



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

RESOLUTION AGREEMENT
Founders Classical Academy of Flower Mound
OCR Complaint No. 06-16-1485

OCR and Founders Classical Academy of Flower Mound (Academy) enter into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Academy. The Academy 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, and its implementing regulation at 34 C.F.R. Part 100, with regard to the above-referenced complaint.

Prior to the completion of OCR's investigation, the Academy requested and OCR agreed to resolve Issue 1 of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve Issue 1 of this investigation, the Academy agrees to take the following actions.

ACTION ITEM 1: RESPONSES TO COMPLAINTS

The Academy agrees to take all reasonable steps to ensure that students enrolled in the Academy are not subject to harassment on the bases of race, color, and/or national origin. To this end, the Academy will promptly respond to all complaints (both formal¹ and informal²) of harassment of students on the basis of race, and all incidents which are known to the Academy. The Academy will take appropriate, timely and effective responsive action designed to end the harassment; prevent its recurrence; and where appropriate, take steps to remedy the effects of the harassment on the student(s) and the larger school community.

REPORTING REQUIREMENT: By September 30, 2019 and January 31, 2020, the Academy will provide documentation to OCR of all informal and formal complaints of harassment on the basis of race, color, or national origin made during the preceding semester at the Academy. This documentation will include copies of each complaint; a description of the complaint; the Academy's response; and the resolution, including the report of any investigation conducted and any disciplinary sanctions issued, remedial efforts offered or provided, and all interim and permanent action taken to prevent recurrence. If there have been no complaints, the Academy will certify in writing that no complaints on the basis of race were made.

¹ Formal complaints are defined as those that are presented in written form.

² Informal complaints include those that are reported verbally to a responsible employee; i.e., an employee who has the authority to take action to redress the harassment; who has been given the duty of reporting incidents of harassment or any other misconduct by students to an appropriate school designee; or whom a student could reasonably believe has this authority or duty.

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

ACTION ITEM 2: TRAINING FOR STAFF

By September 6, 2019, the Academy will provide training to all teachers, administrators and counselors that covers, at a minimum:

1. Recognizing and appropriately responding to complaints and incidents of discrimination (including harassment) based on race;
2. Information on what constitutes racial discrimination and harassment; and
3. The Academy's obligation to conduct adequate, prompt, reliable, and impartial investigations, and to take steps reasonably calculated to stop the discrimination or harassment, prevent its recurrence, and address its effects.

REPORTING REQUIREMENT: By September 30, 2019, the Academy will provide documentation demonstrating that the training referenced above was provided. This documentation will include, at a minimum, the date(s) of the training; the name and credentials of the trainer; copies of any training materials used, including handouts, guides or other materials; and proof of attendance by relevant staff.

ACTION ITEM 3: TRAINING FOR STUDENTS

By September 30, 2019, the Academy will develop and provide annual age-appropriate student training to elementary age students regarding racial harassment. The training will be designed to increase awareness of what constitutes racial harassment; the Academy's prohibition against such harassment; how to recognize it; the importance of reporting it; how to report it, including methods for reporting incidents anonymously; and the consequences for subjecting individuals to harassment.

REPORTING REQUIREMENT: By October 31, 2019, the Academy will provide documentation to OCR demonstrating that the training referenced above was provided to all elementary age students. The documentation will include at a minimum: the date(s) of the training; the names and credentials of the presenters; copies of any materials used, including any handouts, guides, or other materials; and a statement verifying attendance by students.

ACTION ITEM 4: DOCUMENTING COMPLAINTS AND INCIDENTS, CONDUCTING INVESTIGATIONS, RECORDKEEPING AND TRACKING

By August 2, 2019, the Academy will develop and implement a system for documenting, investigating, record-keeping and tracking formal and informal complaints and incidents of discrimination on the basis of race. At a minimum, this system will include the following:

1. A method for documenting all formal and informal complaints of racial discrimination and harassment;
2. The date of the complaint;
3. A description of the complaint, the parties involved, and the alleged facts;
4. Documentation of the Academy's response and the corresponding dates, including any interim measures taken, the investigative file/notes and determination, and steps taken to stop the discrimination or harassment, prevent its recurrence, and address its effects;
5. Notification to the parties of the result of the process, including the date of the notice.

REPORTING REQUIREMENT: By August 2, 2019, the Academy will provide to OCR for review and approval a description of the system for documenting, investigating, record-keeping, and tracking complaints and incidents of discrimination or harassment on the basis of race developed in accordance with this action item. Within 30 calendar days of receiving OCR’s approval, the Academy will provide confirmation that the system is operative.

The Academy understands that OCR will not close the monitoring of this Agreement until OCR determines that the Academy has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI, at 34 C.F.R. Part 100. The Academy understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the Academy understands that during the monitoring of this Agreement, OCR may visit the Academy, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Academy has complied with the terms of this Agreement and is in compliance with the regulations implementing Title VI, at 34 C.F.R. Part 100, which were at issue in this complaint. The Academy 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 the Academy written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Superintendent or Designee’s Name/Title Printed

Superintendent or Designee’s Signature

Date