

**Resolution Agreement**  
**OCR Docket #05-17-1386**  
**Lewis Central Community School District**

The U.S. Department of Education, Office for Civil Rights (OCR) and Lewis Central Community School District (District) enter into this resolution agreement (Agreement) to resolve the allegations in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures OCR that it will take the following actions to ensure compliance 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.

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 AND STUDENTS**

1. By April 1, 2018, and annually thereafter of subsequent years for new staff, 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 review the District's anti-harassment policies and procedures, and include the following components at a minimum:
  - a. The District will remind all staff at Titan Hill Elementary School of its commitment to having a school environment free from discrimination or harassment based on race and explain what they should do if they believe students or staff have been subjected to discrimination or harassment based on race. The District will include specific examples of prohibited conduct, and will remind employees of their duty to immediately report possible harassment of which they have knowledge and of the possibility of discipline for failure to report.
  - b. The training at Titan Hill Elementary School will include a review of the District's policies and procedures related to harassment based on race, including an explanation of what constitutes harassment as well as disciplinary sanctions related to findings of violations of its harassment policies and procedures and/or the policy prohibiting retaliation and intimidation.
  - c. The training at Titan Hill Elementary School will provide a general overview of Title VI, which may include other improper discrimination, 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 harassment based on race, where to locate the District's harassment policies and procedures on the District's website, and the existence of OCR and its authority to enforce Title VI.

- d. The training at Titan Hill Elementary School will also provide attendees with instruction on recognizing and appropriately addressing allegations of discrimination or harassment and complaints pursuant to Title VI.

**REPORTING REQUIREMENT:** By April 1, 2018, the District will provide OCR with documentation that it has provided appropriate District staff at Titan Hill Elementary School with the training referenced in Item # 1, including the dates of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, and verifying that it has made efforts to ensure all staff have attended the training or otherwise been trained.

2. By April 1, 2018, and annually thereafter for new staff at Titan Hill Elementary School, 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 harassment based on race at Titan Hill Elementary School. The training will review the District policies and procedures and include instruction on how to conduct and document adequate, reliable, and impartial investigations, including the appropriate legal standards to apply in such investigations. The training will provide instruction on how to recognize harassment based on race, appropriately respond to verbal and written complaints of such harassment, conduct prompt and equitable investigations and issue fair and equitable disciplinary action.

**REPORTING REQUIREMENT:** By April 1, 2018, the District will provide OCR with documentation that it has provided appropriate District staff at Titan Hill Elementary School with the training referenced in Item # 2, including the dates of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, and a list of the names and titles of the District staff who attended the training.

3. By April 1, 2018, the District will provide relevant information and training to all students at Titan Hill Elementary School which will address harassment based on race in order to promote respect and tolerance for others and to avert the establishment of a discriminatory or hostile environment based on a protected status for students enrolled in the District. The District will remind students of its commitment to having a school environment free from all discrimination or harassment based on race; and explain to students what they should do if they believe they or other students are being discriminated against or harassed. The training will include a review of the District's harassment and non-retaliation policies and procedures, including an explanation of what harassment is, available interim measures and remedies, as well as disciplinary sanctions related to findings of violations of its harassment policies and the policy prohibiting retaliation. The District will also provide students at Titan Hill Elementary School 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 they have and remind students of the availability of counseling services within the school district.

**REPORTING REQUIREMENT:** By April 1, 2018, the District will provide OCR with documentation of the implementation of Item # 3, including the dates of the student training, name(s) and title(s) of the presenter(s), and a copy of any materials used or distributed during the training identifying the topics covered during the program.

### **STUDENT FOCUSED REMEDIES**

4. If Student A and Student X should re-enroll in the District during the 2017-2018 or 2018-2019 school years, the District will extend an offer of counseling to each student from a District social worker, counselor, and/or school psychologist, as needed and requested, to remediate the effects of the harassment described in the instant OCR complaint, at no cost to the students' parents, throughout the school year in which they reenroll.

**REPORTING REQUIREMENT:** Within 30 days of Student A's and/or Student X's reenrollment, the District will provide OCR with documentation of the implementation of Item #4. If Student A and/or Student X accepts the District's offer of counseling, by June 15, 2018 and, if applicable, June 15, 2019, the District will provide OCR with a copy of the staff member's log documenting the dates and minutes of each counseling session provided.

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 Lewis Central Community School District:

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Superintendent or designee

Date