

Mountain Iron-Buhl Public Schools ISD #712
Voluntary Resolution Agreement
OCR Complaint # 05-20-1187

The U.S. Department of Education, Office for Civil Rights (OCR) and Mountain Iron-Buhl Public Schools ISD #712 (District) enter into this Voluntary Resolution Agreement (Agreement) to resolve the above-referenced complaint. 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 by recipients of Federal financial assistance.

- 1) By **September 18, 2020**, the District will issue a statement to its students, administrators, faculty, and staff, including sending it by email to parents, administrators, faculty, and staff, posting it in prominent places at District schools and administrative buildings, and publishing it on its website and in student handbooks, stating that the District does not tolerate harassment, including harassment based on race. The statement will encourage any student or parent who believes any student has been subjected to such harassment to report the incident(s) to a designated District Administrator and will provide appropriate contact information for the District Administrator. The statement will note the District's commitment to conducting a prompt investigation and will make clear that students found to have engaged in harassment based on race will be disciplined up to and including expulsion.

REPORTING REQUIREMENT: By **October 2, 2020**, the District will provide OCR with documentation that it has issued and posted the statement required by Item # 1.

- 2) By **December 4, 2020**, the District will provide training to personnel with responsibilities for investigating and responding to reports of racial harassment. The training will include instruction on the District's Title VI policies and grievance procedures, the discipline policies and procedures, how to investigate complaints of race discrimination, including identifying and interviewing all relevant witnesses, ensuring consistency in determining consequences for engaging in racial harassment if found, and providing appropriate remedial measures for students who were subjected to racial harassment. Finally, the training will address the District's record-keeping and documentation of District's responses related to Title VI complaints.

REPORTING REQUIREMENT: By **December 18, 2020**, the District will provide OCR with documentation that it has provided 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 District employees who successfully completed the training.

- 3) By **September 18, 2020**, the District will send a letter via email and certified mail to the Complainant and the father (Parent A) inviting Students A, B, C, and D (the Students) and their parents to meet with District administrators. At the meeting, the District will solicit details regarding the act(s) of alleged racial harassment during the 2019-2020 school year. The District will also offer counseling and any other necessary supportive measures to the Students to address the racial harassment. Following the meeting, the District will conduct a

thorough investigation of any other identified incidents of alleged harassment during the 2019-2020 school year that it had not previously investigated adequately and take appropriate action to respond to any incidents it determined occurred.

REPORTING REQUIREMENT: By **October 2, 2020**, the District will provide OCR with documentation that it implemented the steps referenced in Item # 3. The District will provide OCR a copy of the letter(s), certified mail delivery receipt(s), and, if applicable, any correspondence responding to the District's letter.

FURTHER REPORTING REQUIREMENT: By **December 18, 2020**, if the Complainant, Parent A and/or the Students meet with District Administrators, the District will provide OCR documentation demonstrating that it has offered and provided any necessary counseling services to the Students and documentation of its investigation of any incidents of racial harassment in the 2019-2020 school year that it had not investigated, and the actions taken in response to incidents found to have occurred. If the District determines that no additional racial harassment of the Students occurred during the 2019-2020 school year, the District will provide documentation of its determination and its rationale with supporting documentation.

- 4) If the Students reenroll in the District for the 2020-2021 school year, the District will take steps calculated to ensure that the Students are not subjected to racial harassment on District property and in District sponsored programs and activities, including identifying a specific contact person to whom the Students should report incidents of discrimination if they occur, and checking in with the Students on a periodic basis to ascertain whether any instances of discrimination have occurred. The District will also take prompt and appropriate responsive action if one of the Students report any incidents of racial harassment, including but not limited to collecting written witness statements and other actions necessary, and including any necessary escalating responsive steps, to assure that the race harassment does not recur.

REPORTING REQUIREMENTS: By September 30, 2020, the District will provide OCR with documentation indicating whether the Students have reenrolled and if so, will provide documentation that it has identified the contact person for the Students. By June 18, 2021, if the Students have reenrolled, the District will provide OCR with documentation that it has conducted the periodic check-ins and, if applicable, steps taken in response to reports of any racial harassment and prevent recurrence.

- 5) By **November 13, 2020**, the District will develop a system to maintain documents relating to complaints or other reports of Title VI complaints of race-based discrimination filed by students or parents so the District can track incidents and its responses.

REPORTING REQUIREMENT: By **January 8, 2021**, the District will provide OCR with documentation that it has developed the system to maintain documents referenced in this item. By **June 18, 2021**, the District will provide OCR copies of all complaints

alleging discrimination based on race during the 2020-2021 school year under the system and the District's response to those complaints.

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, 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 and obligations of this Agreement. Upon the District's satisfaction of the commitments made under this Agreement, OCR will close 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.

Dr. Reggie Engebritson, Superintendent
Mountain Iron-Buhl Public Schools,
ISD #712

Date