

## **RESOLUTION AGREEMENT**

Holton Schools Unified School District (U.S.D.) 336  
Docket # 07161213

The Holton Schools U.S.D. 336 (District), Holton, Kansas, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR) to resolve the allegations in the complaint filed as OCR Docket No. 07161213. That complaint was filed under Title VI of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) 2000d (Title VI), and Title VI's implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 100, which prohibit discrimination based on race, color, or national origin by a recipient of Federal financial assistance (FFA). The District, as a recipient of FFA, is subject to the requirements of Title VI.

The complaint alleged the District discriminated against the Complainant's foster son (Student) on the basis of race (African American) by failing to adequately respond to the hostile environment created for the Student when his school bus drivers addressed him by his skin color on two separate occasions.

The District is resolving this complaint before the completion of OCR's investigation, pursuant to Section 302 of OCR's *Case Processing Manual*.<sup>1</sup> Therefore, OCR has not made any findings of fact or law, or issued a final determination with respect to this complaint. The District agrees to take the following actions.

### **I. GENERAL PROVISIONS**

This Agreement resolves OCR Docket No. 07161213 and does not constitute an admission by the District of any violation of Title VI or any other law.

OCR will discontinue its investigation of OCR Docket No. 07161213 based upon the District's commitment to take the actions specified in this Agreement which, when fully implemented, will resolve the allegation in this complaint. 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.

### **II. RESOLUTION PROVISION**

#### **REVISION OF THE NOTICE OF NONDISCRIMINATION STATEMENT**

1. The District will revise its Nondiscrimination Policy/Statement to include the Boy Scouts of America Equal Access Act of 2001, 20 United States Code (U.S.C.) Section 7905, 34 Code of Federal Regulation (C.F.R.) Part 108.<sup>2</sup>

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<sup>1</sup> OCR's *Case Processing Manual* may be accessed at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

<sup>2</sup> OCR's guidance entitled *Notice of Non-Discrimination* may be accessed at <http://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html>.

**Reporting Requirements:** By December 15, 2016, the District will provide OCR the draft of the revised Notice of Nondiscrimination Statement for OCR’s review and approval.

2. After receiving OCR’s approval of the revised notice of nondiscrimination, the District shall adopt and publish and prominently display the OCR approved notice of nondiscrimination in all District Buildings in which District employees work, and in an easily visible location in its electronic and printed publications for general distribution, including, but not limited to, the following publications: a) bulletins; b) announcements, c) catalogs; d) student, faculty, and employee handbooks and/or manuals; e) board policies and grievance procedures for discrimination complaints; and f) student codes of conduct. For publications such as student, employee, and faculty handbooks, the notice should be placed at the beginning of each handbook in a section entitled Notice of Nondiscrimination or a similar title, with a reference in the index or table of contents.

**Reporting Requirements: Within 15 days of OCR’s approval** of its revised Notice of Nondiscrimination Statement, the District will provide OCR with evidence of its adoption and publicizing of the new Notice of Nondiscrimination Statement in visible locations in District Buildings, and in its electronic and printed publications, as described at item 2.

### TRAINING

3. The District will provide training to all current District bus drivers on the District’s policies and procedures prohibiting unlawful discrimination, placing emphasis on Title VI and inappropriate communicative descriptive that could be discriminatory, and will include such training in its procedures for onboarding new bus drivers.

**REPORTING REQUIREMENT:** By December 15, 2016, the District will submit to OCR documentation that demonstrates completion of the training of current bus drivers required in Section 3 of this Agreement. Such documentation should include the date(s) of the training session(s), a copy of the outline of the lesson plan and any handouts, the name and title of the trainer(s), the trainer’s credentials, and a signed attendance sheet signed by the attendees. The District will also submit to OCR at the same time a written procedure establishing the requirement that all new bus drivers hired to work in the District will receive such training.

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 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 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

