

**RESOLUTION AGREEMENT
RUTHERFORD COUNTY SCHOOL DISTRICT
OCR Docket Number 04-12-1277**

The U.S. Department of Education, Office for Civil Rights (OCR), initiated the above-referenced investigation of the Rutherford County Schools (District) pursuant to Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color or national origin by recipients of Federal financial assistance. The District agreed to resolve the issues of this investigation pursuant to Section 303b of OCR's Case Processing Manual (CPM). Accordingly, to ensure compliance with Title VI and its implementing regulation and to resolve the issues of this investigation, the District voluntarily agrees to take the following actions.

Annual Staff Training

1. By November 2, 2012, the District will initiate annual training of the School's administrative and teaching staff regarding Title VI's prohibition against retaliation.

REPORTING REQUIREMENT: By November 16, 2012, the District will provide documentation to OCR demonstrating that the District initiated annual training pursuant to this Item. The documentation shall include, but is not limited to: (1) the date of the training session; (2) a list of the names and job titles of the District's administrative and teaching staff who participated in the training session; (3) a description of the presenter's background and qualifications with respect to knowledge of Title VI; and (4) a copy of the training materials disseminated or in the event of electronic training, provide the training content.

Written Directive

2. By November 9, 2012, and annually thereafter the District shall provide the School's teachers and administrators (Staff) with a written directive that reminds Staff at the School that they are prohibited from retaliating against students and/or parents if the student and/or parent files a complaint against a Staff member alleging discrimination based on a protected class.

REPORTING REQUIREMENT: By November 23, 2012, the District will provide documentation to OCR demonstrating that the District sent the Directive to the School. The documentation shall include, but is not limited to: (1) a copy of the directive, (2) the date the directive was mailed and/or emailed, and (3) a list of the names and job titles of each Staff member who received the directive.

Destruction of Record

3. By November 9, 2012 the School will destroy any written record(s) it created of the Student's April 16, 2012 text messages.

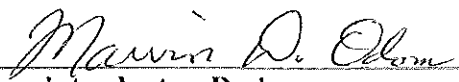
REPORTING REQUIREMENT: By November 16, 2012, the School will provide OCR with evidence demonstrating that the School's records of the text messages were destroyed.

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 of this Agreement and is in compliance with the Title VI implementing regulation at 34 C.F.R. §§ 100.3(a) and (b) and 34 C.F.R. § 100.7(e).

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 regulation implementing Title VI at 34 C.F.R. §§ 100.3(a) and (b) and 34 C.F.R. § 100.7(e) which were at issue in this 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."

This Resolution Agreement will become effective immediately upon signature of the District Superintendent or designee below.



Superintendent or Designee
Rutherford County School District

10-9-2012
Date