

RESOLUTION AGREEMENT
St. Louis Public Schools
OCR Compliance Review No. 07-14-5003

The St. Louis Public Schools (the District), St. Louis, Missouri, submit this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR Compliance Review No. 07-14-5003, a compliance review initiated by OCR to determine the District's 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 Code of Federal Regulations (C.F.R.) Part 100, and Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulation at 34 C.F.R. Part 106. The compliance review assessed whether the District violated Title VI or Title IX by failing to take appropriate action to address harassment of students based on race, color, national origin, or sex.

The District voluntarily agreed to resolve this compliance review prior to the conclusion of OCR's investigation. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

The following definitions apply to this Agreement:

- Racial harassment is unwelcome conduct based on race, color, or national origin. Racial harassment may be physical, verbal, nonverbal, graphic, or written in nature, and includes harassment on the basis of actual or perceived shared ancestry or ethnic characteristics.
- Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as acts of sexual violence.
- Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the victim's age or use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

The District agrees to take the following actions:

ANTI-HARASSMENT STATEMENT

1. The District will prepare a statement to all District students, parents¹, and employees that will be printed in each District school's newsletter and/or in the District's newsletter, displayed in each school building, and published in a prominent location on the District's website stating that the District does not tolerate harassment on the bases of race and sex.² The statement

¹ The term "parents" as used in this Agreement refers to both parents and legal guardians of District students.

² The term "race," as used here and in the remainder of the Agreement, includes color and national origin. The anti-harassment statement may address harassment on additional bases beyond race and sex, such as harassment on the basis of disability.

will encourage students who believe they have been subjected to racial or sexual harassment to report the harassment to the District, and will note the District's commitment to conducting a prompt investigation of harassment complaints. The statement will include contact information for the designated employee(s) to whom students and parents may report racial and sexual harassment allegations. In addition, the statement will indicate that support, including counseling and educational resources, will be available to students who are harassed on the bases of race and sex, as well as to students found to have engaged in acts of harassment. The statement will include language indicating that the District will not tolerate retaliation for reporting harassment and will take steps to protect those who wish to report harassment anonymously or confidentially.

REPORTING REQUIREMENT: By October 26, 2018, the District will submit a copy of the anti-harassment statement it developed to satisfy item 1 of this Agreement to OCR for its review and approval. Within 30 calendar days of receiving OCR's written approval, the District will issue the statement and provide OCR with copies of all newsletters where the statement was published, as well as the electronic address for the specific webpage on which the statement is posted.

COMPLIANCE COORDINATOR

2. The District will select an individual with expertise in the area of prevention of harassment based on race and sex to serve as the District's Compliance Coordinator for Title VI and Title IX issues. The Compliance Coordinator will review: the effectiveness of the District's current policies, procedures, and practices regarding discrimination/harassment based on race and sex; the letter OCR issues regarding the resolution of this compliance review; written guidance published by OCR regarding harassment on the bases of race and sex; the *Safe Place to Learn* resource materials available online at <https://safesupportivelearning.ed.gov/safe-place-to-learn-k12>³; and other resources the Compliance Coordinator deems useful, such as current research and best practices used in other school districts. Utilizing this information, the Compliance Coordinator will collaborate with the District to do the following:
 - a) Review the Compliance Coordinator's responsibilities as the District's designated Title VI and Title IX coordinator, revise Special Administrative Board (SAB) Policy 2471 to ensure that it accurately describes the Compliance Coordinator's duties, and develop mandatory training requirements for future Compliance Coordinators as required by this Agreement;
 - b) Evaluate and recommend revisions to the District's grievance procedures, and corresponding policies, for racial and sexual harassment complaints made by or on behalf of students, as required by this Agreement;

³ The *Safe Place to Learn* resource package was developed for the U.S. Department of Education, in collaboration with the White House Task Force to Protect Students from Sexual Assault, by the National Center on Safe Supportive Learning Environments. The resource package provides materials to help elementary and secondary schools prevent and eliminate student-on-student sexual harassment, including sexual violence.

- c) Develop and provide training as required by this Agreement;
- d) Develop climate surveys for students and District employees as required by this Agreement;
- e) Develop a system for documenting and tracking racial and sexual harassment complaints as required by this Agreement;
- f) Develop a transition process for students assigned to an alternative program or transferred to a different school within the District because they engaged in racial and/or sexual harassment, as required by this Agreement; and,
- g) Develop a monitoring program to assess the effectiveness of the District's efforts to prevent and address racial and sexual harassment as required by this Agreement.

REPORTING REQUIREMENT: By September 7, 2018, the District will provide OCR documentation showing it has selected the Compliance Coordinator required by this section. The documentation must include information regarding the Compliance Coordinator's background/training in the area of prevention of harassment on the bases of race and sex.

- 3. By October 5, 2018, the District will conduct a review of the responsibilities of its Compliance Coordinator to determine whether the Coordinator's duties are consistent with Title VI and Title IX requirements. The review will not only address the duties described in SAB Policy 2471, but also the duties actually performed by the Compliance Coordinator.
- 4. Based on the results of the review required above by item 3 of this Agreement, the District will revise SAB Policy 2471 to ensure that it accurately describes the Compliance Coordinator's duties and develop a written description of corresponding mandatory training requirements for future Compliance Coordinators. This written description may be included in revised Policy 2471 or may be documented in a separate policy or procedure. The Compliance Coordinator's responsibilities and training requirements must include the following elements:
 - a) The Compliance Coordinator will have expert knowledge of the District's grievance procedure(s) for Title VI and Title IX complaints, and will oversee all Title VI and Title IX complaints received by the Compliance Coordinator and by other District departments, offices, and individuals identified as responsible employees or delegated the responsibility for receiving and/or investigating reports of racial and sexual harassment. The Compliance Coordinator will address any patterns or systematic problems that arise during the review of such reports/complaints. The Coordinator will also assess the overall efficacy of coordination and overall response by the District to racial and sexual harassment of students, including the implementation and efficacy of interim measures used to address the harassment, steps taken to stop harassment found to have occurred and prevent its recurrence, steps taken to eliminate any racially or sexually hostile environment that has been created for students, and steps taken to remedy any discriminatory effects on the victims of harassment and others, as appropriate;

- b) The Compliance Coordinator will be responsible for: the prompt investigation of reports/complaints alleging racial and/or sexual harassment; adjudication of whether racial or sexual harassment has occurred in individual cases; the identification of remedies (including interim measures) necessary to address racial and sexual harassment, prevent its recurrence, and eliminate any racially or sexually hostile environment; and consultation, as necessary, on any matter where it has been determined that racial or sexual harassment occurred to ensure the District's compliance with Title VI and Title IX. To the extent that any of the Compliance Coordinator's duties will be delegated to other individuals within the District, revised SAB Policy 2471 will clearly state what duties will be delegated to whom and how the Compliance Coordinator will retain oversight of the delegated responsibilities;
- c) The Compliance Coordinator will ensure that all District principals and other individuals within the District delegated the responsibility for receiving and/or investigating reports of racial or sexual harassment receive adequate training regarding Title VI and Title IX;
- d) The Compliance Coordinator will be responsible for coordinating the development and implementation of periodic assessments (including, for example, surveys and focus groups) of the climate in the District for students with regard to racial and sexual harassment;
- e) The Compliance Coordinator will coordinate with school administrators, including administrators for the District's alternative programs, appropriate District-level administrators (such as the administrators who oversee the Office of Innovative Pathways, the Parent and Family Engagement Office, and the Safety and Security Department), and the school resource officers assigned to the District to identify and address any patterns or systemic problems involving racial and sexual harassment of District students; and,
- f) The Compliance Coordinator will be responsible for coordinating communications with the school resource officers assigned to the District regarding the District's obligations under Title IX and for serving as a resource on Title IX issues.

REPORTING REQUIREMENT: By November 9, 2018, the District will provide, for OCR's review and approval, a copy of its proposed, revised SAB Policy 2471 and, if in a separate policy or procedure, its proposed description of the mandatory training requirements for future Compliance Coordinators. With 45 days of OCR's written approval, the District will adopt revised SAB Policy 2471 and, as applicable, the corresponding policy/procedure. Within 60 days of adoption, the District will provide OCR a copy of revised SAB Policy 2471 and, as applicable, the corresponding policy/procedure.

RACIAL AND SEXUAL HARASSMENT GRIEVANCE PROCEDURES

- 5. In collaboration with the Compliance Coordinator, the District will review, revise, and, as appropriate, combine its existing grievance procedures for racial and sexual harassment complaints made by or on behalf of students to ensure that the procedures are clear,

consistent, and adequately address and provide for the prompt and equitable resolution of complaints. The review will include: Board Regulation R5131.7, *Sexual/Racial Harassment*; Board Regulation 5145.4.1, *Grievance Procedures for Resolution of Student Complaints Alleging Discrimination on the Basis of Sex/Race, Color or National Origin*; the “Investigation of Sexual Harassment Complaints” section of the *Parent Information Guide & Student Code of Conduct (Code of Conduct)*; and Board Policy P4838, *Sexual Harassment*. The revised grievance procedures and, as applicable, corresponding District policies and regulations will include:

- a) A statement setting forth the District’s commitment to having a school environment free from racial and sexual harassment. The statement will explain that the District prohibits harassment in the school environment, including all academic, extracurricular, and school-sponsored activities. The statement will emphasize that District employees must promptly report all incidents of harassment of which they become aware. Additionally, the statement will encourage students to immediately report incidents of harassment. It will also state that the District will not tolerate retaliation for reporting harassment and will take steps to protect those who wish to report harassment anonymously or confidentially;
- b) Definitions of what constitutes harassment on the bases of race and sex, including specific examples of prohibited conduct;
- c) Disciplinary sanctions that may be imposed upon individuals who engage in racial and sexual harassment;
- d) A statement that the prohibition regarding harassment on the bases of race and sex applies to conduct by employees, students, and third parties;
- e) A requirement that District staff, including teachers, who become aware of possible racial or sexual harassment must report the harassment to the principal or assistant principal at the relevant school site, or the Compliance Coordinator, who will document the report, and an explanation that such reports shall be treated as complaints under the District’s procedures;
- f) Instructions on how to initiate a racial or sexual harassment complaint under the District’s procedures, and the name or title, office address, telephone number, and email address of the individual(s) with whom to file the complaint;
- g) The various steps the District will take to conduct an adequate, reliable, and impartial investigation of racial and sexual harassment complaints, including an equal opportunity for the parties to present witnesses and relevant evidence;
- h) Interim measures the District may take to ensure the safety of the complainant and the larger school community during its investigation into racial and sexual harassment complaints;

- i) Designated and reasonably prompt timeframes for major stages of the grievance process;
- j) A statement explaining that confidentiality may only be maintained to the extent that it does not compromise the integrity of the District's investigation into alleged racial or sexual harassment;
- k) Clarification of when complaints will be handled at the school level and when they will be handled at the District level, and clarification of the roles of school personnel, including but not limited to safety officers, District-level personnel, and law enforcement in the investigation of alleged racial and sexual harassment incidents;
- l) An assurance that the District will offer counseling and other support or remedial services to students found to have been subjected to harassment and, as appropriate, to students who committed the harassment;
- m) Written notice to the parties of the outcome of the District's investigation into alleged racial and sexual harassment incidents;
- n) A statement regarding whether the District offers the parties the right to appeal the District's findings regarding alleged racial and sexual harassment and remedies imposed and, if so, an assurance that appeals will be conducted in an impartial manner by an impartial decision-maker;
- o) An assurance that the District will take steps to prevent the recurrence of harassment and to correct its discriminatory effects on the complainant and others, as appropriate;
- p) A statement that Title VI and Title IX prohibit retaliation against any individual who files a complaint under those laws or participates in a complaint investigation, and that the District will investigate all allegations of retaliation and take action against those found to have retaliated; and,
- q) Clarification that in the event of a sexual violence incident, the principal of the school site the victim attends will immediately inform the Compliance Coordinator so the District may ensure that it provides an appropriate response to the incident consistent with its grievance procedure. The grievance procedures will also set forth a process to ensure that the victim is safe, which may include, for example, creating a safety plan and designating an individual at the site level to act as the victim's support person during and after the District's investigation.

REPORTING REQUIREMENT: By December 21, 2018, the District will provide a draft of its revised grievance procedures and any corresponding policies and regulations to OCR for its review and approval.

6. Within 180 calendar days of OCR's written approval of the grievance procedures the District revised to satisfy item 5 of this Agreement, the District will adopt the grievance procedures, post the procedures on the District's website in an area accessible to students, parents, and

employees, and start including the grievance procedures in the *Code of Conduct* and in its school-specific student/parent handbooks. The District may satisfy this requirement by including appropriate inserts in the *Code of Conduct* and in its school-specific student/parent handbooks, or by revising and reprinting the publications. The District will also disseminate the OCR-approved grievance procedures to District staff and administrators, and ensure that all prior versions of the grievance procedures are removed from the District's website or tagged as no longer being in effect.

REPORTING REQUIREMENT: Within 180 calendar days of receiving written notification from OCR that its revised grievance procedures are acceptable, the District will provide OCR documentation showing it has complied with item 6 of this Agreement.

CLIMATE SURVEYS

7. By October 26, 2018, in collaboration with the Compliance Coordinator, the District will develop and submit to OCR, for its review and approval, a climate survey for elementary⁴, middle, and high school students designed to gather information relating to student safety, the prevalence of bullying and harassment in the District, including bullying/harassment on the bases of race and sex, and the responsiveness of District personnel to student concerns. (The District may choose to expand the survey to address other school climate issues if desired.) When developing the climate survey, the District may take the ages of the students who will be surveyed into account and adjust the survey questions and/or administration method accordingly. Along with submitting the proposed climate survey(s), the District will provide OCR a written explanation of how the District intends to distribute, collect, and utilize the results of the survey(s).⁵

Within 120 days of receiving OCR approval of its proposed climate survey(s) for students, the District will administer the survey(s) and review the survey results. Based on its review of the survey results, the District will take appropriate corrective action to address the climate issues related to racial and sexual harassment identified through the survey(s). If the survey results do not provide sufficient information for the District to identify climate issues specifically related to racial and sexual harassment, the District will develop a plan, in conjunction with the Compliance Coordinator, for conducting targeted follow-up with students where the racial and/or sexual harassment of students appear to be most prevalent. (The District may conduct a targeted survey designed to identify climate issues specifically related to racial and sexual harassment or may identify other means of collecting the relevant information from students. Any targeted follow up may be limited to students in particular grade levels as warranted.) In developing the plan, the District may draw from the results of the employee climate survey required by item 8 of the Agreement and other sources of

⁴ The District may limit the climate survey for elementary students to students in third grade and above.

⁵ In developing the climate survey required by item 7 of the Agreement, the District may, but is not required to, utilize the ED School Climate Surveys (EDSCLS), a suite of survey instruments developed for schools, districts, and states by the U.S. Department of Education, and/or other climate survey instruments available through the National Center on Safe Supportive Learning Environments (NCSSLE), and may seek technical assistance from the NCSSLE (*see* <http://safesupportivelearning.ed.gov>).

pertinent information.

REPORTING REQUIREMENT: By March 29, 2019, the District will provide OCR a summary of the results of the climate survey(s) it issued to satisfy item 7 of the Agreement and, a written corrective action plan detailing the steps the District proposed taking to address the climate issues related to racial and sexual harassment of students identified through the survey(s). (If requested by OCR, the District will also provide OCR the raw results of the survey(s), rather than just a summary.) Within 30 calendar days of receiving OCR's written approval of its corrective action plan, the District will begin implementing the plan. If the climate survey(s) does/do not provide sufficient information for the District to identify climate issues related to racial or sexual harassment, the District will provide OCR its plan for conducting the targeted follow-up climate survey described in item 7 of this Agreement, for OCR's review and approval. Alternatively, if the District believes the initial student climate survey(s) provide(s) sufficient information related to the racial and sexual harassment of District students to determine that a corrective action plan for addressing such harassment is not necessary, it will notify OCR in writing why it does not believe a corrective action plan is warranted.

REPORTING REQUIREMENT: If applicable, within 180 calendar days of receiving OCR's written approval of its corrective action plan, the District will provide OCR documentation showing it has implemented the plan.

8. By October 26, 2018, the District will develop and submit to OCR, for its review and approval, a climate survey for its elementary, middle, and high school administrators, teachers, counselors, social workers, and paraprofessionals designed to: assess employees' knowledge about what constitutes racial and sexual harassment; gather information regarding the prevalence of harassment of District students based on race and sex; determine whether employees know when and how to report racial and sexual harassment of students; and assess the effectiveness of steps taken by the District to stop racial and sexual harassment of students and remedy the effects of the harassment. Along with the proposed climate survey, the District will provide OCR a written explanation of how the District intends to distribute, collect, and utilize the results of the survey.

Within 120 days of receiving OCR approval of its proposed climate survey for employees, the District will administer the survey and review the survey results. Based on its review of the results of the survey, the District will take appropriate corrective action to address the climate issues related to racial and sexual harassment identified through the survey.

REPORTING REQUIREMENT: By March 29, 2019, the District will provide OCR a summary of the results of the climate survey it issued to satisfy item 8 of the Agreement and, for OCR review and approval, a written corrective action plan detailing the steps the District intends to take to address the climate issues related to racial and sexual harassment of students identified through the survey. (If requested by OCR, the District will also provide OCR the raw results of the survey, rather than just a summary.) Within 30 calendar days of receiving OCR's written approval of its corrective action plan, the District will begin implementing the plan. If the climate survey does not raise any climate issues related to racial

or sexual harassment, the District will notify OCR in writing that it does not believe a correction action plan is warranted.

REPORTING REQUIREMENT: If applicable, within 180 calendar days of receiving OCR's written approval of the corrective action plan required by item 8 of this Agreement, the District will provide OCR documentation showing it has implemented the plan.

PARENT INPUT

9. In consultation with the Compliance Coordinator, the District will develop a plan for obtaining input from a wide variety of parents of District students regarding: a) racial and sexual harassment of students of which they are aware; b) recommendations for improving school climate with regard to harassment; and c) how to best inform students and parents about the right to be protected from harassment and retaliation, and how to report incidents of harassment and retaliation. The plan may include utilizing school-based parent groups and the Districtwide Parent Action Council as resources, and may take into account challenges the District faces with regard to contacting parents electronically and maintaining current contact information for highly mobile families.

REPORTING REQUIREMENTS: By October 26, 2018, the District will provide the plan it developed to satisfy item 9 of this Agreement to OCR for its review and approval.

DOCUMENTATION AND TRACKING OF HARASSMENT, INVESTIGATIONS, AND REMEDIAL MEASURES

10. In collaboration with the Compliance Coordinator, the District will develop and implement a system for documenting and tracking complaints and incidents of harassment on the bases of race and sex, as well as the District's response to the complaints, that will be applied District wide. At a minimum, this system will include the following:
 - a) A method for documenting all complaints of racial and sexual harassment made by or on behalf of students and incidents involving racial and sexual harassment of students that District personnel learn about through other means (such as witnessing the harassment), including student-on-student harassment, employee-on-student harassment, and third-party-on-student harassment. The documentation must include the name(s) of, or unique identifiers for, victims of alleged harassment, not only alleged harassers;
 - b) A method for documenting information obtained through the District's investigation into alleged racial and sexual harassment of students along with the District's investigative findings;
 - c) A method for documenting all actions taken by District personnel to remedy the racial and sexual harassment of students of which it is aware, including actions designed to stop the harassment, prevent the harassment from recurring, and address the effects of the harassment on the victims and others;

- d) Set guidelines regarding where and for how long District personnel must keep the documentation created or collected when racial or sexual harassment complaints are made, investigated, and addressed by the District;
- e) A process for tracking the number and type of student-on-student racial harassment and sexual harassment incidents by school to help identify any patterns or systemic problems;
- f) A process for tracking the number and type of employee-on-student racial harassment and sexual harassment incidents by school to help identify any patterns or systemic problems; and,
- g) A process for tracking the number and type of third-party-on-student racial and sexual harassment incidents by school to help identify any patterns or systemic problems.

REPORTING REQUIREMENT: By June 28, 2019, the District will provide to OCR for review and approval a description of the system it developed to satisfy item 10 of the Agreement. Within 30 calendar days of receiving OCR's written approval of the system, the District will provide confirmation that the system is being implemented.

TRAINING FOR COMPLIANCE COORDINATOR AND OTHER STAFF

- 11. As needed, the District will provide specialized training to its designated Compliance Coordinator regarding harassment on the bases of race and sex. The training will address how to conduct and document adequate, prompt, reliable, and impartial investigations into the alleged racial and sexual harassment of students. The training will also address how to determine whether racial or sexual harassment is severe, pervasive, or persistent enough to create a hostile environment for one or more students, including how to apply the preponderance of the evidence standard (whether the greater weight of the evidence supports the conclusion or whether the evidence is insufficient to support the conclusion).
- 12. By November 16, 2018, in collaboration with the Compliance Coordinator, the District will provide specialized training to its Office of Innovative Pathways (OIP) hearing officers regarding harassment on the bases of race and sex. The training will address:
 - a) Title VI's prohibition against discrimination on the basis of race, including racial harassment;
 - b) Title IX's prohibition against discrimination on the basis of sex, including sexual harassment;
 - c) The identity of and contact information for the Compliance Coordinator;
 - d) What types of conduct constitute harassment on the bases of race and sex; and,

- e) The full range of disciplinary consequences and other remedial actions OIP hearing officers may apply when they determine a student has engaged in racial and/or sexual harassment.
13. In collaboration with the Compliance Coordinator, the District will provide annual training to all of its principals and other administrators and staff responsible for processing complaints made by or on behalf of District students alleging racial or sexual harassment. The training will be conducted by an individual with appropriate expertise regarding racial and sexual harassment. At a minimum, the training will address:
- a) Title VI's prohibition against discrimination on the basis of race, including racial harassment;
 - b) Title IX's prohibition against discrimination on the basis of sex, including sexual harassment;
 - c) The identity of and contact information for the Compliance Coordinator;
 - d) In-depth instruction on what types of conduct constitute harassment on the bases of race and sex and the negative impact such harassment has on the educational environment;
 - e) Available support services for students who have been racially or sexually harassed;
 - f) The District's process for investigating and resolving racial and sexual harassment complaints, including how to determine whether racial or sexual harassment is severe, pervasive, or persistent enough to create a hostile environment for one or more students using a preponderance of the evidence standard; and,
 - g) Title VI's and Title IX's prohibition on retaliating against students and other individuals because they filed a racial or sexual harassment complaint or participated in a Title VI or Title IX complaint investigation.

REPORTING REQUIREMENT: By September 6, 2019, the District will provide documentation demonstrating that the initial or first annual training required by items 11 through 13 of this Agreement was provided. This documentation will include: the date(s) of the training; the name(s) and credentials of the trainer(s); copies of any training materials used, including handouts, guides or other materials; and proof of attendance by relevant employees. The District does not need to submit documentation to OCR regarding subsequent annual training sessions contemplated by this Agreement unless OCR requests such information from the District.

TRAINING FOR STUDENTS

14. In collaboration with the Compliance Coordinator, the District will develop and provide Districtwide annual, age-appropriate student training regarding bullying and harassment, including cyberbullying. The training will be designed to increase awareness of what

constitutes harassment based on race and sex; the District's prohibition against such harassment; how to recognize harassment based on race and sex and the importance of reporting it; how to report harassment, including methods for reporting incidents anonymously; the prohibition against retaliation for reporting racial and sexual harassment incidents and how to report incidents of retaliation; and the consequences for subjecting individuals to racial and sexual harassment. The training will also cover to whom in the District students may go with questions related to racial and sexual harassment, and the availability of counseling and other services for students who have been racially or sexually harassed.

REPORTING REQUIREMENT: By November 15, 2019, the District will provide documentation to OCR demonstrating that the first annual training required by item 14 of the Agreement was provided to all students. The documentation must include: the date(s) of the training; the name(s) and credentials of the presenter(s); copies of any materials used during the training, including any handouts, guides or other materials; and sign-in sheets or lists showing which students attended the training. The District does not need to submit documentation to OCR regarding subsequent annual training sessions contemplated by this Agreement unless OCR requests such information from the District

TYPE I REFERRAL GUIDELINES AND TRANSITION PROCESS

15. The District will develop, for OCR's review and approval, written guidelines regarding:
 - a) the circumstances under which an OIP hearing officer, or other OIP personnel, may reject a school's referral of a student who engaged in a Type I infraction, as defined by the *Code of Conduct*, involving the racial and/or sexual harassment of another student (e.g., based on the alleged harasser's age, late submission of a Type I packet by the school where the infraction occurred, or the failure of a school to refer all students who engaged in the same type of Type I infraction); and b) when such a Type I referral is rejected by the OIP, how the District will ensure that it promptly and equitably resolves racial and sexual harassment complaints/incidents.

REPORTING REQUIREMENT: By December 21, 2018, the District will submit to OCR, for review and approval, the written guidelines it developed to satisfy item 15 of this Agreement. Within 30 days of receiving OCR's written approval, the District will disseminate the guidelines to all District administrators, including building principals, and begin implementing the guidelines.

16. In collaboration with the Compliance Coordinator, the District will develop a process for helping transition students who are assigned to an alternative program or other school site by, or at the recommendation of, the OIP because they engaged in racial and/or sexual harassment. The process must ensure that the lead administrator of the alternative program or other school site is promptly advised of the harassment offense(s) that led to the assignment and any counseling or other services the sending school believes the student may need to address, or stop, the student's harassing behavior.

REPORTING REQUIREMENT: By December 21, 2018, the District will submit to OCR, for review and approval, a written description of the process it developed to satisfy item 16 of this Agreement. Within 30 days of receiving OCR's written approval, the District will begin implementing the OCR-approved transition process.

MONITORING AND SELF-ASSESSMENT OF PROGRAM EFFECTIVENESS

17. In collaboration with the Compliance Coordinator, the District will develop and implement a monitoring system to assess the effectiveness of its efforts to prevent and address harassment based on race and sex and to promote a nondiscriminatory school climate. The assessment will include:
 - a) A review of student and employee climate surveys to determine where and when harassment on the bases of race and sex is occurring, deficits in students' knowledge of what constitutes harassment on the bases of race and sex and where to report it, and recommendations for how the District may encourage reporting of and improve its response to complaints;
 - b) A review of all complaints of harassment based on race and sex and the District's responses to the complaints;
 - c) Evaluation and analysis of the data collected concerning reported incidents of racial and sexual harassment; and,
 - d) Evaluation of all measures designed to prevent or address harassment on the bases of race and sex.

REPORTING REQUIREMENTS: By August 9, 2019, the District will provide to OCR, for review and approval, a description of the monitoring system it developed to satisfy item 17 of this Agreement. Within 180 calendar days of OCR's written approval of its monitoring system, the District will conduct its first self-assessment and provide the assessment results to OCR in writing.

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, and the regulation implementing Title IX at 34 C.F.R. §§ 106.8, 106.9, and 106.31, which were at issue in this compliance review.

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 and that all actions taken to comply with the requirements of the Agreement are subject to OCR's review and approval. 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 and the regulation implementing Title IX at 34 C.F.R. §§ 106.8, 106.9, and 106.31, which were at issue in this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including 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, including to enforce this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/ Kelvin R. Adams
Dr. Kelvin R. Adams, Superintendent
St. Louis Public Schools

9/26/2018
Date