

**Resolution Agreement
Somerset Independent Schools
Docket #03-15-1099**

To resolve the allegations in the referenced complaint filed with the U.S. Department of Education, 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, Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act (Title II) and its implementing regulation at 28 C.F.R. Part 35, Somerset Independent Schools (the District) voluntarily enters into this Resolution Agreement (Agreement). This Agreement does not constitute an admission of liability on the part of the District, nor does it constitute a determination by OCR that the District violated any of the regulations enforced by OCR.

The District voluntarily makes the following commitments to OCR:

ACTION STEPS

Anti-Harassment/Anti-Retaliation Statement

1. Within 10 days of the signing of this Agreement, the District will issue a memorandum to all XXXXXX staff, including volunteers, at XXXXXX (the High School) stating that the District does not tolerate acts of discrimination or harassment based on race or disability. The statement will also state that retaliation against individuals who make complaints about race or disability discrimination, or participate in the investigation of such complaints, is prohibited.

Reporting Requirement: By October 30, 2015, the District will submit to OCR a copy of the memorandum issued in accordance with Action Step #1 and the distribution list indicating the coaches and volunteers who received the memorandum.

Anti-Discrimination/Anti-Harassment Training

2. By September 30, 2015, the District will provide training to all XXXXXX staff and volunteers which addresses harassment on the bases of race, color, national origin and disability. This programming will remind XXXXXX staff of the District's commitment to having a school environment free from all discrimination and harassment. The District will also ensure that the District's harassment policies and procedures are reviewed with coaching staff and they are reminded of the disciplinary sanctions related to findings of violations of its harassment policies and the policy prohibiting retaliation.

Reporting Requirement: By October 30, 2015, the District will submit to OCR documentation substantiating that it provided training. Specifically, the District will provide documentation indicating the dates of the training, the name and title of the presenter, the names of those who attended, the topics covered during the training, and copies of any materials used in the training.

Grievance Procedures

3. By September 30, 2015, in consultation with OCR, the District will review and revise, if necessary, its grievance procedures to ensure that they incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any prohibited actions under Section 504 and/or Title VI. As part of this process, the District will review and revise, as necessary, all complaint procedures that can be used for filing race and/or disability discrimination complaints to ensure that there is a clear and consistent process. The District will clarify the complaint process options for students pursuing disability and/or discrimination complaints. The District will ensure that its Section 504 and Title VI grievance procedures will contain, at a minimum, the following elements:
 - a. notice to students, parents, and employees of the procedure, including how and where to file a complaint;
 - b. application of the procedure to complaints alleging disability and/or race discrimination carried out by students, employees, or third parties;
 - c. adequate, reliable, and impartial investigation, including the opportunity to present witnesses and other evidence;
 - d. designated and reasonably prompt timeframes for the major stages of the complaint process;
 - e. notice to the parties of the outcome of the complaint, and the basis for the decision; and
 - f. an assurance that the District will take steps to prevent the recurrence of any prohibited actions and to correct its discriminatory effects on the complainant and others, if appropriate.

Reporting Requirement: By September 30, 2015, the District will provide OCR with a copy of its proposed revised grievance procedures for OCR's review and approval, in accordance with Action Step #3 above. Within 45 calendar days after OCR's approval of the grievance procedures, the District will provide OCR with documentation that it has implemented the procedures, including copies of the written notices issued to students and employees regarding the new procedures and a description of how the notices were distributed; copies of its revised student and employee handbooks and any other publications where these procedures are published; and a link to its webpage where the revised procedures are located.

Individual Remedies

4. xxx – paragraph redacted --- xxx

The District understands that OCR will not close the monitoring until it 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(a), 100.7(e), and the regulations implementing Section 504, at 34 C.F.R. § 104.4, which were at issue in this complaint.

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 this Agreement. Further, the District understands that during the monitoring of this Agreement, 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 complied with the terms of this Agreement and is in compliance with the regulations implementing Title VI, at 34 C.F.R. §§ 100.3(a), 100.7(e), and the regulations implementing Section 504, at 34 C.F.R. § 104.4, which were 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 sixty (60) calendar days to cure the alleged breach.

/s/

8-14-15

Superintendent or Designee
Somerset Independent Schools

Date