

**Resolution Agreement**  
**OCR Complaint #06101552**  
**Fort Worth Independent School District**

Fort Worth Independent School District (District) enters into the following resolution agreement (Agreement) to resolve U.S. Department of Education (the Department), Office for Civil Rights (OCR) Case No. 06-10-1552, to ensure compliance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d et seq., and its implementing regulation at 34 C.F.R. Part 100. Accordingly, consistent with its obligation to comply with the requirements of Title VI, the District commits to the following:

**Policies and Procedures**

1. By **November 30, 2018**, the District will review and revise its student discipline policies and procedures, as necessary. The District will ensure that its student discipline policies and procedures include the following:
  - a. Standards for disciplinary referrals that eliminate redundancies and include clear definitions, categories and clear procedures for staff to follow when making referrals;
  - b. The elimination, to the maximum extent possible, of vague, subjective or redundant offense categories including those that necessarily require a high degree of subjectivity and individual discretion (e.g., general misconduct, disruptive behavior, disrespectful behavior, threatening behavior, insubordination). To the extent the District retains such categories, the District will provide specific examples to ensure that staff understand the circumstances under which such categories can be used to impose disciplinary sanctions and the distinctions between such categories, and the District will require that referrals include a factual description of the incident (what exactly was said and done by the student);
  - c. Definitions of misconduct that are clear and objective to the maximum extent possible, including clearly defined criteria for all offense categories that allow deviations only if they are justified and well documented;
  - d. The range of penalties that may be imposed for each infraction and penalties that are proportionate to the type of misconduct;
  - e. The criteria for selection within the range of possible penalties when imposing disciplinary sanctions;
  - f. An explanation of how the District will distinguish between first offenders and repeat offenders when imposing disciplinary sanctions and a clear explanation of how any progressive disciplinary policies and procedures will be implemented;

- g. A clear description of the composition, responsibilities, and scope of any group of employees responsible for review and/or modification of disciplinary determinations made at the school level (e.g. the Student Discipline and Placement Department).

Appropriate due process standards for all students disciplined under the student discipline policies and procedures, including a description of the key elements of the discipline process (appeals, alternative dispositions, timelines, provisions for informal hearings, etc.);

REPORTING REQUIREMENT: By **December 14, 2018**, the District will provide documentation to OCR evidencing that it has reviewed and revised its student discipline policies and procedures.

### **Staff Training**

2. By **February 28, 2019**, the District will provide training on the revised discipline policies and procedures to all XXXX XXXX XXXX XXXX XXXX administrators, teachers and any other XXXX personnel charged with making disciplinary referrals or imposing disciplinary sanctions.

REPORTING REQUIREMENT: By **March 31, 2019**, the District will provide documentation to OCR evidencing that it has provided the training required by this item. Such documentation will include: name and title of the trainer(s) and information about the trainers' qualifications; date and time the training was held; training/presentation materials (showing content covered in the training); handouts provided to trainees; and the sign-in sheet from the training, including the name, title, date and signature of each attendee that received the training.

### **Data Collection and Self-Monitoring**

3. The District will keep electronic records (including information regarding the race(s) of the student(s) involved, specific facts of the offense, identity of referring staff member(s), and all sanctions given) of all referrals for in-school suspension and out of school suspension during the 2018-2019 school year at XXXX.
4. At the conclusion of the 2018 fall semester and at the conclusion of the 2019 spring semester, the District will evaluate the data referenced in item 3 of the agreement to determine whether there are any instances of different treatment of similarly situated students without legitimate, nondiscriminatory, non-pretextual reasons. The evaluation of the data will include:
  - a. Examination of whether penalties imposed are consistent with the penalties specified in the District's discipline policies and procedures and;
  - b. Where exceptions are made, whether there is a legitimate, nondiscriminatory reason for the exception.

REPORTING REQUIREMENT: By **March 31, 2019** and **August 31, 2019**, the District will provide to OCR electronic records of the data referenced in item 3 and the evaluations referenced in item 4, for the 2018 fall semester and 2019 spring semester, respectively. If the District’s evaluation reveals any concerns or problems in the administration of discipline at XXXX, the District will also submit to OCR a detailed description of the action(s) taken to address such concerns and/or problems.

**Truancy**

5. During the 2018 fall semester, the District will begin implementing a recordkeeping process to allow it to monitor the enforcement of the truancy policies and procedures at XXXX to ensure that students of a particular race or national origin are not treated differently based on race or national origin. At the conclusion of the 2018 fall semester and at the conclusion of the 2019 spring semester, the District will evaluate the truancy records to assess whether the XXXX is enforcing its truancy policies and procedures in a non-discriminatory manner.

REPORTING REQUIREMENT: By **March 31, 2019** and **August 31, 2019**, the District will provide to OCR electronic records of the truancy data and of the evaluation for the 2018 fall semester and 2019 spring semester, respectively. If the District’s evaluation reveals any concerns or problems in the enforcement of truancy at XXXX, the District will also submit to OCR a detailed description of the action(s) taken to address such concerns and/or problems.

The District understands that by signing the Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the District understands that during the monitoring of the Agreement, if necessary, 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 the Agreement. Upon the recipient’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR will 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.

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Dr. Kent Paredes Scribner, Superintendent  
Fort Worth Independent School District

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Date