

RESOLUTION AGREEMENT
Upper Moreland School District
OCR Case No. 03-21-1021

The Upper Moreland School District (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 03-21-1021. This Agreement does not constitute an admission by the District of a violation of Title VI of the Civil Rights Act of 1964 (Title VI) or any other law enforced by OCR.

Action Item 1

- A. By July 1, 2021, the District will provide Title VI training to all persons at the XXXX XXXXXXXXXXXXXXXX (School) and District Offices responsible for responding to complaints of racial discrimination, including racial harassment. The training must include when the District must respond to allegations of racial discrimination, what an investigation should entail, and how to respond if the investigator finds racial discrimination.
- B. By January 1, 2022, the District will provide Title VI training to all personnel at the School. The training must include examples of racial harassment and what to do if staff receive notice of racial discrimination, including racial harassment.

Reporting Requirement:

- i. By July 15, 2021, the District will provide confirmation that the training described in Action Item 1.A took place, including documentation demonstrating who was in attendance and what materials (e.g., PowerPoint slides, handouts) were provided to attendees.
- ii. By January 15, 2022, the District will provide confirmation that the training described in Action Item 1.B took place, including documentation demonstrating who was in attendance and what materials (e.g., PowerPoint slides, handouts) were provided to attendees. 1

Action Item 2

The District will conduct an investigation into the alleged race discrimination/harassment experienced by the Student in XXXXXXXXXXXXXXXX (Course) and in connection with her attempts to alert administrators about the alleged harassment. Specifically:

- A. The District will select an appropriate non-district employee investigator (Investigator), with knowledge of the legal requirements of Title VI to respond to complaints of racial harassment;
- B. The Investigator will notify the Student and her family in writing that they have the opportunity to share any information about the Student's treatment in the Course or her attempts to alert administrators about the alleged harassment (Notice);
- C. The Investigator will have the authority to take appropriate action that is necessary to determine what occurred. The investigation shall include, at a minimum, all information

provided by the Student or her family at the time of the alleged harassment or in response to the Notice, review of the video recordings of the Course, interviews with all relevant witnesses as deemed necessary after review of documentation, and any relevant email or other correspondence; and

- D. The Investigator shall provide findings and recommendations for actions to the District within 30 days of the completion of the investigation or July 1, 2021, whichever shall occur first.
- E. The District will promptly take any actions recommended by the Investigator.

Reporting Requirement:

- i. By July 5, 2021, the District will provide OCR with:
 - The identity and qualifications of the Investigator;
 - a. The notice given to the Student and her family in compliance with Action Item 2.B;
 - b. A list of the documents considered and witnesses interviewed in connection with Action Item 2.C; and
 - c. A copy of the findings and recommendations described in Action Item 2.D.
- ii. By September 1, 2021, the District will provide OCR with a summary of the steps taken in response to the Investigator's findings and recommendations. For any recommendations that cannot be completed by September 1, 2021, the District will provide OCR with a timeline for completing the remaining recommendations.

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, 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 and obligations of this Agreement. Upon the District's satisfaction of the terms and obligations of the resolution agreement, OCR will close the case.

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.

By: _____/s/_____ Date: 4/21/21
District Representative