

VOLUNTARY RESOLUTION AGREEMENT

Bozeman School District No. 7 (district) voluntarily agrees to take the following actions to resolve an allegation in a complaint (Reference No. 10181350) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Title VI of the Civil Rights Act of 1964 (Title VI).

A. Review of Policies, Procedures, and Practices

Action Items

1. The district will review and revise its enrollment policies, procedures, and practices (enrollment procedures) to ensure that all students residing within the district are provided with equal access to public education, without regard to their own citizenship or immigration status, or that of their parents or guardians. Specifically, the enrollment procedures will ensure that:
 - i. no students are barred from enrolling in the district on the basis of their own citizenship or immigration status or that of their parents or guardians;
 - ii. the district will not ask about a student's citizenship or immigration status, or that of their parents or guardians, to establish residency within the district; and
 - iii. any documentation necessary to determine geographic residency within district boundaries for enrollment purposes does not include any requirement that a student provide a visa or other proof of U.S. citizenship or U.S. residency to be enrolled in any district elementary or secondary school.
2. Within 30 days of receiving OCR's approval of the revised enrollment procedures, the district will adopt and implement the revised procedures.
3. The district will publish its revised enrollment procedures on the district's website and in any other district handbook or publication where the district's enrollment procedures typically appear. In addition, the district will include a notice with the student registration packets for the 2019-2020 school year that describes its enrollment procedures.

Reporting Requirements

1. By May 15, 2019, the district will submit to OCR for review and approval the district's revised enrollment procedures pursuant to Action Items A.1 and 2. If OCR requires changes to the enrollment procedures, the district will re-submit the enrollment 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 enrollment procedures.
2. Within 60 days of receiving OCR's approval of the district's enrollment procedures, the district will provide documentation to OCR demonstrating its compliance with Action Items A.3, including evidence of the publication and dissemination to the district community of the revised enrollment procedures.

B. Notice and Training to Staff

Action Items

1. Within 30 days of receiving OCR's approval of the revised enrollment procedures specified under Action Item A.1., above, the district will disseminate notice to all district staff of the revised enrollment procedures.
2. The district agrees to initiate annual dissemination of the notice to all district staff.
3. The district will provide training regarding the implementation of the revised enrollment procedures to all administrative staff responsible for processing student enrollment in the district, including all staff responsible for answering inquiries by prospective students, parents, or guardians regarding the enrollment process. This training will be provided directly, online and/or through email instructions.

Reporting Requirements

1. Within 90 days of receiving OCR's approval of the revised enrollment procedures, the district will provide a report to OCR that reflects the specific actions taken to comply with Action Item B.1, above. The report will include a copy of the written notice disseminated to pertinent district staff members and faculty. If the notice was also disseminated to the identified individuals in any non-written manner, the district will also provide documentation indicating

- what was contained in the non-written notice, and how, when, and to whom the notice was disseminated.
2. Within 120 days of receiving OCR's approval of the revised enrollment procedures, the district will provide a report to OCR that reflects specific actions taken to comply with Action Item B.2, above. The report will include documentation of the actions initiated by the district to implement an annual notice to pertinent staff as referenced in Action Item B.2, above, such as, delegation to a staff member of the responsibility for disseminating notice, or inclusion in a district calendar.
 3. Within 120 days of receiving OCR's approval of the revised enrollment procedures, the district will provide a report to OCR documenting completion of the training as described in Action Item B.3, including a description of the training materials, when the training occurred, the name and position title of the trainer, and the name and title of the staff persons who attended the training.

C. Student-Specific Remedy

Action Item

The district will provide the student's guardian with a letter which informs the guardian of the district's commitment to ensuring that (a) all students residing within the district are provided with equal access to public education without regard to their citizenship or immigration status ; (b) no students are barred from enrolling in the district on the basis of their own citizenship or immigration status or that of their parents or guardians; and (c) the district may not ask about a student's citizenship or immigration status, or that of their parents or guardians, to establish residency within the district. The letter will describe the various actions that the district has taken and continues to take to ensure that the district is in compliance with Title VI in this regard.

Reporting Requirement

1. By May 15, 2019, the district will submit for OCR review and approval a draft of a letter to be sent to the student's guardian pursuant to Action Item C.
2. Within 10 days of OCR's approval of the draft letter to the student's guardian, the district will send the letter to the guardian and provide OCR a copy of the dated letter.

D. **General Monitoring Principles**

1. 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 campus, 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 regulation implementing Title VI at 34 C.F.R. § 100.3(a) and (b), which was at issue in this case. Upon completion of the obligations under this agreement, OCR shall close this case.

2. The district understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including enforcing the specific terms and obligations of this agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings, including 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.

Signed:

/s/

Robert Watson
Superintendent
Bozeman School District

Date:

April 11, 2019