



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION I
5 POST OFFICE SQUARE, 8th FLOOR
BOSTON, MASSACHUSETTS 02109-3921

RESOLUTION AGREEMENT
Waterbury Board of Education
OCR Complaint No. 01-14-1166

Pursuant to Section 302 of OCR's *Case Processing Manual*, the Waterbury Board of Education (District) has voluntarily entered into this agreement to resolve the allegation in the above-referenced complaint. The District assures that it will take the following actions and will meet its obligation to comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), or any other law enforced by OCR.

Action Item 1:

By **September 7, 2018**, the School will establish a Culture and Climate Committee consisting of School staff involved in making discipline referrals and imposing disciplinary sanctions; parents of School students; and community leaders. The Culture and Climate Committee will complete an assessment with respect to possible different treatment in discipline by:

- a. Reviewing whether any School discipline policies, practices, or procedures are resulting in the discriminatory exclusion of black students from the School or class;
- b. Analyzing the School's student discipline files and data from the 2015-2016 school year to the present, including whether black students who are similarly situated to students of other races are being treated differently with respect to: discipline referrals, including for disciplinary transfers or expulsions; exclusionary sanctions, such as suspensions, or length or type of sanctions, such as longer suspensions; and referrals for certain types of offenses, such as subjective or objective offenses.

Reporting Requirements:

- a. By **October 12, 2018**, the District will provide to OCR a report of the Culture and Climate Committee's assessment outlined in Action Items 1. and 1.b.

Action Item 2:

By **November 30, 2018**, if the Culture and Climate Committee identifies different treatment of black students with respect to the imposition of discipline pursuant to Action Item 1 and nonpretextual legitimate non-discriminatory reasons are not identified, and/or any school discipline policies, practices or procedures resulted in the discriminatory exclusion of black students from the School or class, the School will identify steps to address any discrimination in discipline by:

- a. Identifying student discipline files from the 2015-2016 school year to the present, where the student misbehavior could have been addressed by means other than disciplinary sanctions;
- b. Reviewing training practices with respect to nondiscriminatory discipline, including occasions where student misbehavior can be addressed by means other than disciplinary sanctions, de-escalation of student misbehavior, the recording of disciplinary incidents and referrals, and the need to refer for evaluation all students that the School has reason to believe are in need of special education or related services because of a disability;
- c. Assessing bias in its various forms and cultural sensitivity and their possible role(s) in any identified differences in treatment on the basis of race with respect to discipline for black students at the School;
- d. Providing students, parents, and guardians the opportunity to discuss any matters relating to discipline, including non-discrimination, and provide their input for any improvements in the School's discipline policies, procedures and practices. The School will ensure the maximum possible participation by students, parents and guardians by offering these discussions at multiple times in various locations and in languages other than English, as necessary.

Based on the assessment outlined in Action Item 2, the Culture and Climate Committee will develop a Plan describing the actions it has identified to address the working group's findings. As part of the Plan, the School will address its process for: identifying students who are at-risk of or demonstrate behavioral difficulties; providing and documenting a range of in-class and in-school positive interventions and supports to be employed before referring students for out-of-school suspensions; and supporting and training School staff to help them meet the needs of at-risk students.

Reporting Requirements:

- a. By **December 21, 2018**, if the Culture and Climate Committee identifies different treatment of black students with respect to imposition of discipline and legitimate, non-discriminatory reasons are not identified, and/or that any school discipline policies, practices or procedures resulted in the discriminatory exclusion of black students from the School or class, the District will provide to OCR its Plan as described above, for review and approval.
- b. Within **45 days** of OCR's approval, the District will provide to OCR documentation showing its implementation of the Plan, including but not limited to revised policies, procedures, practices, and training materials.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District to 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. Upon completion of the obligations under this Agreement, OCR shall close this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the District's representative below.

By: _____ Date: _____
Superintendent