

VOLUNTARY RESOLUTION AGREEMENT
Lake Oswego School District
OCR Reference Nos. 10171054 and 10181090

Lake Oswego School District (district) enters into this agreement with the U.S. Department of Education, Office for Civil Rights (OCR) to resolve the allegations in two complaints (OCR Reference Nos. 10171054 and 10181090) which were filed under the authority of Title VI of the Civil Rights Act of 1964 and the regulations that implement Title VI at 34 CFR Part 100. The provisions of this agreement are intended to ensure that the district complies with the requirements of Title VI when it receives actual or constructive notice of harassment based on race or national origin, including on the basis of perceived or actual shared ancestry or ethnic characteristics, by students, staff or other individuals.

A. Policies and Procedures

1. The district will review its policies and procedures (procedures) with respect to responding to allegations of harassment on the basis of race, color or national origin, including on the basis of perceived or actual shared ancestry or ethnic characteristics. The procedures will ensure that the district takes reasonable, timely, and effective action reasonably calculated to end the harassment, prevent recurrence, and eliminate any hostile environment. At a minimum, the policies and procedures will include the following:
 - a) A statement setting forth the district's commitment to having school environments free from all discrimination, including harassment on the bases of race, color, and national origin, including on the basis of perceived or actual shared ancestry or ethnic characteristics. Such statement must explain that the district prohibits race, color, and national origin harassment in the school environment, including all academic, extra-curricular and school-sponsored activities. The statement will encourage students to immediately report incidents of harassment. The statement will also specify that the district will investigate formal and informal complaints of harassment.
 - b) An explanation of how to report harassment and/or file a complaint (formally and informally).
 - c) The name and/or title, mailing address, email address, and telephone number for the district employee(s) responsible (hereinafter "designated staff member") for handling reports of harassment on the bases of race, color, and national origin.
 - d) A requirement that the designated staff member document all reports of harassment based on race, color or national origin, and a protocol for district-level recordkeeping of each of the reports submitted by the designated staff members.
 - e) An assurance that, upon notice of an allegation of harassment, the district will conduct a prompt, adequate, reliable and impartial investigation and if harassment is found to have occurred, the district will take prompt steps to end the harassment,

prevent recurrence of the conduct, including appropriate discipline of the harassing students consistent with district discipline policies, and eliminate any hostile environment that may have been created by the harassment.

2. **Reporting Requirements:** By **December 15, 2018**, the district will submit a draft of the procedures revised in accordance with A.1 to OCR for review and approval. If OCR requires revisions to the procedures, the district will re-submit the procedures to OCR for review and approval within 30 days of receiving notice of the revisions required by OCR. OCR and the district will follow the same process until OCR approves the district's procedures.
 - a) Within 45 days of receiving OCR's written approval of the procedures, the district will adopt and implement the procedures.
 - b) Within 60 days of receiving OCR's written approval of the procedures, the district will submit to OCR documentation verifying it has adopted and implemented them, including a working link to the procedures on the district's website, if available.

B. Statement Prohibiting Harassment

1. By **December 15, 2018**, the district will issue a statement to all students, parents and staff at Lake Oswego High School and Lake Oswego Junior High School that will be communicated to parents and students through email, posted in prominent locations at the schools, and published on the district's website, stating that the district does not tolerate acts of harassment, including acts of harassment based on race, color, or national origin. The statement will encourage any student who believes he or she has been subjected to harassment or a hostile environment based on race, color, or national origin to report the harassment or hostile environment to the district and will note the district's commitment to conducting a prompt investigation. The statement will include the appropriate contact information for the designated staff member to whom students and parents may report allegations of harassment and discrimination. The statement will warn that students, teachers and any other district staff or contractors found to have engaged in acts of harassment or other acts that create a hostile environment based on race, color, or national origin will be promptly disciplined and make clear that such discipline may include, if circumstances warrant and consistent with state law, suspension or expulsion. The statement will encourage students, parents and district staff to work together to prevent acts of harassment of any kind. The statement will also include any other steps that the district is taking pursuant to this agreement and (if the district chooses to do so) list any other proactive steps it intends to take.
2. **Reporting Requirements:** By **November 15, 2018**, the district will submit a draft of the proposed notice in accordance with B.1 to OCR for review and approval. If following OCR's review, revisions to the procedures are required the district will re-submit the revised procedures to OCR for review and approval within 30 days of receiving notice of

the revisions required by OCR. OCR and the district will follow the same process until OCR approves the district's procedures.

- a) Within 45 days of OCR's written approval of the notice, the district will distribute the notice to all students, parents, and employees at Lake Oswego High School and Lake Oswego Junior High School.
- b) Within 60 days of OCR's approval of the notice, the district will submit to OCR documentation that the notice was distributed to all students, parents and staff at Lake Oswego High School and Lake Oswego Junior High School. The documentation will include a copy of the notice distributed via email, the location of where the notice is posted in each school, and a working link to the notice on the district's website.

C. Training of Administrators, Teachers, and Staff

1. The district will, in consultation with an organization to be selected by the district, develop and implement a plan for a comprehensive on-going training program for all administrators, teachers, and staff at Lake Oswego High School and Lake Oswego Junior High School, including all security personnel. The training must include, but need not be limited to, the following:
 - a) the district's policies and procedures regarding discrimination and harassment on the basis of race, color, and national origin (including on the basis of perceived or actual shared ancestry or ethnic characteristics);
 - b) what constitutes racial harassment;
 - c) what constitutes a racially hostile environment;
 - d) how to respond to suspected or known racial harassment, including when an employee is required to report harassment and to whom the harassment should be reported;
 - e) how to respond to student complaints of student-on-student harassment including complaints of racial slurs or racial name-calling;
 - f) the contact information (name, title and telephone number) for the designated staff member responsible for addressing questions and handling complaints about racial harassment; and
 - g) notice to all administrators, teachers, and staff that the district's disciplinary code regarding racial harassment will be strictly enforced.
2. **Reporting Requirements:** By **November 30, 2018**, the district will submit to OCR for review and approval the proposed trainer for C.1 and his or her qualifications.
 - a) Within 30 days of written notification from OCR of its approval of the trainer, the district will submit to OCR for review and approval a copy of the training materials and agenda to be used. OCR will review the draft materials and agenda and notify the District if revisions are required. If OCR requires revisions, the District will re-

submit the draft materials and agenda to OCR for review and approval within 30 days of receiving notice of the revisions required by OCR. OCR and the District will follow the same process until OCR approves the materials and agenda.

- b) Within 45 days of written notification from OCR of its approval of the training materials and agenda, the district will provide documentation to OCR demonstrating that it has provided the training referenced in Action Item C, which will include a copy of all materials presented and distributed during the training, and a certification from the district that all administrators, teachers, and staff at Lake Oswego High School and Junior High School attended the training.

D. Student Focused Outreach and Education

1. The district will develop, adopt, and implement an age-appropriate education plan (education plan) for students about issues relating to harassment on the basis of race, color or national origin (including on the basis of perceived or actual shared ancestry or ethnic characteristics), at Lake Oswego Junior High School and Lake Oswego High School. The education plan will include: (a) what constitutes harassment on the bases of race, color, and national origin; (b) what constitutes a racially hostile environment; (c) examples of prohibited conduct, (d) the importance of reporting harassment; (e) how and to whom to report incidents of harassment; and (f) potential consequences and corrective action if harassment is found. In developing the education plan as it relates to students, the district will consider a variety of age-appropriate approaches to student education.
2. **Reporting Requirements:** By **December 15, 2018**, the district will submit to OCR, for its review and approval, a copy of the education plan developed in accordance with Section D.1.
 - a) If OCR requires any changes to the education plan, the district will re-submit the education plan within 30 calendar days of receiving OCR's notice of required revisions. OCR and the district will repeat this process until OCR has approved the education plan.
 - b) Within 60 calendar days of receiving OCR's written approval of the education plan, the district will submit to OCR the education plan, and documentation establishing that the approved education plan is being implemented. Reports will be due to OCR every six months thereafter until implementation of the education plan has been completed.

E. Individual Remedies for Student

1. By **September 30, 2018**, the district will request a meeting with the student specifically identified in OCR No. 10181090 and the student's parent to discuss steps the district has agreed to take to ensure that all students and staff at Lake Oswego Junior High School

understand their right to be protected from discrimination, including harassment, on the basis of race, color and national origin. The meeting will also inform the student and parent of the steps taken by the district in response to the specific incidents of alleged race harassment at the school.

2. **Reporting Requirement:** By **October 31, 2018**, the district will provide OCR with documentation of its efforts to comply with Action Item E of the Agreement. This will include documentation of the district's invitation request; the student's and parents' response to the district's request; notes from the meeting outlining what steps, if any, the district agreed to take as a result of the meeting; and documentation that the district gave assurances during this meeting that the district does not tolerate discrimination on the basis of race perpetuated by any member of the district's community, including students, teachers and other staff members and administrators.

F. General Provisions

1. The district understands that by signing this Agreement, it agrees to provide OCR 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 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.
2. Upon the district's satisfaction of the commitments made under this Agreement, OCR will close the case.
3. 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 CFR 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the district written notice of the alleged breach and 60 calendar days to cure the alleged breach.
4. This Agreement will become effective immediately upon the signature of the Superintendent or his designee below.

/s/

July 30, 2018

Dr. Michael Musick
Superintendent
Lake Oswego School District
Lake Oswego, Oregon

Date