

**Resolution Agreement OCR
Docket #05-17-1196
Galesburg Community Unit SD #205**

The U.S. Department of Education, Office for Civil Rights (OCR) and Galesburg Community Unit School District #205 (District) enter into this resolution agreement (Agreement) to resolve the above-referenced complaint, which alleges discrimination against a student on the basis of race (white).

This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District asserts that no racial discrimination occurred, and that it fully and properly investigated and addressed the underlying allegations. The District voluntarily entered into this agreement prior to OCR making any findings or completing its investigation of the allegation and issues raised in the complaint. In order to promptly resolve the referenced complaint without further expenditure of District resources and funds, the District assures OCR that it will take the following actions to comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulation, at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin.

The District will take all steps necessary to ensure that students enrolled in the District are not discriminated against or subjected to a hostile environment on the basis of race. To this end, the District will promptly investigate all incidents of harassment of which it has notice and will take appropriate disciplinary action against students, faculty, administrators or staff who violate the District's policies and procedures addressing harassment. The District will take prompt and effective responsive action to end discrimination or harassment, prevent its recurrence, and where appropriate, take steps to remedy the effects of discrimination or harassment on the affected students. Accordingly, the District agrees to take the following actions:

TRAINING OF DISTRICT PERSONNEL

1. By September 4, 2018, the District will provide all administrators, teachers and staff effective training on the District's policies and procedures prohibiting harassment based on race. The training will cover how to address racial harassment issues, and will review the District's anti-harassment policies and procedures, and include the following components at a minimum:
 - a. The District will remind all staff of its commitment to having a school environment free from discrimination or harassment based on race and will remind staff that Title VI prohibits employees when acting within the scope of their official duties, from engaging in race-based conduct that has the effect of subjecting students to different treatment based on race.
 - b. The training will explain what administrators, teachers and staff should do if they believe students have been subjected to discrimination or harassment based on race. The District will include specific examples of prohibited conduct, and will remind employees to immediately report possible harassment of which they have knowledge to a District staff who are directly involved in processing, investigation and/or

- resolving complaints or other reports of harassment based on race.
- c. The program will include a review of the District's policies and procedures related to harassment based on race including an explanation of what constitutes discrimination or harassment as well as disciplinary sanctions related to findings of violations of its harassment policies and procedures.
 - d. The training will provide a general overview of Title VI including how the law's nondiscrimination provisions apply to students, the names and contact information for the designated staff member(s) to whom students or others may report allegations of discrimination or harassment based on race, where to locate the District's discrimination and harassment policies and procedures on the District's website, and the existence of OCR and its authority to enforce Title VI.
 - e. The District will distribute written materials (during the program) that contain the information discussed.
 - f. The training will also provide attendees with instruction on recognizing and appropriately addressing allegations of discrimination, harassment, retaliation and other complaints pursuant to Title VI.

REPORTING REQUIREMENT: By September 18, 2018, the District will provide OCR with documentation that it has provided appropriate District staff with the training referenced in Item # 1 including the dates of the training, the names, credentials and titles of the trainer(s), a copy of any materials used or distributed during the training, and a sign-in sheet with the names and titles of the District staff who attended the training.

- 2. By September 4, 2018, the District will provide effective training to all District staff who are directly involved in processing, investigating and/or resolving complaints or other reports of discrimination or harassment based on race. The training will review the District applicable policies and procedures and include instruction on how to conduct and document adequate, reliable, and impartial investigations. The training will provide instruction on how to recognize harassment based on race, how to appropriately respond to verbal and written complaints of such conduct, and how to conduct appropriate investigations and take reasonable, timely and effective responsive action in response.

REPORTING REQUIREMENT: By September 18, 2018, the District will provide OCR with documentation that it has provided appropriate District staff with the training referenced in Item # 2, including the dates of the training, the names, credentials and titles of the trainer(s), a copy of any materials used or distributed during the training, and a sign-in sheet with the names and titles of the District staff who attended the training.

STUDENT FOCUSED REMEDIES

- 3. By May 25, 2018, the District will send a letter via certified mail to the student who was the subject of complaint #05-17-1196 (Student A) advising the student of this

Resolution Agreement. Student A shall have the opportunity to report any additional race-based comments made or actions taken to the District superintendent in writing. The District may undertake additional action in response to any additional reports of alleged racial harassment or discrimination made by Student A. or concerns to the District Superintendent in writing. The District may, but shall not be obligated to undertake any additional action in response to any additional information or concerns raised by Student A.

REPORTING REQUIREMENT: By June 15, 2018, the District will provide documentation to OCR that it has provided notice of this Resolution Agreement to Student A and offered Student A the opportunity to respond thereto in writing. If the District determined any further action was warranted, the District will provide documentation of the actions taken to OCR by June 15, 2018.

4. By September 4, 2018, the District will provide all high school students with notice of the District's non-discrimination policies and procedures. Notice may be given by email or other electronic means to existing student handbook sections and/or Board Policies.

REPORTING REQUIREMENT: By September 18, 2018, the District will provide documentation to OCR that it has provided the aforementioned copies and/or notice of its non-discrimination policies to all high school students.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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 fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI at 34 C.F.R. § 100.3, which were at issue in this complaint. 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.

This Agreement will become effective immediately upon the signature of the District's representative below.

Approved and agreed to on behalf of the Galesburg Community Unit School District #205.

Superintendent or designee

Date