

RESOLUTION AGREEMENT
Stroud Public Schools
OCR Docket Number 07131149

The Stroud Public Schools (District), Stroud, Oklahoma, submit this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the complainants' allegations in OCR Docket No. 07131149. The District, as a recipient of Federal financial assistance, is subject to the requirements of 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.) Part 100.

The complainants alleged the District discriminated against their son (African American) and other African American/biracial students on the basis of race by creating or allowing a racially hostile environment to exist, specifically by permitting a District teacher to show a movie to third grade students about slavery that contained racial epithets, depicted violence against African Americans, and was not age appropriate, and permitting District teachers to conduct an exercise in which students acted out the role of slave children who were taken away from their parents. The District voluntarily agreed to resolve the complaint prior to the conclusion of OCR's investigation into the complaint allegations.

The District agrees to take the following actions:

NOTICE OF NONDISCRIMINATION & OCR CONTACT INFORMATION

1. The District will revise its combined notice of nondiscrimination to ensure that it: a) specifies the bases for nondiscrimination in its education programs and activities and includes a statement that the District provides equal access to the Boy Scouts and other designated youth groups; and b) identifies by name or title, address, and telephone number the employee(s) responsible for coordinating the District's nondiscrimination compliance efforts, particularly the employee(s) responsible for coordinating the District's compliance efforts under Section 504 of the Rehabilitation Act of 1973 and Title IX of the Education Amendments of 1972.¹

REPORTING REQUIREMENT: By February 1, 2014, the District will submit a draft of its revised notice of nondiscrimination to OCR for its review and comment.

2. Within 60 calendar days of receiving written notification from OCR that its revised notice of nondiscrimination is acceptable, the District will post the approved notice on its website in an area accessible to students, parents, and employees.

¹ See <http://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html> for a sample notice of nondiscrimination that meets the minimum requirements of the regulations enforced by OCR.

REPORTING REQUIREMENT: Within 30 days of posting the approved OCR notice on its website, the District will provide OCR documentation showing it has complied with item 2 of this Agreement.

3. The District will replace the contact information for the OCR Dallas enforcement office listed in its Student Handbook for Parkview Elementary School with current contact information for the OCR Kansas City enforcement office.

Office for Civil Rights
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106
Telephone: (816) 268-0550
TTY (877) 521-2172
Facsimile: (816) 268-0599
[Email: OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

The District will include both its revised, OCR-approved notice of nondiscrimination and the OCR Kansas City enforcement office contact information in its student handbooks for the 2014-15 school year.

REPORTING REQUIREMENT: By October [31], 2014, the District will provide OCR a copy of its student handbooks for the 2014-15 school year.

CIVIL RIGHTS GRIEVANCE PROCEDURES & PROHIBITION OF HARASSMENT, INTIMIDATION, AND BULLYING POLICY

4. The District will revise the grievance procedures in its *Civil Rights Policy (Civil Rights Grievance Procedures)* to ensure that the procedures provide for the prompt and equitable resolution of complaints made by or on behalf of students alleging discrimination, including harassment, on the basis of race, color, or national origin, age, disability, or sex. The grievance procedures must, at a minimum include:
 - (a) an explanation of how to file a complaint under the procedures, including where and in what manner complaints can be filed;
 - (b) provisions for the adequate, reliable, and impartial investigation of complaints, including the opportunity for all parties involved to present witnesses and other evidence;
 - (c) a requirement that records detailing the investigation of complaints be collected and maintained, including notes of interviews, copies of documents reviewed, and other relevant information;

- (d) an appeal procedure;
- (e) set time frames for major stages of the complaint process, including appeals;
- (f) a requirement that written notification will be given to the parties of the outcome of the complaint investigation;
- (g) an assurance that the District will keep the complaint, complainant, and investigation confidential to the extent possible;
- (h) protection from discrimination or harassment for students who file a complaint during the processing of the complaint;
- (i) a provision prohibiting retaliation against a student who files a complaint or individuals who participate in a complaint; and
- (j) an assurance that the District will, upon making a determination that harassment has occurred, determine the remedial action necessary to address and resolve the harassment, including, as appropriate, the provision of resources, including counseling, to the harasser as a means to prevent recurrence of future harassment, discipline, strategies to protect the individual subject to the harassment and witnesses from retaliation, counseling for the individual harassed, other steps to address any impact on the individual harassed, witnesses, and the broader student body, and any other necessary steps reasonably calculated to prevent future occurrences of harassment.

REPORTING REQUIREMENT: By December 20, 2013, the District will submit its *Civil Rights Grievance Procedures* to OCR for its review and comment.

5. Within 60 calendar days of receiving written approval from OCR that its *Civil Rights Grievance Procedures* satisfy item 4 of this Agreement, the District will adopt and implement the procedures, post the procedures on its website in a section accessible to students and parents, and start including the approved procedures in new and reprinted copies of its student handbooks.

REPORTING REQUIREMENT: Within 30 calendar days of posting its OCR-approved *Civil Rights Grievance Procedures* on its website, the District will provide OCR the electronic address for the specific webpage on which the procedures are posted.

REPORTING REQUIREMENT: By January 5, 2015 and June 19, 2015, (dates within four (4) weeks of the end of the 1st semester of the 2014-15 school year and end of the 2nd semester of the 2014-15 school year), the District will provide OCR documentation demonstrating its implementation of its OCR-approved *Civil Rights Grievance Procedures*. The documentation will include the following: a list with the names and grades of the students and/or individuals filing on behalf of students, who filed a complaint, or grievance, alleging discrimination or harassment with the District

during the first semester of the 2014-15 school year, or the second semester of the 2014-15 school year; a summary of the allegation(s) in each complaint; a description of the District's investigation into each complaint (including the name and title of the individual(s) who investigated the complaint and the names and contact information for all witnesses); a copy of all documents considered in each complaint; a description of the District's determination regarding each grievance or complaint; and a copy of the District's correspondence informing the parties to each applicable complaint of its determination.

6. The District will add a statement to its *Prohibition of Harassment, Intimidation, and Bullying Policy* clarifying that individuals who want to file a complaint with the District regarding harassment on the basis of race, color, national origin, sex, disability, religion, or age should use the procedures set out in the District's *Civil Rights Policy*.

REPORTING REQUIREMENT: By October 1, 2014, the District will provide OCR documentation showing it has complied with item 6 of this Agreement.

EMPLOYEE TRAINING REGARDING TITLE VI AND CIVIL RIGHTS GRIEVANCE PROCEDURE

7. By October 1, the District will provide annual training regarding its *Civil Rights Grievance Procedure* to all District administrators and teachers. At a minimum, the training must address:
 - (a) what types of complaints are covered by the grievance procedures, the process for filing a complaint under the procedures, the District's process for investigating and resolving complaints filed under the procedures, and the District's set time frames for major stages of the complaint process;
 - (b) a description of the types of conduct that could be considered to be discrimination or harassment that are addressed by *the Civil Rights Grievance Procedure*;
 - (c) what District employees should do if a student or parent complains of harassment by a District student, employee, or third party; and
 - (d) the designated contact person for questions about the District's process for addressing complaints or matter arising under the District's *Civil Rights Grievance Procedure*.

REPORTING REQUIREMENT: The District will provide OCR documentation by October 30, [2014], showing it has provided the initial training session required by item 7 of this Agreement. The District is not obligated to provide documentation of subsequent training unless OCR asks for that documentation. The documentation must include:

- (a) the date, time, and location of the training;
- (b) the topics addressed at the training;
- (c) copies of handouts distributed to the training participants;
- (d) the name(s) and title(s) of the individual(s) who conducted the training; and
- (e) one or more sign-in sheets with the name, title, and work location of each employee who participated in the training.

STUDENT TRAINING REGARDING RACIAL HARASSMENT

8. By December 16, 2014, the District will provide training to third, fourth, and fifth grade students at the Parkview Elementary School regarding racial harassment. The District may extend the training to additional grade levels but is not required to do so. At a minimum, the training will address what type of conduct constitutes harassment on the basis of race, the District's prohibition against such harassment, and the disciplinary consequences for engaging in racial harassment of other students. In addition, the training will encourage students to report racial harassment and instruct them on how and to whom to report such harassment.

REPORTING REQUIREMENT: By January 15, 2015, the District will provide OCR documentation showing it has provided the training required by item 8 of this Agreement. The documentation must identify and include:

- (a) the name and title of the individual(s) who conducted the training;
 - (b) the date, time, and location of the training;
 - (c) the topics addressed at the training;
 - (d) a copy of any materials distributed at the training; and
 - (e) one or more sign-in sheets with the name and grade level of each student who participated in the training.
9. Within 30 days of the date of this Agreement, the District will investigate the alleged racial name-calling of a District elementary student by other students that one of the complainants reported to OCR.²

² OCR will provide the District the name of alleged victim and information the complainant provided OCR regarding the alleged racial name-calling. One of the complainants alleged to OCR that she already reported the racial name-calling to the District, but the District alleged it was not provided the identity of the alleged victim or alleged harasser(s).

REPORTING REQUIREMENT: Within 30 calendar days of completing the investigation required by item 12 of this Agreement, the District will provide OCR documentation of its investigation and determination.

10. If, based on the results of the investigation required by item 12 of this Agreement, the District determines that one or more District students engaged in racial harassment of a District student, or a student who rides a District school bus, the District will take disciplinary action against the student(s) in accordance with its established policies and procedures.

REPORTING REQUIREMENT: If applicable, by February 18, 2014, the District will provide OCR documentation of the disciplinary action it took to satisfy item 13 of this Agreement.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title VI at 34 C.F.R. § 100.3, which was at issue in this case.

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 and is in compliance with the regulation implementing Title VI at 34 C.F.R. § 100.3, which was at issue in this 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 this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/ Joe Van Tuyl
Joe Van Tuyl, Superintendent
Stroud Public Schools

11/15/13
Date