



**RESOLUTION AGREEMENT**  
Newton County School District  
OCR Case Number: 06-17-1744

The U.S. Department of Education, Office for Civil Rights, (OCR) and the Newton County School District (District or recipient) enter into this 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 District. The District assures OCR that it will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations at 34 C.F.R. Part 106; and 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. Title IX and Title VI respectively prohibit discrimination on the basis of sex and on the basis of race, color, or national origin by recipients of Federal financial assistance. Title IX and Title VI also prohibit retaliation.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of this investigation, the District agrees to take the following action.

**A. ACTION ITEMS & REPORTING REQUIREMENTS:**

**Action Item 1 – Conduct Staff Training on Title VI and Title IX**

1. **By August 31, 2018**, the District will develop and conduct staff training, subject to OCR's review and approval, regarding the District's responsibilities under Title VI and Title IX. The training must be provided to all staff at [XXXX to end of sentence]. The training will be conducted by individuals knowledgeable about the laws and issues pertaining to Title VI and Title XI, and may be delivered to [XXXX XXXX XXXX] employees in an electronic format. The training will address:
  - a. The District's responsibility, pursuant to the Title VI implementing regulation located at 34 C.F.R. § 100.3, to adequately respond to racially harassing conduct, which is sufficient to constitute a hostile environment, and of which the District has or should have notice. The training will include instruction on what type of conduct constitutes race-based harassment, including examples of said conduct; the District's policies and regulations that prohibit said conduct; and resources available to students who experience said conduct.
  - b. The District's responsibility, pursuant to the Title IX implementing regulation located at 34 C.F.R. § 106.31, to take prompt and effective responsive action to address sexually harassing conduct, including harassment based on [XXXX XXXX XXXX XXXX], which is sufficient to constitute a hostile environment, of which the District has or should have notice. The Title IX staff training will also include information about the District's procedures for investigating and responding to sex-based harassment; including identification of designated District, [XXXX XXXX XXXX]

- Title IX Coordinator(s) who are available to answer questions or concerns regarding the District's policies, practices, regulations, or other issues related to sex-based discrimination. Further, the training will include instruction on what type of conduct constitutes sex-based harassment, including examples of said conduct; the District's policies and regulations that prohibit said conduct; and resources available to students who experience said conduct.
- c. The District's responsibility, pursuant to the Title VI and Title IX implementing regulations respectively located at 34 C.F.R. §§ 100.7(e) and 106.31, to prohibit retaliation. The training will include instruction on what type of conduct constitutes retaliation, including examples of said conduct; the District's policies and regulations that prohibit said conduct; and resources available to students who experience said conduct.

### **Reporting Requirements: Action Item 1**

- a. **By August 31, 2018**, the District will provide OCR, for review and approval via email prior to conducting the training, information about the training described in Action Item 1. This information will include, but not be limited to, a copy of all training modules, handouts, and materials utilized during the training session(s); the name, credentials, and contact information of the individual(s) who will conduct the training; a proposed plan/notification that the District will use to inform attendees of the mandatory training session(s) (e.g., topics to be discussed), which may be presented to [XXXX XXXX XXXX] employees at multiple sessions.
- b. **Within sixty (60) calendar days** after OCR approves the training-based information described in Reporting Requirement (a) for Action Item 1 of this Agreement, the District will conduct the training for all [XXXX XXXX XXXX] staff as approved by OCR and will provide OCR with detailed information regarding the training. This information will include, but not be limited to, sign-in sheets for all training sessions evidencing all staff who attended the training; the date the training session(s) were conducted; a copy of the training materials used; and the name, credentials, and contact information of the individual(s) who provided the training to comply with Action Item 1.

### **Action Item 2 – Conduct Student Training on Title VI and Title IX**

2. **By October 31, 2018**, the District will develop and conduct student training, subject to OCR's review and approval, regarding the District's responsibilities under Title VI and Title IX. The training must be provided to all students at [XXXX XXXX XXXX]. The training will be conducted by individuals knowledgeable about the laws and issues pertaining to Title VI and Title XI. The training will address:
  - a. The District's responsibility, pursuant to the Title VI implementing regulation located at 34 C.F.R. § 100.3, to adequately respond to racially harassing conduct, which is sufficient to constitute a hostile environment, and of which the District has or should have notice. The training will include instruction on what type of conduct constitutes

- race-based harassment, including examples of said conduct; the District’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 District’s Student Code of Conduct.
- b. The District’s responsibility, pursuant to the Title IX implementing regulation located at 34 C.F.R. § 106.31, to take prompt and effective responsive action to address sexually harassing conduct, including harassment based on [XXXX XXXX XXXX XXXX], which is sufficient to constitute a hostile environment, of which the District has or should have notice. The Title IX student training will also include instruction on what type of conduct constitutes sex-based harassment, including examples of said conduct, the District’s policies and regulations that prohibit said conduct, and resources available to students who experience said conduct. The training will also include the appropriate contact information for the designated District, [XXXX XXXX XXXX] Title IX Coordinator(s) to whom students and parents may report allegations of sex-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 sex will be promptly disciplined in accordance with the District’s Student Code of Conduct.
- c. The District’s responsibility, pursuant to the Title VI and Title IX implementing regulations respectively located at 34 C.F.R. §§ 100.7(e) and 106.31, to prohibit retaliation. The student training on retaliation will also include instruction on what type of conduct constitutes retaliation, including examples of said conduct, the District’s policies and regulations that prohibit said conduct, and resources available to students who witness or experience said conduct.

### **Reporting Requirements: Action Item 2**

- a. **By October 31, 2018**, the District will provide OCR, for review and approval via email prior to conducting the training, information about the training described in Action Item 2. This information will include, but not be limited to, a copy of all training modules, handouts, and materials utilized during the training session(s); the name, credentials, and contact information of the individual(s) who will conduct the training; a proposed plan/notification that the District will use to inform attendees of the mandatory training session(s) (e.g., topics to be discussed), which may be presented to [XXXX XXXX XXXX] students at multiple sessions.
- b. **Within sixty (60) calendar days** after OCR approves the training-based information described in Reporting Requirement (a) for Action Item 2 of this Agreement, the District will conduct the training for all [XXXX XXXX XXXX] students as approved by OCR and will provide OCR with detailed information regarding the training. This information will include, but not be limited to, written certification that the approved training was conducted for all [XXXX XXXX XXXX] students; the date the training

session(s) were conducted; a copy of the training materials used; and the name, credentials, and contact information of the individual(s) who provided the training to comply with Action Item 2.

**Action Item 3** – [XXXX to end of Action Item 3’s Reporting Requirement]

**B. GENERAL TERMS & PRINCIPLES:**

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, 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 this Agreement. Upon the District’s satisfaction of the commitments made under this 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 this 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.

**C. EXECUTION:**

This Agreement will become effective immediately upon the signature of the District’s representative below.

\_\_\_\_\_  
Printed Title & Name of Authorized District Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of District Official