2012 and October 31, 2013.

D. By May 14, 2012, and only if requested by Student A, the District will instruct the current high school [ ] coaches and/or Athletic Director to make copies of any video footage of the [ ] team for the 2010-11 and 2011-12 seasons in the possession of the District for the Complainant. If requested by Student A and/or Complainant, the District will also provide an opportunity for the Complainant and Student A to meet with the current coaches to develop an action plan for Student A's college search. The action plan will identify colleges that match Student A's interests and abilities and clearly delineate the action steps that the coaches will take in order to reach out to those colleges and to disseminate the video tape and other information about the Student A's academic and athletic achievements to college recruiters and coaches. The action plan will also clearly delineate the action steps Student A is responsible for that are essential to being a successful college applicant, such as taking the ACT/SAT, establishing NCAA Clearinghouse eligibility, maintaining an acceptable grade point average, and completing FAFSA forms, essays, and college applications. The District will also make this college search action plan opportunity available to all other [ ] players who are juniors or seniors during the 2011-2012 and

2012-2013 school years and who are interested in going to college after graduating high school.

**REPORTING REQUIREMENTS:** By May 14, 2012, the District will provide OCR with documentation that it has implemented Item I.D above, including a copy of any videos referenced above in the District’s possession and a copy of the action plan, and any memoranda, correspondence, or notes from meetings with the Complainant. If the Complainant chooses not to meet with the coaches, the District will provide OCR with a copy of its written invitation to the Complainant and explain its efforts in trying to meet with the Complainant. The District will also provide OCR with a list of juniors and seniors on the [ ] team in the 2011-2012 school year and a copy of the action plan for each student who participated. By October 31, 2012 the District will provide documentation for the 2012-2013 school year of the juniors and seniors on the team and the action plans for all participating students.

E. By May 31, 2012, the District will develop and implement a system for conducting targeted climate checks with the Students who are still enrolled at the District’s high school whether or not they continue to play [ ] for the District. These climate checks will include the opportunity for group or individual meetings with the Students to identify and assess any concerns raised by the Students about incidents of alleged racial harassment, discrimination, or retaliation that has occurred as a residual outcome of the events that occurred during the 2010-2011 school year<sup>2</sup> or that is occurring during the 2011-2012 school year. The climate checks should include an opportunity for verbal dialogue and also a written assessment or survey developed by the District. If any concerns are raised, the District will take steps to fully investigate and fully understand the nature and extent to which a hostile environment based on race may exist at the high school and will take appropriate responsive action aligned with the policies and procedures required by Section II of the Agreement. During these meetings, the District will emphasize its commitment to having a school environment free from harassment, remind attendees of the District’s prohibition against retaliation for making complaints of race discrimination, including racial harassment, and inform attendees about the opportunity to participate in the student committee and advisory committee established by the District in accordance with item V.B of this agreement. During the meetings, the District will also remind the Students of their right to file formal complaints of discrimination, harassment, or retaliation if they believe they have been subjected to such prohibited actions and will advise the Students of the procedures they should follow if they wish to do so, as well as provide them with a copy of the District’s policies and procedures, as revised pursuant to Section II of the Agreement. The District will conduct these targeted climate checks with the Students at periodic intervals, at least two times a year, until all of the Students who were on the [ ] team when the February 7, 2011, complaint was made have graduated.

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<sup>2</sup> These meetings are not intended to address incidents of racial harassment already investigated by OCR and covered by the Agreement.

**REPORTING REQUIREMENTS:** By May 31, 2012, the District will provide OCR with documentation that it has implemented the group and individual meetings outlined in Item I.E, including copies of meeting invitations and surveys used, and a report indicating the manner in which the individual and group climate checks were conducted, who conducted them and the outcome of each, and a summary of any current concerns expressed by the Students. For any complaints of racial harassment, discrimination, or retaliation that arise as a result of these climate checks, the documentation will include a copy of the complaint or, if unwritten, a narrative description; the date the incident(s) occurred; and the appropriate responsive actions taken by the District, including copies of any related investigative documents, disciplinary action or meetings held to redress the problem. For each subsequent school year in which the [ ] team is provided with the climate checks described in item I.E, the District will provide verification to OCR that the climate checks have been conducted by February 1.

## **II. Residency Verification Requirements**

- A. By May 31, 2012, the District will establish written policies and procedures for initiating residency checks on parents and students. At a minimum, the procedures will set forth a list of administrators within the District who have the authority to initiate and approve a residency check, a prohibition against non-authorized personnel initiating residency checks, the protocol for reporting concerns about someone's residency status, the documentation that must be generated in order to initiate a residency check, any requisite notice to the parents who are in question, a set of objective criteria for evaluating the sufficiency of the residency verification, and a prohibition against using the residency check as a means of retaliation or discrimination.
- B. By May 31, 2012, the District will issue a letter to the Complainant clearly stating the status of her residency file. If the District determines that the information in the Complainant's residency file is not sufficient to establish her residency, it will clearly state the objective reason for her residency being in question and will identify the specific documentation she must provide in order to bring her residency status into compliance with District requirements and by when.

**REPORTING REQUIREMENTS:** By May 31, 2012, the District will provide OCR with verification of its implementation of Items II.A and II.B, including a copy of the letter to the Complainant and proof of mailing, and the written policies and procedures for initiating a residency check on parents and students and where they are published.

### **III. Title VI Harassment-Related Policies and Procedures<sup>3</sup>**

- A. The District has in place the following policies: Board Policy 2260, Nondiscrimination and Access to Equal Educational Opportunity; Administrative Guidelines 2260B, Grievance Procedures for Nondiscrimination; Administrative Guideline 2260D, Notice of Nondiscrimination; Form 2260 F8, Notice of Nondiscrimination; Policy 5517, Anti-Harassment; Administrative Regulation 5517, Reporting Harassment; Form 5517 F1, Report of Harassment. By May 31, 2012, the District will review and revise, as necessary, the above-mentioned policies to ensure they are reasonably designed to prevent, address, and respond to incidents of harassment on the basis of race, color, or national origin, and will submit them to OCR for review and approval. At a minimum, the District will include the following in the policies and associated procedures:
1. An introductory statement setting forth the District's commitment to having a school environment free from all discrimination, including harassment, on the basis of race, color, and national origin. Such statement must explain that the District prohibits race, color, and national origin discrimination /harassment in the school environment, including all academic, extracurricular and school-sponsored activities. The statement will encourage students to immediately report incidents of discrimination/ harassment. The statement will emphasize that staff must promptly report to the staff member designated to respond to such complaints all incidents of discrimination and/ harassment of which they become aware by whatever means they become aware. The statement will specify that the District will investigate formal and informal complaints and that it strictly prohibits any form of retaliation against individuals who complain about discrimination/ harassment or otherwise assert their rights under Title VI. The District will distribute this statement in languages other than English as necessary and required by Title VI to ensure meaningful and effective communication with students and parents with limited English proficiency.
  2. Definitions of what constitutes prohibited discrimination and harassment, with examples of the types of conduct and behavior that are covered by the harassment policy, including examples of staff-to-student and peer-to-peer conduct.
  3. Identification of the kinds of activities and sites where prohibited conduct could occur.

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<sup>3</sup> For additional guidance, see OCR's *Dear Colleague Letter: Harassment and Bullying* (October, 26 2010) which can be found at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html> and OCR's *Racial Harassment /OCR Investigative Guidance: Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance*. This guidance was published in the Federal Register, Vol. 59, No. 47 (Mar. 10, 1994) and can be found at <http://www2.ed.gov/about/offices/list/ocr/docs/race394.html>.

4. An explanation of how to report discrimination/ harassment or retaliation and how to file a complaint.
5. A requirement that school personnel report incidents of alleged student-to-student and staff-to-student harassment that may be based on race, color, or national origin that school personnel witness or of which they have received reports or information, whether such incidents are verbal or physical or amount to harassment in other forms (e.g., graffiti).
6. A description of the District's complaint procedures, including a requirement that an investigatory report be filled out by each District school's designated staff member or his/her designee during the course of the investigation, a specified and prompt and reasonable timeframe for the District's investigation of a complaint, and a requirement that written notice of the outcome be provided to the parties.

The required investigatory report shall, at a minimum, include: (1) the name, race and /or national origin of the alleged victim and, if different, the name, race and/or national origin of the person reporting the allegation; (2) the nature of the allegation, a description of the incident, and the date and time (if known) of the alleged incident; (3) the name(s), race, and/or national origin of all persons alleged to have committed the alleged harassment, if known; (4) the name(s), race and/or national origin, if known, of all known witnesses to the alleged incident; (5) any written statements of the reporter, the victim (if different from the reporter), the accused student(s), and any known witnesses; (6) the outcome of the investigation; and (7) the response of school personnel and, if applicable, District-level officials, including the date any incident was reported to the police.

7. Identification of the means the District will use to investigate incidents of discrimination, harassment, or retaliation, including but not limited to the following:
  - a. the various steps the District will take to conduct adequate, reliable, and impartial investigations of reported incidents; and
  - b. the action steps the District will take to stop, remedy, and prevent recurrence of the discrimination, harassment or retaliation, including remedies such as counseling and discipline where appropriate.
8. Specific information as to the name or title and contact information (including office and email address and telephone number) for the District employee(s) responsible for receiving and/or investigating reports of discrimination, harassment or retaliation, including drafting the investigatory report.

9. A requirement that each of the staff members designated in accordance with Item III.A.8 above, document all reports of incidents of discrimination, harassment, or retaliation.
10. A protocol for the District-level record-keeping of each of the reports submitted by the designated staff members.
11. A recommendation that any District staff who observe acts of harassment based on race, color, or national origin intervene to stop the harassment, unless circumstances would make such an intervention dangerous, in which case they should immediately notify other District staff and/or call local law enforcement officials, as necessary, to stop the harassment.
12. Prohibition of retaliation against persons who report alleged harassment or participate in related proceedings.
13. A statement that the District may offer counseling services to any person found to have been subjected to harassment on the basis of race, color, or national origin and, where appropriate, to the person(s) who committed the harassment.
14. A plan for a comprehensive annual training program for District officials and administrators responsible for implementing and enforcing federal anti-discrimination and anti-harassment laws and related policies and procedures, and all appropriate school-level and security personnel.

**REPORTING REQUIREMENT:** By May 31, 2012, the District will submit the policies and procedures developed pursuant to Item III.A to OCR for review and approval.

- B. Within 60 calendar days of receipt of the OCR-approved revised policies and procedures, the District will:
  1. Adopt the policies and procedures, publish them on its website, and notify students, parents, and guardians of the policies and procedures and where a copy may be obtained by means that are designed to reach each student, parent, and guardian. Such means could include placing a notification in any regularly issued District newsletters or bulletins or sending a notice or a copy of the policies and procedures home with each student. The District will also make any necessary updates to its parent, student, and employee handbooks.
  2. Provide a copy of the revised policies and procedures to each parent of the Students who are still enrolled in the District, all District teachers, counselors, coaches, administrators, schools aides, the head of security

and all security personnel, all Board members, and any other District personnel charged with supervising students.

**REPORTING REQUIREMENT:** Within 60 calendar days of receipt of the OCR-approved revised policies and procedures, the District will submit information to OCR documenting implementation of Item III.B, including: a description of the means used to provide notice to students and parents of the District's new policies and procedures and copies of any notices issued; the link to the policies and procedures on the District's website; and verification that copies of the policies and procedures were distributed to appropriate staff and parents.

#### **IV. Training and Professional Development**

- A. By April 29, 2012, the District will provide to OCR the name and credentials of a consultant that it plans to hire to provide racial sensitivity training for all District staff and administrators, including all Board members. This consultant must have demonstrated expertise in addressing racial sensitivity issues, including addressing racial stereotypes, race discrimination, and race harassment. If OCR raises objections to the consultant's expertise in providing such training, the District will put forth additional consultants until OCR has no such objections. Once the District has proposed a consultant to whom OCR does not object, the District will ensure that such training commences by September 15, 2012.

**REPORTING REQUIREMENT:** By September 15, 2012, the District will provide OCR with documentation that it has implemented Item IV.A above, including the date(s) of the training and duration (i.e. length of time of the training) and copies of the training materials (e.g., outlines, handouts, power points) and sign-in sheets of attendees by name and title.

- B. Within 60 calendar days of receipt of the OCR-approved revised policies and procedures, the District will provide training to all District staff and District administrators, including all Board members, on the District's revised anti-discrimination and harassment policies and procedures, and thereafter on an annual basis or when new personnel are hired. The training must address, but need not be limited to, the following:
1. the District's policies and procedures regarding discrimination and harassment on the basis of race, color, or national origin;
  2. what constitutes race discrimination, racial harassment, and retaliation;
  3. how to recognize race discrimination, racial harassment, and retaliation;
  4. how to respond to suspected or known race discrimination, racial harassment and retaliation, including when an employee is required to report such harassment, discrimination or retaliation and to whom the harassment, discrimination, or retaliation should be reported;

5. how to respond to student complaints of race discrimination, racial harassment, and retaliation, including complaints of racial slurs or racial name-calling;
  6. the contact information (name, title, and telephone number) for the District personnel to contact with questions regarding race discrimination, racial harassment, and retaliation or about the District's policy and procedures for reporting, addressing, and remedying such race discrimination, racial harassment and retaliation; and
  7. notice that the District's policies regarding race discrimination, racial harassment, and retaliation will be strictly enforced.
- C. Within 60 calendar days of receipt of the OCR-approved revised policies and procedures, the District will provide training to all District staff who are directly involved in processing, investigating, and/or resolving complaints or other reports of race, color, or national origin discrimination, including harassment and retaliation complaints, and any counselors or other District personnel who are likely to receive reports of race, color, or national origin, and annually thereafter and when new staff are hired. The training must address, but need not be limited to, the following:
1. the need to provide the complainant with the opportunity to identify witnesses and provide evidence in support of the complaint;
  2. how to communicate with appropriate parties, including the complainant and the accused, regarding the existence, investigation, and outcome of a complaint;
  3. how to investigate complaints of racial harassment;
  4. how to make a determination consistent with the requirements of Title VI;
  5. the factors to consider in determining if a racially hostile environment exists;
  6. how to develop effective and appropriate remedies when a racially hostile environment has been found to have occurred; and
  7. the appropriate range of disciplinary and remedial measures for violations of the District's policies on discrimination, harassment, and retaliation, which will be codified in student and employee codes of conduct.

**REPORTING REQUIREMENT:** Within 60 calendar days of receipt of the OCR-approved revised policies and procedures, the District will provide OCR with documentation showing that Items IV.B and IV.C have been implemented. The documentation will include information about the dates of the trainings; copies of the agendas and any training materials distributed; the name and qualifications of the person(s) who provided the trainings, demonstrating that he/she is a competent authority on Title VI; a copy of the sign-in sheets of attendees, indicating name and job title; and copies of the District's student and employee codes of conduct. OCR is available to provide this training, upon request, at no cost to the District.

- D. By May 29, 2012, the District will provide to OCR the name and credentials of a consultant that it plans to hire by September 15, 2012, to provide age-appropriate racial sensitivity training for all District high school students. This consultant must have demonstrated expertise in addressing racial sensitivity issues, including addressing racial stereotypes, race discrimination, and racial harassment. If OCR raises objections to the consultant's expertise in providing such training, the District will put forth additional consultants until OCR has no such objections. Once the District has proposed a consultant to whom OCR does not object, the District will ensure that such training commences by September 15, 2012, and thereafter on an annual basis.

**REPORTING REQUIREMENT:** By September 15, 2012, the District will provide OCR with documentation that it has implemented Item IV.D, including the date and duration of the training(s) and copies of all training materials (e.g., outlines, handouts, power points), and sign-in sheets.

- E. Within 60 calendar days of receipt of the OCR-approved revised policies and procedures, and on an annual basis thereafter, the District will provide an age-appropriate orientation program for all District students regarding the District's harassment policies and procedures, which will address harassment, including, but not limited to harassment based on race, color, and national origin. The primary purpose of the information provided will be to:
1. review the District's harassment policies and procedures, including an explanation of harassment on the basis of race, color, or national origin and a statement of the District's prohibition against retaliation, as well as the disciplinary sanctions related to findings of violations of the District's harassment and retaliation policies;
  2. direct students to the District staff and administrators to whom such conduct should be reported if the student is a victim of, or a witness to, such conduct and what response they should expect from District personnel; and
  3. provide contact information for the District's guidance counselors and detail the services the counselors are available to provide to students who have witnessed or been subjected to harassment.

**REPORTING REQUIREMENT:** Within 60 calendar days of receipt of the OCR-approved revised policies and procedures, the District will provide OCR with documentation showing that Item IV.E of the Agreement has been implemented. The documentation will include information about the date that the information was provided for each grade level and the name and title of all individuals who conducted the sessions, as well as a copy of the topics covered and any materials distributed to the students.

**V. Educational Climate and Monitoring**

- A. By December 31, 2012, the District will appoint an administrator, staff person, or independent third party to conduct an annual assessment of the District's educational climate at the high school to assess the effectiveness of its anti-harassment program and to identify any additional measures beyond those outlined in the Agreement necessary to ensure an educational environment free of race discrimination, including racial harassment. The assessment will be a comprehensive audit including the following components:
1. an annual, written climate check survey given to the entire student body at the high school;
  2. an annual, written climate check survey to the entire staff at the high school;
  3. scheduling of interviews with a representative sample of District students, parents, and staff;
  4. input from the student committee established pursuant to Item V.B below;
  5. input from the advisory committee developed pursuant to Item V.C below;
  6. a review of all complaints of harassment, discrimination, and retaliation received by the District, either oral or written, and the District's responses;
  7. an evaluation of the data collected; and
  8. recommendations for improvement to the District's anti-harassment program and timelines for the implementation of the recommendations.

**REPORTING REQUIREMENT:** By February 1, 2013, the District will submit information to OCR documenting implementation of Item V.A. The documentation will include the name, title, and qualifications of the District employee or third party charged with conducting the educational climate assessment, a copy of any notes taken during the process, and a written summary of the outcome and recommendations. The report will also include copies of all recommendations made by the student committee and advisory committee. The District will also provide OCR with an action plan, including a timeline, developed by the District to respond to the information gathered during the review which will outline how the District will promptly remedy the existence of any racially hostile environment indicated by the information in the report. Additionally, for any complaints of racial harassment, the documentation will include a copy of the complaint or, if oral, a narrative description; the date the incident(s) occurred; and the actions taken by the District in response to the incident(s), including copies of any related investigative documents or letters of finding. To the extent this report contains student education records and students' personally identifiable information, such information is protected from disclosure pursuant to the provisions of the Family Education Rights and Privacy Act and any other applicable State and federal privacy protections.

- B. By October 31, 2012, the District will have fully implemented all necessary steps to establish a student committee at the high school, which will:
1. provide a forum for students to discuss matters concerning discrimination or harassment on the basis of race, color, or national origin;
  2. have the same privileges as other District extracurricular activities or groups, including access to meeting space in the high school and public notice about the committee, its meetings and its activities;
  3. meet once per month and appoint a chairperson of the committee;
  4. maintain written minutes of all meetings;
  5. consist of a minimum of three students and one District staff person who will be the sponsor for the committee;
  6. increase student awareness of the District's anti-harassment program;
  7. submit written recommendations to the District Superintendent, the Board, and the individual identified pursuant to Item V.A by the end of the first semester of the 2012-2013 school year, and annually thereafter, for activities, actions, and policies developed to promote racial equality and to eliminate all forms of race discrimination, including harassment, and retaliation and to improve the overall racial climate in the District; and
  8. provide specific written suggestions to the District Superintendent, the Board, and the individual identified pursuant to Item V.A, if it is someone other than the Superintendent, by the end of the first semester of the 2012-2013 school year, and annually thereafter, for developing an effective orientation program, as described in Item IV.B, that promotes respect and tolerance for others and takes steps reasonably designed to prevent the establishment of a hostile environment based on race, color, or national origin for students enrolled in the District.

**REPORTING REQUIREMENT:** By October 31, 2012, the District will provide OCR with documentation verifying implementation of Item V.B., including copies of notices and other information available to high school students about the committee and its meetings and activities, a list of persons who have joined the student committee disaggregated by race and grade level, and the name (and title, as applicable) of the person who has been designated to chair the committee.

- C. By October 31, 2012, The District's Superintendent will establish an advisory committee to, hold regular meetings, discuss concerns, and identify factors that if left unaddressed will contribute to a racially hostile environment, and make recommendations to the District's Superintendent regarding the effectiveness of the District's anti-harassment program for all students in the District. This Superintendent's advisory committee will be comprised of students, parents, interested community members, and staff. This advisory committee, at minimum, must be in place during the 2012-2013 and the 2013-2014 school years. At a minimum, the District's Superintendent will:

1. ensure that the advisory committee meets at a minimum two times per semester at times convenient for the committee members, which may be immediately prior to the community meetings set forth under Item V.D;
2. ensure that minutes of all advisory committee meetings are kept;
3. allow the advisory committee to use space in one of the District's buildings for meetings;
4. place the advisory committee on the Board of Education's regular meeting agenda at least two times a year to provide District officials with input regarding strategies for preventing and remedying discrimination, including harassment, on the basis of race, color and national origin and retaliation; and
5. implement each recommendation, or some comparable alternative, made by the advisory committee.

**REPORTING REQUIREMENT:** By October 31, 2012, the District will provide OCR with documentation showing that Item V.C has been implemented, including copies of notices and other information available to high school students, staff, and parents about the advisory committee and its meetings and activities, a list of persons who have joined the advisory committee, disaggregated by race, and grade level (if students), and the name of the person who has been designated to coordinate the committee. By June 1, 2013, the District will provide OCR with documentation showing that Item V.C is being implemented including a current member list, the name of the current person designated to coordinate the committee, copies of the advisory committee meeting minutes for the 2012-2013 school year, copies of board agendas and meeting minutes for all meetings where the advisory committee was included on the agenda and for all meetings where advisory committee recommendations were adopted.

- D. By the end of the first and second semesters of the 2012-2013 and 2013-2014 school years, the District will hold a community meeting, which will be widely advertised to District students, parents, staff, and community members to provide a public forum to ensure that such individuals are periodically updated and informed regarding the District's ongoing efforts and the effectiveness of its anti-harassment program in ensuring an educational climate free of harassment for all students.

**REPORTING REQUIREMENTS:** By February 1, 2013, and by June 31, 2013, the District will provide documentation verifying implementation of Item V.D of the Agreement, including information regarding the date, time, and location of the community meeting; the approximate number of participants; a copy of any agenda or materials distributed; the name and title of the individual(s) who hosted the meeting; and a narrative summary of any feedback obtained from participants and how the District used any such feedback to improve or modify its anti-harassment program.

**GENERAL REQUIREMENTS**

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. § 100.3, which were at issue in this case.

The District understands that, by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the District understands that during the monitoring of this agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. § 100.3.

/s/  
\_\_\_\_\_  
Superintendent or Designee

4/30/2012  
Date