

RESOLUTION AGREEMENT
Lowndes County Schools (GA)
OCR Complaint # 04-16-1237 and # 04-16-1545

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and Lowndes County Schools (District), enter into this agreement to resolve the allegations in the above-referenced complaints. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District voluntarily agrees to take the following actions pursuant to the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color or national origin by recipients of Federal financial assistance.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the District agrees to continue or take the following actions.

1. The District will include in all of LHS's, handouts, forms, flyers, or other documents pertaining to and/or provided to students, parents/guardians, and judges, regarding cheer leading clinics, cheerleading selection and tryouts, to include language stating that LHS will continue to use a non-discriminatory process for cheerleader selection and that applicants of all racial groups are encouraged to try out for all squads.

REPORTING REQUIREMENT: By **January 20, 2018**, the District will provide OCR with copies of the documents revised in accordance with Item 1.

2. The District will continue to include neutral judges who are not employed by the District for the cheerleader tryouts. All judges not employed by the District will be provided a copy of the District's statement of nondiscrimination on the basis of race, color or national origin as well as the handouts developed in accordance with Item 1 of this Agreement.
3. The District will continue to maintain the size of its Junior Varsity and Varsity Football Cheer Squads at their current levels or greater unless the size of either squad is decreased due to interest, skill level or budgetary matters or similar race neutral reasons. The District agrees to continue to hold information sessions, which inform students and parents/guardians of students interested in cheerleading at the School about the tryout criteria and expectations. In addition the District will provide interested students and parents/guardians at LHS's feeder middle schools, information about skill sets required for the LHS's cheer squads.
4. By May 1, 2018 the District will conduct tryouts for all 2018-2019 Lowndes High School (LHS) cheer squads in a manner that is not discriminatory on the basis of race. The District will ensure that LHS maintains legible records of the following: (a) the grade and race of each participant; (b) for each judge, each participant's individual score in each tryout category and total score; (c) each participant's cumulative scores from the tryouts (combined total from all judges); (d) an explanation for each deviation from solely using rank order based upon cumulative numerical scores of participants to select the members of the Junior

Varsity and Varsity Football Cheer Squads; (e) an explanation of deviations in squad size from one year to the next; and, (f) an explanation of any other deviations in the selection process including but not limited to selection of participants who did not receive a score in one or more tryout categories.

5. The District will ensure that cheerleading camps offered to the students selected for varsity basketball and football cheer squads are equivalent in terms of quality of program, facilities, availability of experience and/or training in skills or routines needed for the upcoming season for the respective cheer squad.

REPORTING REQUIREMENT: By **May 30, 2018**, the District will provide OCR with supporting documentation, showing that the District complied with Items #2-5. For Item #2, the District will provide OCR the names of judges for the 2018-2019 tryout school year, and state whether they are employees of the District. For Item #3, the District shall submit the names and races of the students who were selected for the squad, , copies of all written materials distributed at LHS or its feeder middle schools, links to webpages containing information provided to students/parents/guardians at LHS or its feeder schools and a summary of information provided to middle school students through oral presentations. Item #4, the District will provide to OCR copies of the forms identified in Item #4, which were used to select the cheerleaders from the 2018-2019 cheerleading tryouts for Varsity Football, which OCR will review. For Item #5, the District shall provide OCR with information which shows the name, sponsor, dates and location of camps attended by the Varsity Football and Basketball squads for the 2018-2019 school year and demonstrate that the camps were equivalent as described in Item #5.

6. By **February 15, 2018**, LHS will invite (encourage) all parents/guardians of the Varsity cheerleading squads to discuss strategies to encourage participation of students of all races on all LHS cheerleading squads.

REPORTING REQUIREMENT: By **February 28, 2018**, the District will provide documentation to OCR demonstrating that the cheerleading parents/guardians were encouraged to discuss the items identified in Item 7.

7. By **April 15, 2018**, the District will provide training to the Assistant Principal, LHS Athletic Director, coaches of the Varsity cheerleading squads and other staff involved in cheerleading tryouts at LHS (if any) regarding Title VI's prohibition against discrimination and retaliation on the basis of race, color, or national origin.

REPORTING REQUIREMENT: By **May 1, 2018**, the District will provide documentation to OCR demonstrating that the District has conducted training pursuant to this Item. The documentation shall include the following: (a) the date of the training session, (b) the faculty and staff who attended the training session, (c) a description of the presenter's background and qualifications, and (d) a copy of the agenda and the training materials disseminated.

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 regulations at 34 C.F.R. §§ 100.3(a)-(b) and 100.7(e). Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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 sixty (60) calendar days to cure the alleged breach.

Superintendent

Date