

## **RESOLUTION AGREEMENT**

### **Eastern Camden County Regional School District OCR Case No. 02-15-1103**

In order to resolve Case No. 02-15-1103, the Eastern Camden County Regional School District (the District) assures the U.S. Department of Education, New York Office for Civil Rights (OCR), that pursuant to the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. § 2000d et seq., and its implementing regulation at 34 C.F.R. Part 100; Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990 (the ADA), 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, it will take the actions set forth below:

#### **ACTION ITEM 1:**

By June 30, 2016, the District will provide documentation to OCR demonstrating that during school year 2015-2016, it responded to any additional alleged incidents of race and/or disability harassment involving the Student (or other students) of which it had notice, in a prompt and effective manner; with action that is reasonably calculated to stop the harassment, prevent its recurrence, and as appropriate, remedy its effects.

**REPORTING REQUIREMENT:** By June 30, 2016, the District will report to OCR any incidents of alleged race and/or disability harassment that occurred during school year 2015-2016 involving the Student and any other student, of which it had notice. The report to OCR will include, at a minimum, (a) a copy of the complaint or a description of any orally reported alleged incident(s) of race and/or disability discrimination or harassment; (b) the date(s) of receipt of the written complaint or oral report; (c) a description of the District's findings and response to the incident(s); and, (d) the date(s) that the District provided notice of the outcome of its investigation in writing to the parties.

#### **ACTION ITEM 2:**

A. By June 30, 2016, and periodically thereafter, the District will provide training to relevant personnel regarding their responsibility to respond to complaints of race and/or disability discrimination and harassment. At a minimum, the training will be provided to School Principals, Anti-Bullying Coordinators, Anti-Bullying Specialists, School Safety Team members, teachers, guidance counselors, school social workers, special education directors, and special education case managers. The training will, at a minimum, cover the following: (1) the requirements of Title VI, Section 504, and the ADA, including that discrimination and/or harassment based on race, color, national origin, or disability is prohibited and will not be tolerated; (2) the range of behaviors that constitute discrimination and/or harassment based on race, color, national origin and disability; (3) the disciplinary sanctions applicable to anyone who engages in discrimination and/or harassment based on race, color, national origin and/or disability; (4) the responsibility of staff to report incidents of possible

discrimination and/or harassment and the procedures for doing so; and, (5) where, how and to whom instances of discrimination and/or harassment are to be reported.

- B. By June 30, 2016, and periodically thereafter, the District will provide training to its Anti-Bullying Coordinators and Anti-Bullying Specialists, and any other District administrators and staff who are directly involved in processing, investigating and/or resolving complaints or other reports of race or disability discrimination (the training may include other bases), including harassment complaints, and any counselors or other District personnel who are likely to receive reports of such discrimination or harassment. The training will cover, at a minimum, the District’s Policy 5512(G) regarding conducting investigations and the District’s obligations regarding the investigation of complaints; instruction on how to conduct and document adequate, reliable and impartial investigations; information on particular types of conduct that would constitute harassment; the proper standard of review of allegations of harassment (preponderance of the evidence); the need for remedial actions for the perpetrator, complainant, and school community; how to determine credibility; and, how to evaluate evidence and weigh it in an impartial manner.

**REPORTING REQUIREMENT:** By July 31, 2016, the District will provide documentation to OCR demonstrating that training was provided consistent with Action Item 2 above, including: (a) the name(s) of the individual(s) who conducted the training; (b) a list of the individuals who attended the training and their positions; (c) the date(s) the training was conducted; and, (d) copies of any training materials disseminated.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with the regulations implementing Title VI, at 34 C.F.R. § 100.3; Section 504, at 34 C.F.R. §§ 104.4, 104.7(b) and 104.33; and the ADA, at 28 C.F.R. §§ 35.107(b) and 35.130, which were at issue in this case. The District also 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 this 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 and is in compliance with the regulations implementing Title VI, at 34 C.F.R. § 100.3; Section 504, at 34 C.F.R. §§ 104.4, 104.7(b) and 104.33, and the ADA, at 28 C.F.R. §§ 35.107(b) and 35.130. 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.

/S/

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Date

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XXXXXXXXXXXXXXXXXX, XXX, XXXXX  
Superintendent  
Eastern Camden County Regional School District