

## **Voluntary Resolution Agreement**

### ***OCR Complaint #03-13-1098 Baldwin-Whitehall School District***

To resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), under Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulation, at 34 C.F.R. Part 100, the Baldwin-Whitehall School District (the District) enters into this Voluntary Resolution Agreement (Agreement) and commits to implement the provisions set forth in this Agreement.

1. The District recognizes its obligation to refrain from retaliating against any individual who exercises his or her rights by engaging in an activity protected by the obligations and laws that OCR enforces in accordance with the Title VI obligations at 34 C. F. R. Section 100.7(e), which provides that no recipient (of Federal funding) shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege, or because she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing. The District further affirms that it does not preclude persons from filing complaints pursuant to District policies because they have engaged in protected activities under Title VI.
2. By January 15, 2014, the District will initiate and complete an investigation of the xxxxxxxxxxxx xxxxx xxx xxxx xxxxxxxxxxxx, in accordance with the applicable District policies.

#### Reporting Requirement

By February 28, 2014, the District will provide OCR with documentation demonstrating compliance with #2, (e.g. copies of any investigative notes, reports, decisions, notice of outcome provided to the Complainant and a description of any remedial action taken, if applicable.)

This Agreement does not constitute an admission of liability by the District, nor does it constitute a determination by OCR that the District violated any of the regulations enforced by OCR.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, OCR may visit the District, interview staff 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 Title VI and its implementing regulation at 34 C.F.R. Section 100.7(e), which was at issue in this complaint.

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

Title VI and its implementing regulation at 34 C.F.R. Section 100.7(e), which was at issue in this complaint.

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.

/s/

12/9/2013

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Superintendent (or designee)

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Date