

## RESOLUTION AGREEMENT

### Rio Rancho Public Schools Case Number 08-18-1568

In order to resolve the different treatment on the basis of race, color and national origin allegation in Case Number 08-18-1568 filed against Rio Rancho Public Schools (District), the District agrees to implement the following Resolution Agreement. The complaint allegation was 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 and its implementing regulation at 34 C.F.R. Part 100, which prohibits discrimination on the basis of race, color or national origin in education programs and activities that receive Federal financial assistance from the Department.

During the course of OCR's investigation, before OCR had made any findings with regard to this allegation, 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*, allegations may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the allegations, 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. 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 to Rio Rancho High School administrators and security personnel. The training information will include, at minimum:
  - a) A review of the District's responsibility to comply with Title VI, which states that educational institutions under OCR's jurisdiction may not discriminate against any person on the basis of race, color, and national origin;
  - b) A review of the District's current policies prohibiting race, color, and national origin discrimination, harassment, and retaliation and the potential consequences to the District and staff for failure to abide by the policies; and
  - c) Information about District Policy 805<sup>1</sup>, "Law Enforcement Agencies" addressing contacts by law enforcement agencies with students. The training will give particular attention to sections involving: (a) verification, documentation and parental notification procedures, (b) administrative monitoring of contact with students and (c) how to handle police investigations initiated without the request of District authorities. The training will also highlight that a principal may designate a reasonable time and place for law enforcement contact with students to ensure that the educational process is not disrupted.

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<sup>1</sup> Policy 805, which became effective on July 1, 2018, replaced Policy 363-1 which was in effect at the time of the incident at issue in this case.

**REPORTING REQUIREMENT:** By **January 18, 2019**, the District will submit the draft training materials and identification of the intended trainer(s) and information about the trainer's qualifications for OCR review and approval.

2. The District will consider and respond to any feedback from OCR with respect to the draft training package and identification of the trainer(s). The District will provide the training to Rio Rancho High School administrators and security personnel within 30 calendar days of receiving OCR approval.

**REPORTING REQUIREMENT:** 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(s) and time(s) the training was held; and
  - A copy of the attendance sheet(s) 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 or were provided an alternative means to receive the information if absent on the day of the training.
3. The District will notify all parents of students attending Rio Rancho High School of the District's policies prohibiting discrimination on the basis of race, color or national origin and provide a link to those policies. In the same notification, the District will also explain how a parent/student may file a grievance with the District regarding an alleged violation of its nondiscrimination policy.

**REPORTING REQUIREMENT:** By **January 18, 2019**, the District will provide a copy of the notification sent to parents as well as a distribution list.

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 at 34 C.F.R. § 100.3, which was at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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.

