

RESOLUTION AGREEMENT
Pulaski County Special School District
Case Number 06161333

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, which prohibit discrimination on the basis of race, color, or national origin in programs or activities operated by recipients of Federal financial assistance, the Pulaski County Special School District (PCSSD) in Little Rock, Arkansas, voluntarily agrees to take the actions listed below at all of its schools to resolve the above-referenced complaint. This Agreement is not intended to constitute, nor shall it be construed to constitute, an admission by the PCSSD of any violation of Title VI. This review does not address PCSSD's compliance with any other statutes or regulations other than those listed above.

RESOLUTION ACTIONS

ACTION ITEM #1: NON-DISCRIMINATION STATEMENT

By October 25, 2017, the PCSSD will submit to OCR for review and approval a statement to be issued to the Little Rock community, including students, parents, administrators, and staff, stating the PCSSD's policy that it does not tolerate discrimination based on race, color, or national origin.

- The statement will acknowledge that the prohibited discrimination includes misconduct by employees toward students (including, but not limited to, the singling out and/or different treatment of individual students or groups of students) and any other harassment based on race, color, or national origin. The statement will encourage any student who believes he or she has been subjected to discrimination based on race, color, or national origin to report the incident(s) to the PCSSD and note the PCSSD's commitment to conducting a prompt investigation.
- The statement will remind employees of their duty to report all allegations of discrimination based on race, color, or national origin of which they become aware to the designated staff members. The statement will include the appropriate contact information for the designated staff member(s) to whom students or parents may report allegations of discrimination.
- The statement will warn that students or employees found to have engaged in acts of discrimination and employees who fail to report suspected discrimination to designated staff members will be promptly disciplined and make clear that such discipline may include, if circumstances warrant, suspension or expulsion of a student and suspension or termination of an employee.
- The statement will further warn that students or employees who retaliate against individuals who report discrimination will be promptly disciplined.

Within 30 days of receipt of notice of OCR's approval of the statement, it will be widely published, including posting on the PCSSD's website and in all PCSSD schools. For purposes of this Agreement, the term "days" shall indicate calendar days, unless otherwise specifically noted.

PCSSD's RESPONSE TO ACTION ITEM NO. 1: NON-DISCRIMINATION STATEMENT

It is the policy of the Pulaski County Special School District (PCSSD) to provide equal opportunities without regard to age, race, creed, color, sex, religion, national origin, handicap or veterans in its educational programs and activities, educational services, financial aid and employment.

In keeping with the requirements of federal law, state law and applicable court order, the District will strive to remove any vestige of discrimination in the employment, assignment and promotion of personnel in educational opportunities and services offered students; in student assignment to schools and classes; in student discipline; and in location and use of facilities.

No student in the Pulaski County Special School District shall, on the grounds of race, color, religion, national origin, sex, age or disability, be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District.

The District simply will not tolerate discrimination that includes misconduct by employees toward students that includes, but is not limited to, the singling out and or different treatment of individual students or groups of students, and any other harassment based on race, color or national origin. Any student who believes he or she has been subjected to discrimination should report the incident immediately to the school's principal or to the District office listed below. The District will launch a swift investigation.

PCSSD reminds all employees of their duty to report all allegations of discrimination based on race, color, or national origin immediately upon becoming aware of them to the designated department listed below.

Students and employees who are found to have engaged in acts of discrimination, and employees who fail to report suspected discrimination to the designated department listed below, will be promptly disciplined. That discipline may include, if circumstances warrant, suspension or expulsion of a student and suspension or termination of an employee. Additionally, students or employees who retaliate against individuals who report discrimination will be promptly disciplined.

REPORTING REQUIREMENT

By October 25, 2017, the PCSSD will provide OCR the statement referenced in Action Item #1 that it proposes to publish. Within 40 days of receipt of notice of OCR's approval of the statement, the PCSSD will provide OCR documentation that the statement referenced in Action Item #1 has been widely published, including screen shots of its website and documentation of the postings in the schools.

ACTION ITEM #2: FOCUS GROUPS

By October 25, 2017, the PCSSD will create and charge a focus group consisting of representative leaders from the student community and District officials to identify strategies for ensuring that students understand their rights under Title VI, understand how to report possible violations of Title VI, feel comfortable that the District official to whom they make such reports will take them seriously, and understand the District's obligation to promptly and equitably respond to Title VI complaints.

REPORTING REQUIREMENT

By December 15, 2017, the PCSSD will provide OCR with documentation that it has implemented Action Item #2, including a list of first names and titles of the members of the focus group, the dates of and copies of any sign-in sheets and agendas for focus group meetings, and a copy of the focus group's recommended actions. Meetings will take place during the year. A full group second meeting has been scheduled for December 8, 2017.

ACTION ITEM #3

Following the implementation of the focus group and the reporting requirements implemented in Action Item #2, and at the end of the academic year 2017-2018, PCSSD, with the support and assistance of student group leaders, will conduct a climate check or series of climate checks with students to assess the effectiveness of steps taken pursuant to this agreement or otherwise by the PCSSD, to ensure the School is free of race-based discrimination and harassment. This climate check may be accomplished through a written or electronic survey, provided that students receiving the survey also are notified of a contact person, such as a counselor, should they wish to discuss this issue in person. If this method is selected, the written survey must be provided to OCR for review and approval prior to its use. Information gathered during these climate checks will be used to inform future proactive steps taken by the District.

REPORTING REQUIREMENT

By June 1, 2018, the District will provide OCR with documentation demonstrating implementation of a climate check pursuant to Action Item #3, including summaries of the information obtained and proposed actions based on that information. The survey should be developed by March 30. Proposed actions based upon the survey may be capable of implementation during the last nine (9) weeks of school.

ACTION ITEM #4: TRAINING

By January 8, 2018, the PCSSD will develop and submit to OCR for review and approval proposed district-wide training that will address the PCSSD's policies and procedures as well as its Title VI obligation regarding the prohibition against discrimination based on race, color, or national origin. The proposed training must be provided to all PCSSD staff. Such training must

include, at a minimum: (1) examples of activities that may constitute discrimination; and (2) a discussion of Title VI's prohibition against discrimination.

Following OCR's written notification that the proposed training complies with this Agreement and Title VI, the PCSSD will conduct the training for the aforementioned PCSSD employees. Mr. Sherman Whitfield has been charged with developing a video by December 15 for submission to OCR by January 8, 2018. If OCR approves, the video will be presented to all staff at each school during the second semester. Mr. Whitfield is Director of Equity and Pupil Personnel

REPORTING REQUIREMENT

Within 14 calendar days of April 26, 2018, the PCSSD will provide OCR with documentation demonstrating that it has complied with Action Item #4 of this Agreement, including the following:

- (a) The date, time, and location of the training;
- (b) The topics addressed at the training;
- (c) The name(s) and title(s) of the individual(s) who conducted the training or, if online training is utilized, the name of the organization that provided the online training; and
- (d) Sign-in sheets with the name and title of each employee who participated in the training or other appropriate documentation of attendance if the training was conducted online.

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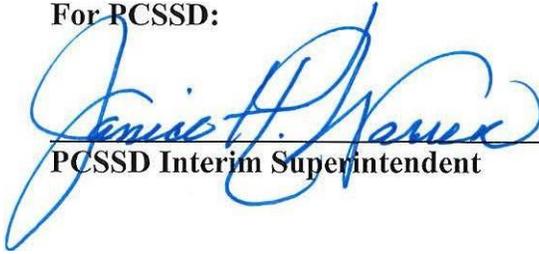
In the event OCR has any objections to the documentation provided by PCSSD for review and approval, OCR will notify PCSSD of its objections in a timely manner.

PCSSD understands that OCR will not close the monitoring of this agreement until OCR determines that PCSSD has fulfilled the terms of this agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100.3.

PCSSD 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, PCSSD understands that during the monitoring of this agreement, if necessary, OCR may visit PCSSD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether PCSSD has fulfilled the terms of this agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100.3.

PCSSD 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 PISD written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

For PCSSD:



PCSSD Interim Superintendent

/s/ -3-17

Date