

**RESOLUTION AGREEMENT
MIDWEST CITY-DEL CITY PUBLIC SCHOOLS
OFFICE FOR CIVIL RIGHTS DOCKET NUMBER 07141116**

The Midwest City-Del City Public Schools (District), Midwest City, Oklahoma, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the allegation against the District in OCR Docket No. 07141116, and to ensure compliance with 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 C.F.R. Part 100. Prior to the completion of OCR's investigation, the District asked to resolve the allegation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to ensure compliance with Title VI and/or its implementing regulations, the District voluntarily agrees to take the following actions:

I. GENERAL PROVISIONS

This Agreement resolves OCR Docket No. 07141116 and does not constitute an admission by the District of any violation of Title VI, or any other law.

OCR agrees to discontinue its investigation of OCR Docket No. 07141116 based upon the District's commitment to take the actions specified in this Agreement which, when fully implemented, will resolve the allegation in OCR Docket No. 07141116.

In the event the District fails to implement any provision of this Agreement, OCR may resume its investigation of the complaint or take other appropriate measures within its authority to effect compliance with Title VI.

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 regulations implementing Title VI.

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 regulations implementing Title VI.

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 60 (sixty) calendar days to cure the alleged breach.

II. RESOLUTION PROVISIONS

A. NOTICE OF NONDISCRIMINATION

1. The District will revise its current notice of nondiscrimination to notify students, parents and others that the District provides equal access to the Boy Scouts of America and other designated youth groups, according to the *Boy Scouts of America Equal Access Act*. The District may refer to the publication requirements set forth in the OCR publication, *Notice of Non-Discrimination* (August 2010). The publication is available at: <http://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html>. OCR is available to provide technical assistance to the District upon request.

REPORTING REQUIREMENT: By November 14, 2014, the District will provide OCR with a revised notice of nondiscrimination, which meets the requirements set forth in this Agreement, for OCR's review and approval.

2. Upon receiving approval from OCR of its revised notice of nondiscrimination, the District will adopt, publish and prominently display its revised notice of nondiscrimination on the District's website and in student, parent and employee hard-copy and/or online handbooks.

REPORTING REQUIREMENT: Within 60 days of receiving approval of its revised notice of nondiscrimination from OCR, the District will provide OCR with documentation demonstrating the notice has been adopted by the District and provide OCR copies (or links to the information if it is available on the District's website) of the District's student, parent and employee handbooks evidencing its dissemination and publication of the approved notice of nondiscrimination.

B. TRAINING

1. By September 1, 2015, the District shall provide anti-harassment training to all students in grades 6 through 12, with an emphasis on racial harassment. The District will work with OCR, the South Central Collaborative for Equity Intercultural Development Research Association, or another similarly qualified expert (expert) to provide the training. The District will determine the required content of the training based on its review of the climate survey results, but at a minimum, the training will:

- a. clarify that all individuals, regardless of the race/ethnicity of the victim(s) and the alleged harasser(s), are protected against harassing conduct of a racial nature;
- b. help students better understand the behaviors that constitute racial harassment by providing examples of racial harassment and examples of appropriate remedies for such harassment;
- c. describe disciplinary sanctions applicable to behavior that constitutes racial harassment; and
- d. provide information regarding how to report allegations of harassment and identify the appropriate staff members to whom allegations of harassment should be reported.

REPORTING REQUIREMENT: By September 30, 2015, the District will provide OCR documentation showing it has completed the training described above. The documentation must identify: (a) the date and location of the training; (b) the topics addressed at the training (the District may provide OCR an outline of the training and/or a copy of the materials disseminated at the training); (c) the name(s) and title(s) of the individual(s) who conducted the training; and (d) the identification of the groups of students, by school and grade level, who participated in each training session. OCR is available to provide technical assistance and training to the District upon the District's request.

2. By September 30, 2015, the District shall provide all District-level and school-based administrators, faculty, certified staff, and other staff who interact with students in grades 6 through 12 with Title VI training, including racial harassment training. The training shall include, at a minimum:
 - a. the District's responsibility to maintain a nondiscriminatory environment and its obligation to take prompt and effective action to address racial harassment and prevent its recurrence when incidents of racial harassment occur;
 - b. the responsibilities of teachers and other school staff in addressing racial harassment, and the procedure to follow when they become aware of incidents of racial harassment;
 - c. examples of racial harassment and examples of appropriate remedies for such harassment, including information that all individuals, regardless of the race/ethnicity of the victim(s) and the alleged harasser(s), are protected against harassing conduct of a racial nature;

- d. the District’s commitment to investigate complaints of racial harassment and taking prompt, appropriate, and effective responsive action;
- e. the District’s procedure for raising concerns or complaints to school employees regarding racial harassment, including identifying the name and contact information for the designated employee(s) responsible for receiving complaints and responding to concerns; and
- f. information about the District’s complaint procedures for addressing students’ and parents’ complaints of racial harassment.

REPORTING REQUIREMENT: By October 30, 2015, the District will provide OCR documentation showing it has completed the trainings described above. The documentation must identify: (a) the date and location of the training; (b) the topics addressed at the training(s) (the District may provide OCR an outline of the training and a copy of the materials disseminated at the training); (c) the name(s) and title(s) of the individual(s) who conducted the training; and (d) the name, title, and work location of each District administrator or employee who attended the training (a sign-in sheet with the attendees’ names, titles, and work locations is sufficient). OCR is available to provide technical assistance and training to the District upon the District’s request.

- 3. By September 30, 2015, the District shall provide training regarding the investigation of racial harassment complaints to all District officials and staff responsible for conducting investigations of racial harassment complaints. At a minimum, the training shall include the applicable legal standards, the District’s investigatory procedures, interview techniques, privacy and confidentiality issues, appropriate interim measures, making findings and preparing a report, taking appropriate timely actions, including discipline if warranted, and notifying the parties of the outcome or determination.

REPORTING REQUIREMENT: By October 30, 2015, the District will provide OCR documentation showing it has completed the trainings described above. The documentation must identify: (a) the date and location of the training; (b) the topics addressed at the training(s) (the District may provide OCR an outline of the training and a copy of the materials disseminated at the training); (c) the name(s) and title(s) of the individual(s) who conducted the training; and (d) the name, title, and work location of each District official or staff member who attended the training (a sign-in sheet with the attendees’ names, titles, and work locations is sufficient). OCR is available to provide technical assistance and training to the District upon the District’s request.

C. CLIMATE SURVEY

By March 13, 2015, the District will develop a school climate survey for students in grades 6 through 12 and for all District administrators, counselors and instructional staff responsible for grades 6 through 12 to assess the presence and effect of harassment, including racial harassment, at the District in grades 6 through 12. The District will submit the climate survey to OCR by March 27, 2015. OCR will review the climate survey and make suggested revisions, as necessary. The District agrees to conduct the climate survey, using the climate survey as revised by OCR, if applicable, by May 22, 2015. The District will review the results of the survey within 30 days of its administration. Based on a review of the results of the surveys, the District will take appropriate corrective actions to address all climate issues related to harassment, including racial harassment, identified through the surveys and the analysis. The corrective action, if necessary, will be implemented within 60 days of the completion of the survey review.

REPORTING REQUIREMENT: Within 30 days of the identification of the corrective action to be taken (or the determination that no corrective action is necessary), the District will provide OCR with a copy of the results of the survey and corrective action plan.

D. RECORDING INSTANCES OF REPORTED HARASSMENT

1. By November 14, 2014, the District will create a plan for improving its record-keeping for instances of racial harassment, including record-keeping by counselors and documentation of behavior incidents involving the use of racially derogatory comments, or other acts of a racial nature, by and against students and District staff.

REPORTING REQUIREMENT: By November 18, 2014, the District will provide OCR information and documentation regarding its revised record-keeping system to reflect the proper identification of instances of racial harassment for OCR's review and approval. By March 27, 2015, the District will provide OCR a copy of its records for alleged instances of reported harassment from the beginning of the 2014-15 school year through December 15, 2014, to demonstrate its revised record-keeping.

2. By December 19, 2014, the District will provide instruction to District teachers, counselors and any other District staff members who have responsibility for inputting information into the District's Power School system regarding the District's plan for improving record-keeping for instances of racial harassment. The District will provide instruction on the use of the sub-type category **Racial Harassment** and explain the importance of

using the sub-type correctly and consistently and will provide examples of when the sub-type category should be used.

REPORTING REQUIREMENT: By January 30, 2015, the District will provide documentation demonstrating the completion of section D2.

E. INDIVIDUAL REMEDY

By September 23, 2014, the District will, in consultation with the complainant, identify a District staff person who will serve as a contact for the complainant's son (Student). The Student and the complainant will be notified as to the identity of this individual and will be notified that this person may be contacted directly if the Student feels that he has been or is being harassed.

REPORTING REQUIREMENT: By October 1, 2014, the District will provide OCR with the name and contact information of the person identified in section E. The District will provide documentation demonstrating that the information has been communicated to the Student and the complainant.

 /s/ Dr. Pam Deering
Dr. Pam Deering, Superintendent
Midwest City-Del City Public Schools

 9/18/2014
Date