

Resolution Agreement

Greeley-Evans School District 6 OCR Case Number 08-20-1095

In order to resolve the allegations in Case Number 08-20-1095 filed against the Greeley-Evans School District 6 (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 (Title VI) and its implementing regulation at 34 C.F.R. § 100, the District will implement the following terms of this Resolution Agreement (Agreement).

Prior to OCR's completion of its investigation, 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's 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 agreement's remedies align with the allegations and Title VI's regulatory requirements. The District's decision to enter into this Agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

I. Training – Staff

A) Harassment/bullying – The District will provide annual training to all Winograd K-8 School (School) staff on racial harassment/bullying (hereinafter, “racial harassment”).¹ The training will address: District procedures regarding reporting, documenting, and investigating racial harassment; how to identify racial harassment; and how to proactively discourage racial harassment in educational environments. The training will also describe and give examples of retaliation and will reiterate the District's policy that prohibits retaliation. This training will be culturally sensitive.

Reporting Requirement 1: By September 30, 2020, the District will submit to OCR its plan for the training described in Term I(A). This plan should include copies of all training materials the District intends to use and the names and qualifications of the selected trainer(s), both of which are subject to OCR's review and approval. The District will promptly consider and respond to OCR's feedback until OCR approves the training materials and plan.

Reporting Requirement 2: Within 90 calendar days of OCR's approval of the training material(s) and trainer(s), the District will provide OCR with documentation that demonstrates that the training has been completed. This documentation must include, minimally, the date(s) of the training, a list of all School staff, and a list of participants.

¹ The District may choose to provide training that goes beyond the requirements of this Agreement (for example, on bullying, generally), but OCR does not require expansive training and will only review materials related to the terms of this Agreement.

B) Search procedures – The District will provide annual training to School administrators to promote understanding of and compliance with its procedures regarding student searches. Specifically, this training will address when, where, how, and under what circumstances a District employee may search a student.

Reporting Requirement 1: By September 30, 2020, the District will submit to OCR its plan for the training described in Term I(B). This plan will include copies of all training materials the District intends to use and the names and qualifications of the selected trainer(s), both of which are subject to OCR's review and approval. The District will promptly consider and respond to OCR's feedback until OCR approves the training materials and plan.

Reporting Requirement 2: Within 90 calendar days of OCR's approval of the training material(s) and trainer(s), the District will provide OCR with documentation that demonstrates that the training has been completed. This documentation must include, minimally, the date(s) of the training, a list of all School employees, and a list of participants.

II. Training – Students

A) Harassment/bullying – The District will provide annual training to all students regarding its policies on harassment/bullying. The training will address what constitutes harassment/bullying (including racial harassment), how it negatively affects those involved, avoiding participating in harassment/bullying, the necessity of reporting observed harassment/bullying, and the processes by which students can air grievances.

Reporting Requirement 1: By September 30, 2020, the District will submit to OCR its plan for the training described in Term II(A). This plan should include, but is not limited to, copies of all training materials and the names and qualifications of the selected trainer(s), both of which are subject to OCR's review and approval. The District will promptly consider and respond to OCR's feedback until OCR approves the training materials and plan.

Reporting Requirement 2: Within 90 calendar days of OCR's approval of the training materials and trainer(s) or by December 30, 2020, whichever is later, the District will provide OCR with documentation that demonstrates that the training has been completed. This documentation must include, minimally, the date(s) of the training and a list of all training participants.

III. Individual Relief

A) Letter – The District agrees to formalize, in a letter addressed to the Complainant, an offer of education services for the Student to compensate for the time the Student XXX XXX XXX. If the Complainant accepts this offer, the District will provide these services by June 1, 2021 at no cost to the Complainant.

Reporting Requirement 1: By June 1, 2020, the District will submit to OCR for review and approval a draft of the letter offering the Student education services for the Student to compensate for the time the Student XXX XXX XXX. The District will promptly consider and respond to OCR's feedback until OCR approves the letter.

Reporting Requirement 2: Within 21 calendar days of OCR's approval of the letter, the District will provide OCR with a copy of the transmitted letter and a copy of the Complainant's response, if any.

Reporting Requirement 3: If the Complainant accepts the District's offer, the District will provide to OCR documentation demonstrating that it provided the services by June 8, 2021.

The District understands that OCR will close the monitoring of this Agreement when OCR determines that the District has fulfilled the terms of this Agreement.

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 contained herein. 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 regulations implementing Title VI, at 34 C.F.R. §100, which was at issue in this case

The District further understands and acknowledges that OCR may initiate administrative enforcement of judicial proceedings to enforce the specific items 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 60 calendar days to cure the alleged breach.

/ S /

Dierdre Pilch, Superintendent
For the District

5/8/2020

Date