

**RESOLUTION AGREEMENT**  
**Lincoln-Sudbury Regional High School**  
**OCR Complaint No. 01-18-1073**

Lincoln-Sudbury Regional High School (District) has voluntarily, without admission of wrongdoing and in commitment to the actions it initiated prior to the filing of the above-referenced Complaint, entered into this agreement after consultation with OCR to resolve the allegations in the above-referenced Complaint. The District assures that it will take the following actions.

The District agreed to resolve this Complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

**ACTION ITEM 1: COMPLAINT PROCESSING**

1. The District will take all steps necessary to ensure that students are not subjected to discrimination, harassment or a hostile environment on the basis of race, color or national origin. To this end, the District will continue to promptly investigate all complaints or reports, written or verbal, alleging prohibited discrimination and harassment<sup>1</sup> under Title VI. In this Agreement, these complaints or reports will be referred to as "Title VI discrimination/harassment reports."
2. When investigating Title VI discrimination/harassment reports, the District will record the following information, unless that information is not known and cannot be discovered through the exercise of reasonable diligence: the date of the report; the name(s) of the complainant(s); the name(s) of the person(s) who received the report or made the report; the name(s) of the respondent(s); the name(s) of the person(s) assigned to investigate the report; the interim measures offered and/or taken, if any; the date of the investigative findings; a summary of the findings, including any actions proposed and/or taken on behalf of the complainant and any disciplinary or other actions taken against the respondent; the date of any request(s) for appeal, if any; and the outcome on appeal, if any. The District will maintain records of all reports, investigations, findings, the basis for those findings, and appeals.

**Reporting Requirement:**

1. By **January 30, 2019**, the District will provide to OCR the following information for each Title VI discrimination/harassment report of which the District had notice between September 1 and December 31, 2018:
  - a. Name or unique identifier of complainant;
  - b. Name or unique identifier of alleged perpetrator;
  - c. Name of staff member conducting investigation;

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<sup>1</sup> "Prohibited discrimination and harassment" refers to discrimination prohibited by Title VI and harassment that is sufficiently severe, persistent, or pervasive as to interfere with educational opportunities from the objective standpoint of a reasonable person.

- d. Date and description of alleged harassment;
- e. Date(s) of investigation;
- f. Interim measures (if any) provided during the course of the investigation; and
- g. Date and description of resolution.

In addition, specific information concerning individual complaints, including the complaint itself, incident report, correspondence (including email) or other written description of the allegations, and a copy of any documentation of the District's response, including interview notes, investigative reports, written findings, and records of any corrective action taken, including any disciplinary action, will be made available (if the requested documentation exists) upon request by OCR. OCR will keep any documentation provided by the District confidential to the extent permitted by law.

#### ACTION ITEM 2 – CLIMATE CHECK

1. By October 30, 2018, the District will complete its "climate check" of the District focusing on its climate related to race. The District represents that its climate check has been designed to, at minimum, address the occurrence of discrimination and harassment based on race and assess the District's dissemination of information about its policies and procedures with respect to harassment based on race. The District asserts that its climate check meets or exceeds the goals of any climate check that may have been required outside a voluntary resolution of this complaint. The District's climate check may be accomplished through a written or electronic survey, focus groups, etc., provided that students are also notified of a contact person, such as a counselor, should they wish to discuss this issue in person. As part of the climate check, the District will continue to gather information from students, parents and staff members about the current District climate in regard to race, and suggestions for improving school climate. Information gathered during this climate check will be used to inform future proactive steps taken by the District.

#### Reporting Requirement:

1. By **January 30, 2019**, the District will provide documentation to OCR demonstrating that it has conducted the climate check, an analysis of the information obtained by the climate check, and a written plan setting forth proactive steps to address any areas of concern identified by the climate check.

#### ACTION ITEM 3 – STAFF TRAINING:

1. In continuation of its pre-existing practices, by December 30, 2018, the District will provide training to all District employees who come into contact with students which will, at a minimum, inform employees of the importance of the District's prohibition of discriminatory or harassing conduct towards students on the basis of their race, color or national origin; familiarize employees with the District's Title VI grievance procedures; and remind employees of their obligation to report prohibited discrimination and harassment under Title VI. The District will also incorporate

feedback from the climate check in developing its training program.

2. In continuation of its pre-existing practice, by December 30, 2018, the District will provide training to all administrators who may conduct investigations of discrimination and harassment based on race, color or national origin. The training will, at a minimum, address the following topics: conducting and documenting prompt, adequate, reliable, and impartial investigations, including records management of the investigation; applying appropriate evidentiary standards; issuing findings of fact; making legal conclusions based on an analysis of findings of fact; and investigating allegations of verbal utterances and social media incidents.

**Reporting Requirement:**

1. By **January 30, 2019**, the District will submit to OCR documentation demonstrating that the training programs were delivered in accordance with Action Item 3 of the Agreement, including a copy of the written materials used by trainers and distributed to participants, the identity and credentials of the individual(s) who provided the training, and the names and positions of the persons attending the trainings.

**ACTION ITEM 4 – STUDENT TRAINING:**

1. In continuation of its pre-existing practice, the District will provide training to all 9<sup>th</sup> grade students in the spring of 2019 to address discrimination and harassment based on race, color or national origin. The District represents that the training includes written materials and covers, at minimum: (a) the measures the District has taken and will take to avert the establishment of a hostile environment based on race, color or national origin, and retaliation when students file complaints; (b) an assurance of the District's commitment to providing a school environment free from discrimination or harassment based on race, color or national origin; and (c) an explanation of what a student should do if the students believes he/she or other students are being subjected to discrimination, harassment or a hostile environment on the basis of race, color or national origin by a teacher, another student, employee or third party. The District will also incorporate feedback from the climate check, if necessary, in updating its training program.

**Reporting Requirement:**

1. By **June 1, 2019**, the District will submit to OCR documentation demonstrating that the program was delivered in accordance with Action Item 4 of the Agreement, including a copy of the written materials used by trainers and distributed to participants, the identity and title of the individual(s) who provided the training, and the number of students attending the program.

ACTION ITEM 5 – RACIAL CLIMATE TASK FORCE

1. By September 30, 2018, the District will determine a plan to expand the membership of its Racial Climate Task Force (RCTF) to include representation of students and parents/guardians.
2. The RCTF will, at minimum:
  - a. Obtain information from the District community (including students, staff, parents/guardians, and school volunteers) through surveys, meetings, or other means about the school climate with regard to racial harassment, discrimination, or stereotyping; and
  - b. Develop recommendations to ensure that the school climate promotes a positive educational climate free of racial harassment, discrimination, or stereotyping.

Reporting Requirement:

1. By **October 30, 2018**, the District will provide to OCR a report describing how the RCTF was publicized, the names and positions of all staff who are a part of the RCTF, its plan to expand the membership of the RCTF to include representation of students and parents/guardians, and the number of students and parents/guardians who are a part of the RCTF. The report will also describe the RCTF's progress toward items a and b listed in Action Item 5(2) and information about the RCTF's meeting schedule.

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 the Agreement, OCR will close the 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: /s/ \_\_\_\_\_  
Name and Title

Date: 8/6/2018 \_\_\_\_\_