

**Voluntary Resolution Agreement
Berkeley County School District
OCR Complaint No. 11-09-1246**

The U.S. Department of Education, Office for Civil Rights (OCR), began the above-referenced complaint investigation of the Berkeley County School District (District), pursuant to Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color or national origin by recipients of Federal financial assistance. The District denied all allegations that it had violated Title VI and cooperated fully with OCR's investigation.

OCR found insufficient evidence of a violation of Title VI as to all allegations of the complaint, except as to whether the District has provided all students with an equal opportunity to participate in advanced courses at certain schools. Prior to the completion of OCR's investigation and prior to making any findings that there was sufficient evidence of a violation of Section VI based on the alleged failure to provide all students with an equal opportunity to participate in advanced courses, the District voluntarily agreed to resolve this allegation of the complaint and OCR's investigation pursuant to Section 302 of OCR's Case Processing Manual (CPM). By entering into this agreement, however, the District denies committing any violation of Title VI and reserves all rights and defenses in the event of future administrative or judicial enforcement proceedings.

Based on the foregoing, and consistent with its commitment to equity and consistency in educational opportunities, and to alleviate the necessity of further investigation, the District agrees to the following provisions of this Agreement:

I. Partnership with Consultant

The District has chosen to consult with XXXX, (the Consultant) to expand educational opportunities for African American students in Honors, Advanced Placement (AP), Dual Credit (DC), and International Baccalaureate (IB) courses (Advanced Courses) at XXXX (the Schools) and Advanced Courses at their XXXX Schools.

The District will promptly provide The Consultant with all appropriate information that the consultant believes is necessary to engage in this process. After reviewing the information, the Consultant will make recommendations as to what measures, if any, the District should take as part of its on-going efforts to provide all students with equal access to and an equal opportunity to participate in XXXX school Advanced Courses at the XXXX Schools; and XXXX school Advanced, AP, DC, and IB Courses at the Schools.

Reporting Requirement: By May 30, 2018, the District will provide documentation to OCR demonstrating that it will be working with the Consultant.

II. XXXX School Action Plan

The District shall develop, based on the recommendations of the Consultant, a XXXX School Action Plan to increase educational rigor for African American students in the XXXX Schools. As part of the XXXX School Action Plan, the District shall include:

- A. The development and adoption of uniform criteria for recommendation for advanced/honors courses based on sound educational research, including alternative opportunities for selection if a student does not meet the objective criteria for selection;
- B. Consideration of educational programs to increase African American student achievement and preparedness for advanced and accelerated classes;
- C. An assurance that in each XXXX School African American students have information about and are encouraged to and can access all courses that are prerequisites for XXXX school Advanced Courses and XXXX school AP, DC, and IB courses;
- D. An annual analysis of advanced students at each XXXX School, including, selection, participation and success rates by race, to inform future modification of program policies, procedures and practices;
- E. Short and long term goals, specific steps and strategies (e.g., professional development, informational meetings for parents/guardians, student outreach and other means), a timeline for their attainment/implementation starting during the 2018-2019 school year; and
- F. Annual monitoring and evaluation of the success of XXXX Schools in increasing opportunities for African American students.

The XXXX School Action Plan shall include a data-driven process for analyzing the plan's success on an annual basis. The process should be similar to the analysis used in the initial development of the plan. For each of the 2018-2019, 2019-2020, and 2020-2021 school years, the District shall implement that process and prepare a written analysis of the effectiveness of the XXXX School Action Plan. Based upon the results of each annual analysis, the District shall consult with the Consultant as necessary to modify the XXXX School Action Plan for the next school year to continue to expand educational opportunities in the XXXX Schools.

Upon approval of the plan by OCR, the District will notify parents/guardians and students in the XXXX Schools of the Action Plan, the selection criteria for advanced and accelerated classes at the XXXX school level, and any applicable waiver processes.

Reporting Requirement: By August 31, 2018, the District shall provide for OCR's review and approval a copy of the proposed XXXX School Action Plan.

Reporting Requirement: Within 60 days of OCR's approval of the XXXX School Action Plan, the District will provide documentation to OCR that it has begun implementing the XXXX

School Action Plan and has notified parents/guardians and students in the XXXX Schools of the Plan, the selection criteria for advanced and accelerated classes, and any applicable waiver processes..

Reporting Requirement: By August 31, 2019, August 31, 2020, and August 31, 2021, the District shall provide for OCR’s review and approval, a comprehensive analysis of the effectiveness of the XXXX School Action Plan in increasing opportunities in advanced classes in XXXX schools to date. The report will describe any revisions to the XXXX School Plan proposed as a result of the analytical findings.

III. XXXX School Action Plan

The District shall develop, based on the recommendations of the Consultant, a XXXX School Action Plan to address any barriers for African American students at the Schools identified in consultation with the Consultant. The Action Plan will include short and long term goals, specific steps and strategies, and a timeline for their attainment/implementation starting during the 2018-2019 school year. In developing the XXXX School Action Plan, the District will consider, among other things

- A. graduation rates by race;
- B. drop-out rates by race;
- C. enrollment rates and achievement patterns by race;
- D. other successful programs in the District and elsewhere, including guidance counseling programs;
- E. the availability and efficacy of curricular interventions and supports;
- F. targeted student outreach including information about the need to take certain prerequisite courses to prepare students for a successful XXXX school Advanced, AP, IB and DC Courses,
- G. the need for additional professional development for teachers and guidance counselors; and
- H. actions included in the XXXX School Action Plan.

The XXXX School Action Plan shall include a data-driven process for analyzing the plan’s success on an annual basis. The process should be similar to the analysis used in the initial development of the plan. For each of the 2018-2019, 2019-2020, and 2020-2021 school years, the District shall implement that process and prepare a written analysis of the effectiveness of the XXXX School Action Plan. Based upon the results of each annual analysis, the District shall consult with the Consultant as necessary to modify the XXXX School Action Plan for the next school year to continue to expand educational opportunities in the Schools.

Upon approval by OCR, the District will publish the Action Plan on its website.

Reporting Requirement: By August 31, 2018, the District shall provide for OCR’s review and approval a copy of the proposed XXX School Action Plan.

