

**Resolution Agreement  
Cabell County Schools  
Case Number 03171053**

The Cabell County Schools (the District) voluntarily enters into this Resolution Agreement (Agreement) and makes the following commitments to OCR. The District submits this Agreement to ensure compliance with the requirements of Title VI of the Education Amendments of 1972 (Title VI), 42 U.S.C. § 2000d. 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.

**ACTION STEPS**

**Anti-Harassment Statement**

1. By August 31, 2017, the District will issue a statement to all District students, parents, and staff that will be posted in prominent locations in the District, and published on the District's website, stating that the District does not tolerate acts of discrimination or harassment based on race, color, or national origin. The statement will also:
  - a. state that retaliation against individuals who make complaints about race or disability discrimination, or participate in the investigation of such complaints, is prohibited;
  - b. will encourage any student who believes he or she has been subjected to racial harassment to report the harassment to the District;
  - c. will note the District's commitment to conducting a prompt investigation;
  - d. will include the appropriate contact information for the designated staff member to whom students and parents may report allegations of harassment;
  - e. will warn that students found to have engaged in racial harassment or retaliation will be promptly disciplined and make clear that such discipline may include, if circumstances warrant, suspension or expulsion; and,
  - f. will encourage students, parents and District staff to work together to prevent racial harassment.

**Reporting Requirement:** By September 30, 2017, the District will submit to OCR documentation substantiating that it posted it in prominent locations at District schools, and published it on the District's website.

### **Individual Remedy**

2. xxx – paragraphs redacted – xxx

### **Staff and Student Training**

3. By September 30, 2017, and in the subsequent school year, the District will require all School teachers, administrators, school aides, and any other District personnel charged with supervising students to participate in training on the District's policies and procedures pertaining to racial harassment. The training will specifically address the responsibility of staff to report incidents of possible harassment and the procedures for doing so, and provide instruction on how to recognize, prevent, and respond appropriately to such harassment.

**Reporting Requirement:** By October 30, 2017 and 2018, the District will provide OCR with a report demonstrating implementation of Action Step 3. In particular, the District will provide documentation indicating the names and job classifications of training participants, dates of training completion, topics covered during the training, and copies of the materials used in the training.

4. By September 30, 2017, and in the subsequent school year, the District will provide training to all School staff who are directly involved in processing, investigating and/or resolving complaints or other reports of race, color or national origin discrimination, including harassment complaints and any counselors or other District personnel who are likely to receive confidential reports of race, color or national origin harassment. The training will review the District's policies and procedures for responding to allegations of racial harassment and include instruction on how to conduct and document adequate, reliable, and impartial race, color or national origin discrimination or harassment investigations, including the appropriate legal standards to apply in such investigations.

**Reporting Requirement:** By October 30, 2017 and 2018, the District will provide OCR with a report demonstrating implementation of Action Step 4. In particular, the District will provide documentation indicating the date of the training, lists of the trainers and attendees, topics covered during the programs and copies of the materials used in the training.

5. By September 30, 2017, and in the subsequent school year, the District will provide programming for all School students, administrators, staff, and employees, including security officers, counselors, and coaching staff, which addresses harassment on the basis of race, color, or national origin. This on-going programming will remind students of the District's commitment to having a school environment free from all harassment and explain to students what they should do if they believe they or other students are being harassed. The District will also ensure that annually the District's harassment policies and procedures are reviewed with students and they are reminded of the

disciplinary sanctions related to findings of violations of its harassment policies and the policy prohibiting retaliation. The District will also provide students with the name and contact information of a District employee, such as a counselor, that the students may contact if they wish to confidentially discuss any concerns.

**Reporting Requirement:** By October 30, 2017 and 2018, the District will provide OCR with a report demonstrating implementation of Action Step 5. The District will provide documentation indicating the dates of the programming provided in Action Step 5, including information on the presenter, who attended, the topics covered during the program, and copies of any materials used in the program.

### **Data Maintenance**

6. On an annual basis, the District will maintain the following data:
  - a. all written reports and a written narrative describing all oral reports of incidents involving allegations of harassment based on race, color, or national origin;
  - b. a narrative of all actions taken in response to the reports, including any written documentation;
  - c. a copy of all disciplinary sanctions issued to students for violations of the District's policies and procedures relating to harassment on the basis of race, color, or national origin;
  - d. documentation demonstrating any remedial efforts offered and provided to the victim of the harassing incidents, such as counseling, tutoring or other appropriate services; and
  - e. a narrative of all action taken to prevent recurrence of the harassing incidents, including any written documentation.

**Reporting Requirement:** By September 30, 2017 and June 30, 2018, the District will provide the data referenced in Action Step 6 to OCR for the most recently completed school year.

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 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), which were at issue in this complaint.

The District understands that OCR will not close the monitoring until such time that 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(a), which were at issue in this complaint.

