

Resolution Agreement
Eanes Independent School District
OCR Complaint No. 06171614

The U.S. Department of Education, Office for Civil Rights (OCR) and the Eanes Independent School District (EISD) enter into this 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 EISD. The EISD 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 et seq., and its implementing regulations, at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race by recipients of Federal financial assistance.

Prior to the completion of OCR's investigation, the EISD agreed to resolve the issue of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the EISD agrees to take the following actions:

ACTION ITEM I

By March 30, 2018, the EISD will send the Complainant a letter to the address on file with the EISD via regular mail, with delivery tracking. The letter should inform the Complainant about options the EISD offers to prevent contact between students (e.g., a stay away agreement), and related request forms. The EISD will also include in the letter information about how to request a class schedule change, and enclose the forms needed to make that request.

REPORTING REQUIREMENTS

Within ten (10) calendar days of sending the aforementioned letter, the EISD will provide OCR a copy of the letter to the Complainant, including the address to which the EISD sent the letter, and the delivery tracking number associated with the letter. If the Complainant requests one of the options included in the EISD's correspondence, the EISD will provide OCR documentation showing the Complainant's request(s), the EISD's consideration of any such request(s), and whether the EISD was able to grant the request(s) keeping in mind that certain request may not be feasible due to a limited availability of class, within ten (10) calendar days of the EISD's response to the Complainant's request(s).

ACTION ITEM II

The EISD will provide information to OCR in connection with an upcoming training session for Westlake High School (WHS) administrators, faculty, and counselors regarding its obligation under Title VI to address race-based incidents of harassment about which it knows or reasonably should have known. The training will also include information about the EISD's procedures for investigating and responding to racial harassment, including identification of designated EISD staff members who are available to answer questions or concerns regarding the EISD's policies, practices, regulations, or other issues related to race-based discrimination. Further, the training will include in-depth instruction on what type of conduct constitutes race-based discrimination,

harassment, and bullying including examples of said conduct, the EISD's policies and regulations that prohibit said conduct, and resources available to students who experience said conduct. The training will be created by one or more individuals knowledgeable about the EISD's obligations under Title VI, and may be delivered to WHS employees in an electronic format.

REPORTING REQUIREMENTS

By April 2, 2018, the EISD must provide OCR information about the training described in Action Item II that includes, but shall not be limited to, the credentials of the individual(s) selected to create the training, a proposed plan for the training session (e.g., topics to be discussed), which may be presented to WHS employees at multiple sessions, and a description of the training materials, including but not limited to any videos, to be presented to WHS employees.

ACTION ITEM III

Within sixty (60) calendar days after OCR approves the training-based information described in Action Item II, the EISD will conduct the training session in a format selected by the EISD and approved by OCR. The training must be provided to all relevant personnel at the WHS, including administrators, faculty, and counselors.

REPORTING REQUIREMENTS

Within ten (10) calendar days after conducting the final training session in accordance with Action Item III, the EISD will provide OCR with documentation demonstrating that all training sessions were completed, including a sign-in sheet containing the signatures and titles of all attendees, the materials used during the training, and any other information indicating that the training sessions were conducted in accordance with the requirements of this Agreement.

ACTION ITEM IV

EISD will provide information to OCR in connection with an upcoming training session for WHS students regarding race-based discrimination, harassment, and bullying. The training will include in-depth instruction on what type of conduct constitutes race-based discrimination, harassment, and bullying including examples of said conduct, the EISD's policies and regulations that prohibit said conduct, and resources available to students who witness or experience said conduct. The training will also include the appropriate contact information for the staff member(s) designated as the official(s) to whom students and parents may report allegations of race-based discrimination and will warn that students found to have engaged in acts of harassment or other acts that create a hostile environment based on race will be promptly disciplined in accordance with the EISD's Student Code of Conduct.

REPORTING REQUIREMENTS

By April 2, 2018, the EISD must provide OCR information about the training described in Action Item IV that includes, but shall not be limited to, the credentials of the individual(s) selected to create the training, a proposed plan for the training session (e.g., topics to be discussed), which may be presented to students at multiple sessions, and a description of the training materials including but not limited to any videos used to present the training to WHS students.

ACTION ITEM V

By September 30, 2018, and after OCR approves the training-based information described in Action Item IV, the EISD will conduct the training which may be presented in multiple sessions. The training must be provided to all WHS students.

REPORTING REQUIREMENTS

Within ten (10) calendar days after conducting the final training session in accordance with Action Item IV, the EISD will provide OCR with documentation demonstrating that all training sessions have been completed, the materials used during the training, and any other information indicating that the training sessions were conducted in accordance with the requirements of this Agreement.

The EISD understands that by signing this Agreement, it agrees to provide the aforementioned information in a timely manner in accordance with the reporting requirements contained herein. Further, the EISD understands that during the monitoring of this Agreement, if necessary, OCR may visit the EISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the EISD has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI, at 34 C.F.R. § 100.3. Once the EISD completes its obligations under this Agreement, OCR shall close and dismiss this case.

The EISD further 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 EISD 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 EISD's representative below.

/s/

Dr. Tom Leonard, Superintendent
Eanes Independent School District

Date