

Sacramento City Unified School District
OCR Case No. 09-13-1262
Resolution Agreement

The Sacramento City Unified School District (District), without admitting to any violation of state or federal law, agrees to implement this Resolution Agreement (Agreement), in order to resolve the issues investigated by the U.S. Department of Education Office for Civil Rights (OCR) under Title VI of the Civil Rights Act of 1964 (Title VI).

- I. The District will draft a memorandum to be distributed to all District school site administrators and START Directors on how to appropriately and effectively respond to harassment of students based on race color, or national origins. The memorandum will include the following information:
 - a) how to identify racially harassing conduct, including peer-to-peer harassment;
 - b) that all reports of racial harassment raise the issue of possible discrimination and therefore must be thoroughly investigated;
 - c) how staff and administrators should respond to reports of racial harassment that takes place at school and at afterschool programs at the school site, including the specific site and District administrators who should be notified as soon as an incident is reported;
 - d) that, if racial harassment is reported, students and parents must be notified of their right to file a formal Uniform Complaint and be provided with a copy of the District's Uniform Complaint;
 - e) a description of the steps that the designated site administrator(s) should take to investigate the incident, including interviews of all relevant witnesses, and guidance on how to document the investigation;
 - f) requirement that the designated site administrator who is investigating the incident be unbiased and impartial (for example, the complainant has not filed a separate grievance against the investigator);
 - g) that when a report of racial harassment is made, site administrators should take necessary interim actions to ensure that the harassing conduct does not continue;
 - h) that students and parents must be notified of the steps the District is taking in response to the reported incident; how and when the notification should be provided; and,
 - i) the corrective steps that should be taken when racial harassment occurs, including actions to address the effects of the harassment on the victim and ensure that the offending student is counseled about the nature and seriousness of the offense and, where applicable, receives progressive disciplinary consequences.

The District will provide OCR with a draft of the memorandum described in (I) above by May 23, 2014, and will address OCR's comments before distributing it. Within 15 days of approval of the guidance from OCR, the District will provide OCR with documentation that has been distributed to all site administrators and START Directors.

- II. The District will provide training to all District and site administrators who are responsible for investigating complaints of discrimination based on race, color, national origin, sex or disability, on how to respond appropriately to such complaints including steps that are necessary to ensure an adequate investigation and resolution of the complaints.

By August 12, 2014, the District will provide OCR with a written description of the information that will be covered at the training described in (II) above. By September 2, 2014 the District will provide OCR with copies of any materials used for the training and a list of the names and titles of the administrators who attended the training.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 IV at 34 C.F.R. §100.3(a) and (b).

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(a) and (b)(1) and (2).

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.

_____/s/_____
Superintendent

5/9/2014
Date