

RESOLUTION AGREEMENT
Hampton School District / SAU 90
OCR Complaint No. 01-19-1290

The Hampton School District / SAU 90 (District) has voluntarily entered into this agreement to resolve the allegation in the above-referenced complaint. 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*. The District assures that it will take the following actions.

Action Item 1

- a. The District will review all alleged incidents of racial harassment of the Complainants' daughter (Student) of which the District was aware during the 2018-2019 school year, including the findings of any previous bullying investigations under its Policy *JICK*, to assess whether the Student was subjected to a racially hostile environment in the District's programs and activities during the 2018-2019 school year.
- b. If the District determines that a hostile environment arose, it shall identify what measures are necessary to eliminate and/or prevent the recurrence of a racially hostile environment in the District's programs and activities, implementing those measures that pertain to a hostile environment generally and acting consistent with Action Item 2 below for measures that pertain to the Student specifically.

Reporting Requirement

By **March 15, 2020**, the District will provide to OCR documentation of:

- i. the assessment; and
- ii. the District's consideration, and implementation, of measures pursuant to Action Item 1(b), if any.

Action Item 2

By **February 15, 2020**, the Superintendent will send a written invitation to the Complainants, giving them until March 1, 2020 to accept. Pursuant to this invitation, the Superintendent will offer to meet with the Complainants (and the Student, if the Complainants wish for her to attend) to discuss:

- a. the results of the District's assessment pursuant to Action Item 1; and
- b. ways the District intends to support the Student XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXX, including:
 - i. remedial measures (e.g., counseling, tutoring, or other services) that may be appropriate for the Student if the District determined that she was subjected to a racially hostile environment in the District's programs and activities;

- ii. appropriate action steps (e.g., development of an individualized safety plan, designation of a staff liaison, course schedule adjustments, etc.) designed to ensure that the Student safely and successfully XXXXXXXXXXXXX; and
- iii. ways in which the District may support the Student’s continuing education.

Should the Complainants accept this invitation by March 1, 2020, the Superintendent will meet with the Complainants (and Student, if appropriate) at a mutually agreeable date and time during the 15 calendar days following the Complainants’ acceptance to discuss the topics referenced in Action Items 2(a-b).

Reporting Requirement

By **March 20, 2020**, the District will provide to OCR:

- i. a copy of the written invitation sent to the Complainants;
- ii. a statement regarding whether the Complainants accepted the invitation; and, if so,
- iii. a summary of the discussion at the meeting and any determinations reached regarding Action Item 2(a-b).

Action Item 3

Prior to the start of the 2020-2021 school year, the District will

- a. review the School’s electronic student information management system to ensure that all incidents of alleged racial harassment during the 2018-2019 and 2019-2020 school years have been accurately identified and coded as racial harassment in the School’s electronic disciplinary records;
- b. review the effectiveness of the School’s current policies and practices in addressing its response to alleged racial harassment, including the School’s tracking of complaints and repeat perpetrators, assessment of hostile environment, and timely notification of parties regarding the allegations and the status of investigations; and
- c. take any corrective actions that are deemed necessary following these reviews.

Reporting Requirement

By **September 1, 2020**, the District will provide OCR a written description of the

- i. results of the reviews conducted pursuant to Action Item 3(a-b);
- ii. corrective actions taken pursuant to Action Item 3(c); and
- iii. schedule for completion of additional planned corrective actions pursuant to Action Item 3(c), if any.

Within 30 days of the completion of additional planned corrective actions described in Reporting Requirement (iii), if any, the District will

- iv. provide OCR documentation verifying the completion of those actions.

Action Item 4

Prior to the start of the 2020-2021 school year, the District will conduct Title VI training for the Superintendent, and the School Principal, Assistant Principal, Counselor, and Teacher on how to conduct and document reasonable, timely, and effective racial harassment investigations, including the appropriate legal standards to apply in such investigations, and actions required in response to a determination that a racially hostile environment exists in the District’s programs and activities.

Reporting Requirement

Within 30 days of conducting the training referenced in Action Item 4, the District will provide to OCR:

- i. A list of the individuals who attended the training and their positions;
- ii. The date(s) the training was conducted;
- iii. The name and credentials of the trainer(s)/presenter(s); and
- iv. Copies of any training materials disseminated.

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 and obligations 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 proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, 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/_____ Date: _____
Kathleen Murphy
Superintendent of Schools