

**RESOLUTION AGREEMENT**  
**Weymouth Public Schools (District)**  
**OCR Complaint Nos. 01-15-1110 & 01-16-1085**

The District voluntarily enters into this agreement to resolve the allegation in the above-referenced complaints pursuant to Section 302 of OCR's Case Processing Manual. 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) and Title IX of the Education Amendments of 1972 (Title IX), or any other law enforced by OCR. OCR has made no finding that the District has violated Title VI, Title IX, and/or their implementing regulations.

**Action Item 1:**

By **April 30, 2018**, the District will request a meeting with Complainant 1 and Student 1 at a mutually convenient time and place to discuss Action Items 3-6 of the Resolution Agreement. The District's discussion will include:

- a. A statement that the District chose to voluntarily enter into the Resolution Agreement to resolve Complainant 1's allegations; and
- b. An explanation of its plans to comply with the terms of the Resolution Agreement.

**Reporting Requirement:** By **May 31, 2018**, the District will provide to OCR documentation of its efforts to comply with Action Item 1 of the Agreement. This will include documentation evidencing that it requested a meeting with Complainant 1 and Student 1, and if the offer was accepted, a statement of when and where the meeting took place and what occurred at the meeting.

**Action Item 2:**

By **April 30, 2018**, the District will request a meeting with Complainant 2 and Student 2 to discuss how the parties can move forward from the December 2015 incident. The discussion will include:

- a. An offer for the School's XXXXXXXXXXXX or a member of the School's XXXXXXXXXXXX department to meet with Student 2 to determine whether XXXXXXXXXXXX sessions are needed and, if so, how many are needed; and to make available XXXXXXXXXXXX services to Student 2 consistent with the recommendations; and
- b. An offer for a "XXXXXXXX/XXXXXXXX Plan" to be put in place for Student 2 at Weymouth High School for the 2017-2018 and 2018-2019 school years. If Complainant 2 accepts the offer, the District will develop and implement a Safety/Action Plan to include the names and locations of school-level personnel that the District has appointed, in addition to the building principal, to whom Student 2 may report incidents of harassment. These individuals will be appointed following consultation with Student 2 to identify particular building staff with whom he may feel comfortable to approach if incidents of harassment occur.

**Reporting Requirement:** By **May 31, 2018**, the District will provide to OCR documentation of its efforts to comply with Action Item 2 of the Agreement. This will include documentation evidencing that it requested a meeting with Complainant 2 (and Student 2 as appropriate) regarding providing services to Student 2, and if the offer was accepted, documentation concerning the meeting, including the outcome of the meeting and a statement of which services, if any, will be provided in accordance with this provision.

**Action Item 3:**

By **April 30, 2018**, the District will submit to OCR, for its review and approval, its Civil Rights Nondiscrimination Policy and Procedures, consistent with the requirements of 34 CFR §§ 100.3, 106.8.

**Reporting Requirement:** **Within 30 days** of OCR’s approval, the District will publish the approved Civil Rights Nondiscrimination Policy and Procedures on its website. Additionally, the District will notify, in writing, students, parents/guardians, and staff of the new policy and procedure via email, handouts to students in class, or any other equally effective method of dissemination. The District will provide OCR with electronic and/or hard copy evidence of such dissemination **no later than 60 days** from the date OCR approves the revised procedures.

**Action Item 4:**

By **April 30, 2018**, the District will take prompt and effective steps reasonably calculated to ensure that students are not subjected to discrimination, harassment, or a hostile environment on the basis of race, color, national origin, or sex. As used in this Agreement, the term “racial and sexual harassment” includes the use of derogatory language, intimidation, threats, unwanted physical contact and/or physical violence, and the use of derogatory language and images in graffiti, pictures, drawings, notes, emails, postings on the internet and social networking sites, and phone messages, that are based on sex, race, color, or national origin. To this end, the District will:

- i. Promptly investigate all complaints or reports, written or oral, alleging discriminatory or harassing conduct committed by a District teacher on the basis of race, color, national origin, or sex. In this Agreement, these complaints or reports will be referred to as “Title VI and Title IX discrimination/harassment reports.”
- ii. Conduct investigations into discrimination, harassment, or a hostile environment on the basis of race, color, national origin, or sex in accordance with the District’s Civil Rights Nondiscrimination Policy and Procedures, adopted for this purpose, to be revised and approved by OCR in accordance with Action Item 3 of this Agreement.

When investigating Title VI and Title IX discrimination/harassment reports, the District’s process will promptly determine what occurred by conducting reliable and adequate fact gathering and applying a proper analysis:

- i. This process will include reliable techniques for fact gathering to include impartial fact gatherers and decision makers: conducting thorough witness interviews under conditions of privacy; creating a contemporaneous written interview record of the questions asked and the answers given (this does not have to be a verbatim record); seeking written statements of disputed accounts; identifying and collecting evidence to corroborate witness statements; and promptly gathering written and electronic evidence.
- ii. The outcome will be based on the appropriate legal standard for resolving a complaint of discrimination, harassment, or a hostile environment based on race, color, national origin, or sex.

If necessary, the District will take interim measures during the investigation of a Title VI and Title IX discrimination/harassment report.

If the District determines that racial harassment has occurred, the District will take reasonable steps to respond to the harassment.

If the District determines that sexual harassment has occurred, the District will take prompt and effective action to stop the harassment and prevent its recurrence, and, where appropriate, take steps to remedy the effects of the harassment on the affected person.

**Reporting Requirement:** By **June 29, 2018** (concerning the 2017-2018 school year), the District will provide to OCR all of the following with respect to the Maria Chapman Middle School (School):

- i. Documentation demonstrating that all District and School administrators were asked if they received any Title VI or Title IX discrimination/harassment reports (as defined by this Agreement) during the previous 2017-2018 school year, whether oral or written, and their responses;
- ii. A copy of all notes taken by District personnel documenting all oral Title VI or Title IX discrimination/harassment reports received;
- iii. A copy of all written Title VI or Title IX discrimination/harassment reports received by the District;
- iv. A copy of all investigatory documents gathered or generated in any resulting investigation;
- v. Documentation of all interim actions taken to prevent the recurrence of the harassing incidents, and any remedial measures taken following an investigation, including meetings, trainings, counseling, and disciplinary sanctions issued to any perpetrator of harassment on the basis of race, color, national origin, or sex;
- vi. A copy of the determination letter issued; and
- vii. Documentation demonstrating the remedial efforts offered and provided to the person(s) targeted by the harassment, such as counseling, tutoring, or other appropriate services.

**Action Item 5:**

By **April 30, 2018**, the District will provide to OCR, for approval, a copy of the Title VI and Title IX training materials for all District teachers and staff regarding the District's compliance with its obligations under Title VI and Title IX, including the investigation of complaints of racial and sexual harassment.

**Reporting Requirements:**

- **Within 45 days of the beginning of the 2018-2019 school year**, the District will provide this Title VI and Title IX training for all District teachers and staff.
- **Within 14 days** of conducting the training, the District will submit to OCR documentation demonstrating that the training was delivered in accordance with this Agreement, including agendas, copies of all training materials, and attendance sheets from the trainings. The attendance sheets shall include the names and titles for all District faculty and staff members and the signatures of those individuals who participated in the training.

**Action Item 6:**

The District will assess the racial climate at the School. As part of this assessment, the District will do the following:

- i. Gather feedback from students through meetings with members of the guidance staff and/or surveys in regard to issues of racial harassment in the School and suggestions for improving the climate;
- ii. Use data from the assessment to examine the effectiveness of the School's current policies and practices, and determine appropriate training on diversity issues; and
- iii. Explore and identify resources available to the District, in addition to resources already used, that the School could use to provide educational opportunities for students on issues of discrimination.

With consideration of the information gathered and the recommendations from the assessment, and **within 45 days** of receipt of such report, the District shall develop a plan that will include action taken in response to the assessment.

**Reporting Requirements:**

- By **October 1, 2018**, the District shall perform the assessment described above.
- Within 45 days of conducting the climate assessment, the District will provide to OCR a document explaining the results of the assessment as well as all data gathered, and provide, for OCR's review and approval, the District's Action Plan for implementing the recommendations taken in response to the assessment.

- By **December 3, 2018**, the District will provide OCR with reports detailing steps planned for the 2018-2019 school year, to enact the Action Plan.

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 the 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.

Upon the District's satisfaction of the commitments made under this Agreement, OCR will 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 a minimum of 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