

RESOLUTION AGREEMENT
Gilbert Public Schools
OCR Case Number 08-18-1116

In order to resolve the allegation in OCR case number 08-18-1116, filed against the Gilbert Public Schools and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the District agrees to implement this Resolution Agreement. This case investigation was initiated pursuant to Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulation at 34 C.F.R. § 100.3(a).

1. The District will identify and annually train the administrative staff members at the junior high/middle school level who are responsible for responding to racial harassment complaints. The training will include: the obligation of staff to refer potential race or national origin discrimination complaints to the District's compliance officer or designated individual in accordance with the District's policy and procedure; the requirement of maintaining documentation of its response, including student discipline; and the need to provide interim measures and corrective remedies.

REPORTING REQUIREMENTS:

- By May 30, 2018, the District will provide OCR with a copy of the training agenda, draft training materials, identify the trainer and her/his qualifications to provide the training, and provide a list of administrators who will receive the training, for OCR's review and approval.
 - Within 60 days of OCR's approval of the trainer and training materials, the District will provide OCR with a copy of all handouts provided during or before the training, a list of all administrators identified to receive the training, and a sign-in sheet of those attending the training.
2. The District will identify and annually train staff members at Highland Junior High School about how to identify and respond to potential incidents of racial harassment. The training will include how to identify potential racial harassment, what to do if they witness or receive a report of potential racial harassment, and how to implement appropriate interim measures in their classrooms.

REPORTING REQUIREMENT:

- By May 30, 2018, the District will provide OCR with a copy of the draft training agenda and training materials, and identify the trainer and her/his qualifications to provide the training, for OCR's review and approval.
 - Within 60 days of OCR's approval of the trainer and training materials, the District will provide OCR with a copy of all handouts provided during or before the training, a list of all School staff identified to receive the training, and a sign-in sheet for those attending the training.
3. The District will review the student files of the four students involved in the alleged racial harassment to ensure their discipline records reflect the actions taken by the District to address the racial harassment incidents.

REPORTING REQUIREMENT:

- By May 30, 2018, the District will provide a narrative and supporting documentation of actions taken by the District to document the students' discipline, if any.
4. The District will write a letter to the Complainant and offer up to 10 hours of counseling services for the Student. The offer shall state that the Student may access the counseling services either upon the Student's re-enrollment in the District or by submitting appropriate documentation to the District for reimbursement. The offer may include a deadline for response from the Complainant of no less than 15 days and the maximum hourly rate for counseling sessions.

REPORTING REQUIREMENT

- By May 30, 2018, the District will submit to OCR documentation showing implementation of Paragraph 4, including a copy of the letter sent to the Complainant, a copy of any response from the Complainant, and instructions for the Complainant if the Complainant chooses the 10 hours of counseling services (regarding submission of receipts, qualifications for the counseling provider, and timeframes for completion of the counseling services).

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 Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 C.F.R. § 100.3(a), 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 sixty (60) calendar days to cure the alleged breach.

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 regulation implementing Title VI of the Civil Rights Act of 1964, and its implementing regulation at 34 C.F.R. § 100.3(a), which was at issue in this case.

For Gilbert Public Schools:

/s/

Shane McCord
Superintendent

4/25/18
Date