

**Resolution Agreement
Confluence Academies
Docket Number 07131127**

The Confluence Academies (Academies), St. Louis, Missouri, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve this complaint filed under Title VI of the Civil Rights Act of 1964 (Title VI), 42 United States Code (U.S.C.) § 2000d, and its implementing regulation at 34 Code of Federal Regulations (C.F.R.) §§ 100.3(a) and (b)(1)(iii) and (iv). The Agreement addresses the complainant's allegation that the Academies' procedure for assigning third through eighth grade students at South City to classrooms for the 2012-13 school year resulted in racially segregated classrooms for African American and Hispanic students. The Academies agrees to take the following actions:

1. By March 3, 2014, the Academies will develop a written procedure for assigning third through eighth grade students at South City to classes in order to ensure the assignment of students to classes does not result in racially isolated classrooms. OCR may be consulted for technical assistance during the development of the procedure. The procedure will:
 - a. identify all individuals, by position, who are involved in the student classroom assignment process and state their specific responsibilities. These individuals will include those responsible for assigning students to classrooms, administrators responsible for direct oversight and/or review of the student assignment process, and support staff responsible for data entry and/or other ministerial tasks related to student assignments;
 - b. ensure the criteria used to assign students to classes are race-neutral and do not result in racially isolated classrooms. The criteria may include a variety of race-neutral factors such as grades, standardized test scores, gender, behavior, English language proficiency, or the availability of paraprofessional support in certain classrooms; and
 - c. require a review of student class assignments prior to notifying students and parents of class assignments for the next school year in order to identify any racially isolated classes. The procedures will identify the individual(s) who will conduct this review and provide guidance on identifying racially isolated classes. If any racially isolated classes are identified, the procedures will require the Academies to identify the factors causing the racially disparate class assignments, consider whether the racially disparate class assignments are justified by an educational necessity, and whether there is an alternative policy or practice with less of a racially disparate impact. The Academies will revise its student assignment procedure, if appropriate, based on the results of this review.

REPORTING PROVISION: By March 16, 2014, the Academies will provide OCR a copy of its written procedure for assigning third through eighth grade students to classes, including a list of the individuals by name and position who developed the procedure. OCR will review the written procedure and notify the Academies when the review is complete.

2. By May 18, 2014, and after OCR has reviewed the new student classroom assignment procedures, the Academies will provide training on the new student classroom assignment procedures to those individuals responsible for implementing the new procedures for student classroom assignments.

REPORTING PROVISION: By May 25, 2014, the Academies will provide OCR the date(s) of the training, the name and title of the trainer, a copy of any materials used in the training, and a sign-in sheet indicating those in attendance at the training by name and title.

3. By May 30, 2014, the Academies will implement the new procedures for assigning third through eighth grade students to classes at South City when determining student assignments for the 2014-15 school year.

REPORTING PROVISION: By September 30, 2014, the Academies will provide OCR with the following documentation regarding its implementation of its new student assignment procedures:

1. The student enrollment School wide by race and at South City by race for the 2014-15 school year.
2. A class roster for each third through fifth grade class at South City for the 2014-15 school year. The roster should include each student's name and race, and indicate whether the student is an English language learner.
3. A class roster for each sixth through eighth grade class at South City for the 2014-15 school year including core curriculum and elective courses for which the class period and teacher are assigned by the Academies. The roster should include each student's name and race, and indicate whether the student is an English language learner.
4. A summary of the Academies' review of student class assignments, and if any racially isolated classes were identified, the factors causing the racially disparate classroom assignments, whether the racially disparate classroom assignments were justified by an educational necessity, whether there was an alternative policy or practice with less of a racially disparate impact, and a copy of its revised student assignment procedures if any revisions to the procedures were made.

The Academies understands that OCR will not close the monitoring of this Agreement until OCR determines that it has fulfilled the terms of this Agreement and is in compliance with

the regulation implementing Title VI at 34 C.F.R. §§ 100. 3(a) and (b)(1)(iii) and (iv) which was at issue in this case. The Academies 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 Academies understands that during the monitoring of this Agreement, if necessary, OCR may visit the Academies, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Academies has fulfilled the terms of this Agreement and is in compliance with the regulation implementing which was at issue in this case.

The Academies understands and acknowledges that OCR may initiate administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement or judicial proceedings to enforce this Agreement, OCR shall give the Academies written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/Terry Noble

Academies' Representative/Title

Date