

Resolution Agreement #05-18-1304 School District of River Falls (WI)

The U.S. Department of Education, Office for Civil Rights (OCR), and the School District of River Falls (District) enter into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint. By entering into this Agreement, the District does not admit any violation of Title VI with regard to the allegations in the complaint. Nothing contained in this Agreement shall be considered, construed, or used as an admission of liability, statutory, or regulatory violation, or of any other illegal act by the District. 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, 34 C.F.R. Part 10, which prohibits discrimination based upon race, color, or national origin in any education program or activity receiving Federal financial assistance.

TRAINING OF DISTRICT PERSONNEL

- 1) By January 31, 2019, the District will provide effective, in-person training to all staff at Westside Elementary School (School). The training will cover, at a minimum how to recognize and identify racial harassment; the obligation of responsible employees to report possible racial harassment; the District's current grievance procedures; and the District's responsibilities under Title VI to respond appropriately and effectively to such allegations. During the training, the District will provide copies of its Title VI grievance procedures to all attendees or indicate where the procedures can be accessed online or in printed District materials.

REPORTING REQUIREMENTS: By February 15, 2018, the District will provide OCR with documentation that it has provided the training referenced in this item, 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 District employees who successfully completed the training.

- 2) By January 31, 2019, the District will provide effective, in-person training to all District staff members responsible for investigating complaints of racial harassment. The training, which will be in addition to the training for all staff members at the School listed above in item #1, will cover the District's current grievance procedures; the method and timeframes for thorough investigations; assessing credibility; interim remedies available to complainants, respondents, or both, as appropriate, during the investigation; the requirement to provide written notice of the outcome of the investigation to both parties; and the District's process for appeals.

REPORTING REQUIREMENTS: By February 15, 2018, the District will provide OCR with documentation that it has provided the training referenced in this item, 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 District employees who successfully completed the training.

STUDENT TRAINING

- 3) By January 31, 2019, the District will provide age-appropriate annual training for all students at the School to ensure that students are aware of Title VI and what it prohibits and the rights it confers on students; the District’s prohibition against race discrimination, including racial harassment; and how and with whom to report any incidents of race discrimination, including racial harassment.

REPORTING REQUIREMENTS: By February 15, 2018, the District will provide OCR with documentation that it has provided the training referenced in this item, including the dates of the training, the names and titles of the trainer(s), and a copy of any materials used or distributed during the training.

RECORD KEEPING AND DATA MAINTENANCE

- 4) Effective immediately, the District will maintain documentation of its responses to and investigations of race discrimination, including racial harassment, including the following documents:
 - a) a copy of all written reports, and a narrative description of all verbal reports, of incidents involving allegations of racial harassment;
 - b) a narrative description of all actions taken by District personnel in response to the reports, including any investigative reports and other written documentation;
 - c) a copy of all written determinations or a description of all verbal notifications of determinations provided to the parties, with the date of each notification; and
 - d) where racial harassment is found to have occurred, documentation fully detailing all steps the District took to stop the racial harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects on the complainant and any others as appropriate including disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting racial harassment.

REPORTING REQUIREMENTS: By July 1, 2019, the District will provide to OCR copies of all documentation referenced in this item from the date of the agreement through the end of the 2018-19 school year.

INDIVIDUAL REMEDIES

- 5) By December 1, 2018, the District will offer to reimburse Student A’s parents for the reasonable expenses they incurred during the XXXX school year to provide transportation for Student A XXXXX to attend another school district as a result of the racial harassment.

In addition, the District will offer to meet with the parents of Student A. Should the parents elect to attend, the meeting will include a discussion of the steps the District has taken or will take to train District staff and students on race harassment. Should her parents elect to re-enroll Student A in the District, the District at the meeting will identify a mutually-agreeable contact person in the School that Student A can access during the school day with any concerns about harassing conduct; and an assurance that Student A will not be placed in class with any of the students who harassed her during the XXXX school year, whose identities will be specifically made known to the District by OCR prior to Student A’s re-enrollment.

REPORTING REQUIREMENTS: By December 15, 2018, the District will provide to OCR documentation establishing that it has offered the reimbursement and meeting described in this item to Student A’s parents. The letter shall be sent by certified mail. Should any dispute arise over transportation expenses, the District shall promptly notify OCR, and OCR will determine whether the claimed expenses are reasonable.

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 or judicial proceedings to enforce the specific terms and obligations of 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.

Superintendent or designee

Date