

Voluntary Resolution Agreement #05-20-1003

Franklin Township Community School Corporation

The U.S. Department of Education, Office for Civil Rights (OCR) and the Franklin Township Community School Corporation (Corporation) enter into this Voluntary Resolution Agreement (Agreement) to resolve the allegation in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Corporation. The Corporation 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 prohibits discrimination on the basis of race, color or national origin by recipients of Federal financial assistance and also prohibits retaliation.

- 1) By April 1, 2020, the Corporation will provide all School administrators and School personnel with responsibilities for investigating and responding to reports of race harassment training on its Nondiscrimination and Anti-Harassment Policy, which will include instructions on how to investigate and respond to complaints of race discrimination.

REPORTING REQUIRMENTS: By April 15, 2020, the Corporation will submit to OCR documentation demonstrating its compliance with this item, including copies of all training materials used or distributed, and attendance sheets for those attending the training(s).

- 2) By April 1, 2020, the Corporation will send a letter via certified mail to Student A's parent inviting Student A and the parent to a meeting with Corporation legal counsel, at which the Corporation will provide them an opportunity to share concerns regarding their experiences with the Corporation's handling of their reports of race harassment in the 2019-2020 school year and to share any ongoing effects, if any, resulting from the Corporation's response, or lack of response, to their reports. At the meeting, the Corporation will offer Student A in-school counseling provided by a school counselor to address the alleged race harassment.

REPORTING REQUIREMENT: By April 15, 2020, the Corporation will submit to OCR documentation demonstrating its compliance with this item. If Student A and the parent decline the Corporation's offer to meet, the Corporation will provide OCR a copy of the offer letter(s), certified mail delivery receipt(s), and, if applicable, any correspondence rejecting the Corporation's offer(s).

- 3) Beginning immediately, for the remainder of the 2019-2020 school year, the Corporation will take steps calculated to ensure that Student A is not subjected to race harassment on Corporation property and in Corporation sponsored programs and activities. These steps will include, but are not limited to, identifying a specific contact person to whom Student A should report incidents of discrimination if they occur, and checking in with Student A on a periodic basis to ascertain whether any instances of discrimination have occurred and taking prompt and appropriate responsive action if any discrimination has occurred. Periodic check-ins will be terminated if requested by the parent. The obligations described in this paragraph are contingent upon the continued enrollment of Student A in the Corporation.

REPORTING REQUIREMENTS: By June 15, 2020, the Corporation will submit to OCR documentation demonstrating its compliance with this item. In particular, the Corporation will identify the contact person for Student A, if any, document the periodic check-ins and, if applicable, describe the steps the Corporation took in response to reports of any race harassment.

The Corporation 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 Corporation understands that, during the monitoring of this Agreement, if necessary, OCR may visit the Corporation, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Corporation has fulfilled the terms of this Agreement. Upon completion of the obligations under this Agreement, OCR will close this case.

The Corporation understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement and/or Title VI and its implementing regulations. Before initiating administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR shall give the Corporation 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 Corporation's representative below.

Superintendent or designee

Date