

RESOLUTION AGREEMENT
Pueblo School District #60
Case Number 08-15-1086

In order to resolve the allegations in Case Number 08-15-1086, filed against Pueblo School District #60 (District) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Title VI of the Civil Rights Act of 1964, 42 United States Code §§ 2000d-1 *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, the District agrees to implement the following Resolution Agreement.

During the course of OCR's investigation, before OCR had made any findings, the District indicated its willingness to take steps necessary to ensure compliance with Title VI. Pursuant to Section 302 of OCR's *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint, OCR believes that doing so is appropriate, and the remedies align with the allegations. The District's decision to enter into this Agreement is not an admission of liability or wrong-doing, nor shall it be construed as such.

The District agrees to take the following actions:

1. In accordance with Title VI, the District will review, revise, as appropriate, and submit to OCR for approval, District anti-discrimination policies including provisions that address:
 - a) The prohibition by Title VI which states that educational institutions under OCR's jurisdiction may not discriminate, or retaliate against any person on the basis of race, color or national origin, and the District's responsibility to comply with Title VI;
 - b) The District's responsibility to promptly and equitably resolve racial discrimination and harassment/bullying claims and the District's required steps to do so; and
 - c) A statement by the District that it does not tolerate racial discrimination and harassment/bullying, that such conduct is prohibited by law, and that effective action, including disciplinary action where appropriate, will be taken.

REPORTING REQUIREMENT 1.1: The District will submit to OCR for approval the above-mentioned policies and procedures by **June 15, 2015**.

REPORTING REQUIREMENT 1.2: After OCR has approved the District's policies and procedures identified in Item number 1, but no later than the start of the 2015-2016 school year, the Board of Education will take action, in accordance with its policies, at its next regularly convened meeting to officially adopt, if necessary, publish and disseminate the procedures, using its standard methods for disseminating new information that is important to students, employees, and members of the public.

REPORTING REQUIREMENT 1.3: Within 30 days of publishing and disseminating the revised procedures, the District will provide OCR with documentation that this has taken place

(such as copies of notices, an explanation of where and when notices were published or distributed).

2. The District will draft for OCR's approval in-service training materials and identify one or more persons knowledgeable about Title VI who will provide the training. The training will include, at minimum:
 - a) The prohibition by Title VI against racial discrimination, including harassment/ bullying, and an explanation of what constitutes racial discrimination, harassment and bullying;
 - b) A review of the District's responsibility to comply with Title VI;
 - c) The District's responsibility to promptly and equitably resolve racial discrimination claims, including harassment or bullying, and the steps the District will take to do so; and
 - d) A statement by the District that it does not tolerate racial discrimination, harassment or bullying, that such conduct is prohibited by law, and that effective action, including disciplinary action where appropriate, will be taken.

REPORTING REQUIREMENT 2.1: Within 30 days of the notice provided to OCR in reporting requirement 1.3 above, the District will submit documentation to OCR demonstrating that it has fully complied with Item 2. Such documentation will include:

- The draft training materials for OCR's review and approval.
- Identification of the intended trainer(s) and information about the trainer's qualifications.

REPORTING REQUIREMENT 2.2: Within 30 days of OCR's approval of the training materials identified in Item 2 and reporting item 2.1 above, the District will schedule and conduct an in-service training at Carlile and Heritage Elementary Schools. Attendees at this training will include all staff and administrators at the Carlile and Heritage Elementary Schools, as well as any other District employees and administrators who are responsible for investigating racial discrimination complaints and/or directing corrective action under Title VI.

REPORTING REQUIREMENT 2.3: Within ten (10) calendar days after the conclusion of the training, the District will submit to OCR proof that the training was provided. Such documentation will include:

- The agenda and handouts for the training;
- The date and time the training was held; and
- A copy of the attendance sheet from the training, including the name and title of each participant, along with a written assurance from the District that all required attendees were present during the training.

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 the Agreement, if necessary, OCR may visit the District, interview District employees 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, at 34 C.F.R. § 100.3, which was at issue in this case.

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.

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.

For the Pueblo School District #60:

<u>/S/</u>	<u>6/9/15</u>
Dr. Constance Jones	Date
Superintendent	