

SETTLEMENT AGREEMENT

I. INTRODUCTION

Portland School District enters into this agreement to resolve the compliance issues identified by the U.S. Department of Education (OCR) in its investigation of OCR Reference No. 10151010, conducted under the authority of Title VI of the Civil Rights Act of 1964.

II. GENERAL PROVISIONS

- A. This agreement resolves only those compliance issues identified by OCR in the investigation of OCR Reference No. 10151010 and does not constitute an admission by the district of any violation of Title VI or any other law.
- B. The district understands and acknowledges that, if it does not fully implement this agreement, OCR will take appropriate measures within its authority to effect compliance and 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.
- C. The district understands that by signing this agreement, it agrees to provide OCR data and other information in a timely manner. Further, the district understands that during the monitoring of this agreement, OCR may visit the district's campus or place of business, 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 which were at issue in this case.
- D. 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 regulations implementing Title VI.

III. REMEDIAL PROVISIONS

A. Policies and Procedures

By September 1, 2015, the district, in consultation with OCR, will review and revise, if necessary, its written policies, procedures, and practices to ensure that

the district does not discriminate on the basis of race, color, or national origin. The policies, procedures, and practices will ensure that students will not be treated differently based on their race, color, or national origin. The district will also ensure that any written policies, procedures, or practices that provide the procedure for investigating student misconduct at schools will state that the persons responsible for the investigation will not discriminate on the basis of race, color, or national origin in conducting such investigations.

B. Training

By September 1, 2015, the district, in consultation with OCR, will provide training to all administrators at district elementary and middle schools. The training will be conducted by a trainer with expertise in conducting training on Title VI or other state or federal anti-discrimination laws. The training will be designed to:

1. Increase recognition of race, color, and national origin discrimination;
2. Increase awareness of the impact that race, color, and national origin discrimination can have on students;
3. Communicate the school's obligation to address incidents and allegations of discrimination and the responsibility of the administrators, faculty, and staff in meeting that obligation.
4. Ensure that administrators that conduct investigations into student misconduct do not use general racial classifications to group students as part of the investigative procedure.
5. Provide information on appropriate methods for encouraging all students, including students of color, to pursue equal educational opportunities; and
6. Provide information about the district's nondiscrimination policy and the obligations of district administrators with respect to Title VI.

C. Parental Notice

By June 1, 2015 the school will mail or email a notice to the parent(s)/guardian(s) of each student attending XXXXX School. This notice may describe the disciplinary investigation that led to the settlement agreement. The notice shall state that race, color, and national origin discrimination is prohibited by federal law and district policy. The notice should also state that:

1. different treatment on the basis of race, color, or national origin is prohibited under Title VI and the district policy;
2. the district understands that the manner in which the investigation of the stolen purse was carried out was not appropriate under Title VI;
3. students and parents may bring formal and informal concerns of race, color, or national origin discrimination by school or district staff or students to the attention of appropriate school or district staff; and
4. complaints of race, color, or national origin discrimination may be filed by contacting the district. The notice will also include the name, title, office location and telephone number of the district's staff person(s), responsible for receiving complaints of race, color and national origin discrimination and information about how to use the district's complaint procedures.

IV. REPORTING PROVISIONS

A. Policies and Procedures

By June 30, 2015, the district will provide a report to OCR that contains a draft of the revised policies and procedures pursuant to section III.A, above. OCR will review the policies/procedures and notify the district whether the policies/procedures require any additional revisions. If revisions are required, the district will make the revisions and re-submit the draft policies and procedures to OCR for review within 20 days of receiving notice of the revisions by OCR. OCR and the district will follow the same procedure until OCR approves the policies and procedures.

B. Training

1. By June 15, 2015, pursuant to section III.B above, the district will provide to OCR for review and approval the name and qualifications of its selected trainer. The district will provide OCR with information reflecting that the proposed trainer has sufficient expertise in conducting training on Title VI or other state or federal anti-discrimination laws, as well as the proposed training materials. OCR will review and approve of the proposed trainer and the proposed training materials.
2. By September 15, 2015, pursuant to section III.B above, the district will provide a report on the training provided to staff, including:
 - a. the date of the training;

- b. the name of the person(s) who provided the training,
 - c. a description of the training;
 - d. the length of the training;
 - e. copies of any materials provided during the training, including handouts; and
 - f. the names and titles of staff attending the training.
 - g. Names of staff who were unable to attend the training and the steps taken to provide the training to those individuals.
3. By October 1, 2015, the district will report to OCR regarding the training of staff who were unable to attend the previous training session.

C. Parental Notice

1. By May 15, 2015, pursuant to section III.C above, the district will provide to OCR a draft of the parental notice which meets the requirements of section III.C, above. OCR will review and approve the draft notice.
2. By June 15, 2015, pursuant to section III.C above, the district will provide to OCR a copy of the parental notice and a description of the methods used to distribute the notice to parents.

Signed:

_____/s/_____
Ms. Carole Smith
Superintendent
Portland School District 1J

April 30, 2015
Date