

RESOLUTION AGREEMENT
Nauset Public Schools
OCR Complaint No. 01-19-1320

Nauset Public Schools (District) has voluntarily entered into this agreement to resolve the allegation in the above-referenced complaint. This agreement does not constitute an admission of discrimination or wrongdoing in violation of Title VI, or any other governing laws and regulations. The District assures that it will take the following actions.

The District agreed to resolve this complaint prior to the completion of U.S. Department of Education's Office for Civil Rights' (OCR's) investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

1. Anti-Harassment Statement: By April 1, 2021, the Superintendent will issue a statement to all District students, faculty, and staff stating that the District does not tolerate acts of prohibited harassment based on shared ancestry and ethnic characteristics by District students, faculty, staff, and/or third parties. By the same date, the District will also post this statement on its website. The statement will encourage any student who believes he or she has been subjected to such harassment within the past two calendar years to report it to the District and will provide instructions on how a student may report it to the District.

Reporting Requirement: By April 15, 2021, the District will provide OCR evidence that it has disseminated the Anti-Harassment Statement to students, faculty, and staff and that it has posted the Anti-Harassment Statement on the District's website.

2. Harassment Policy and the Discrimination and Harassment Complaint Procedure:
 - a. By April 1, 2021, the District will revise its Harassment Policy (*Policy*) and the Discrimination and Harassment Complaint Procedure (*Complaint Procedure*) to include a statement prohibiting the harassment of students on the basis of their actual or perceived shared ancestry or ethnic characteristics. The District will ensure that the *Policy* and/or *Complaint Procedure* sets forth the procedures for addressing and responding to reports of discrimination and harassment based on shared ancestry and ethnic characteristics.
 - b. Pursuant to the procedures set forth in its revised *Policy* and/or *Complaint Procedure*, the District will take appropriate action to address and ameliorate discrimination and harassment based on shared ancestry and ethnic characteristics, including
XXXXXXXXXXXXXX.

Reporting Requirement: By April 15, 2021, the District will submit to OCR, for review and approval, a copy of the revised *Policy* and the revised *Complaint Procedure*. OCR will respond within 15 calendar days. Within 15 calendar days of OCR's approval, the District will submit evidence to OCR that the District has posted both documents on its website.

3. Complaint Processing and Recordkeeping: The District will ensure that it creates and maintains contemporaneous records of alleged reports of discrimination/harassment based on race, color, national origin, and actual or perceived shared ancestry or ethnic characteristics, including XXXXXXXXXXXXX and the District’s response to each such report, including any notice it provides to the parties regarding the allegation(s), the status of investigation, and outcome of the investigation.

Reporting Requirement: By April 15, 2021, the District will provide OCR a written report of the steps taken to comply with Action Item 3.

4. Review of Reports:
 - a. By May 1, 2021, the District will review the October XXXX, January XXXX, March XXXX, and May XXXX reports of XXXXXXXXXXXXX harassment of the Student. For those reports that the District previously investigated but has not issued outcome letters, the District will provide all parties written notification of the outcome of each investigation.
 - b. The District will review all reports alleging XXXXXXXXXXXXX that the District received during the 2018-2019, 2019-2020, and 2020-2021 school years (until the date of this agreement), including (without limitation) the reports in this case, to assess whether any additional measures are necessary to eliminate and/or prevent a hostile environment in the District’s programs and activities.

Reporting Requirement: By July 15, 2021, the District will provide OCR documentation of:

- i. the review process and notices referenced in Action Item 4(a); and
- ii. the District’s consideration and implementation of measures pursuant to Action Item 4(b), if any, and materials supporting its assessment.

5. Administrator / Staff Training: As part of its annual training to school staff and in each other training or session that the District offers concerning the *Policy* and/or *Complaint Procedure*, the District will include a component on discrimination and harassment based on actual or perceived shared ancestry or ethnic characteristics, including but not limited to examples of XXXXXXXXXXXXX. OCR’s X---part of sentence redacted---X provides examples that can be used in a training to fulfill this requirement. The training will also include a component to assist faculty and staff in understanding and implementing the procedures for addressing, responding to, and documenting reports and complaints of discrimination and harassment.

Reporting Requirement: By September 10, 2021, the District will provide documentation to OCR demonstrating that this training was provided to school staff. This documentation will include, but will not be limited to, the date(s) of the training; the name and credentials of the trainer; copies of any training materials used, including any handouts, guides, or other materials; and a description or list of the attendees.

6. Invitation to Meet with Student’s Parents: By May 1, 2021, the Superintendent will send a letter (via both email and U.S. mail) to the Student’s parents. The letter will state that the Superintendent will make him/herself available, by phone and/or virtually, to meet with the

parents (and the Student, if her parents wish for her to attend) to discuss (1) any concerns that they may have about incidents of XXXXXXXXXXXXXXX that have occurred within the educational programs and activities of the District and (2) the ways in which the District intends to support the Student if she X---part of sentence redacted---X. The letter will provide the family with 30 days to accept this invitation.

Should the Student’s parents accept, the Superintendent will meet with the Student’s parents (and Student, if appropriate) at a mutually agreeable date and time within 20 calendar days to discuss the topic referenced above.

Reporting Requirement: By July 15, 2021, the District will provide OCR:

- i. a copy of the written invitation sent to the Student’s parents;
- ii. a statement regarding whether the Student’s parents accepted the invitation; and if so,
- iii. a summary of the discussion at the meeting.

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, at a mutually agreeable date and time, 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 terms and obligations 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 statutes and regulations. Before initiating such proceedings, OCR shall give the Recipient 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: _____
Thomas M. Conrad
Superintendent, Nauset Public Schools