

RESOLUTION AGREEMENT

Neuse Charter School OCR Case No. 11-18-1272

Neuse Charter School (the School) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-18-1272. This Agreement does not constitute an admission by the School of a violation of Title VI of the Civil Rights Act of 1964 (Title VI) or any other law enforced by OCR.

Action Item A: The Complainant

By November 1, 2018, the School will appoint a neutral administrator/party to review and assess the actions of the Principal¹ of the School's XXXX Academy in conjunction with the removal (temporary or otherwise) of the Complainant from her XXXX teaching position at the XXX Academy on February 22, 2018. As a result of the assessment, and if determined that the Principal removed the Complainant from her position in retaliation for her race/ethnic-related advocacy on behalf of students, the neutral administrator/party will recommend to the School any actions that should be taken to remedy the retaliation, including any actions for the Complainant.

Reporting Requirements:

- a. By December 15, 2018, the School will submit, for OCR's review and approval, documentation demonstrating that a neutral administrator/party reviewed and assessed the actions of the Principal in accordance with Action Item A above. The documentation will include, at a minimum, a description of the process used to conduct the review; the results of the review; any recommendations to the School regarding whether there any actions that should be taken to remedy the retaliation, including any actions for the Complainant, and why; and, any proposed action(s) to be taken by the School.
- b. Within 15 calendar days of OCR's review and approval of the assessment and any proposed action(s) to be taken by the School, the School will provide documentation to OCR demonstrating implementation of any proposed action(s).

Action Item B: Title VI/Retaliation Training

By December 1, 2018, the School will provide training to all School administrators and personnel on the Title VI regulation's prohibition against regarding retaliation, at 34 C.F.R. § 100.7(e). The training will include a discussion of: (a) examples of what constitutes a protected activity, including advocacy on behalf of students with respect to race, national origin, and ethnic ancestry; (b) the prohibition on adverse actions in response to those protected activities; (c) recognizing acts of retaliation and intimidation; and (d) their effects on individuals who engaged in protected activities.

¹ The Principal may also be referred to as the XXXX Academy Leader.

Reporting Requirements:

- a. By October 15, 2018, the School will submit for OCR’s review and approval the proposed training materials as described in Action Item B above. The School will also identify the individual(s) who will conduct the training and their qualifications.
- b. Within 40 calendar days of written notification from OCR of its approval of the training, the School will provide written documentation to OCR demonstrating that the training was provided consistent with Action Item B above, including the following:
 - i. The name(s) of the individual(s) who conducted the training;
 - ii. A list of the individuals who attended the training and their positions;
 - iii. The date(s) the training was conducted; and
 - iv. Copies of any training materials disseminated.

The School understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the School understands that during the monitoring of this Agreement, OCR may visit the Division, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title VI of the Civil Rights Act of 1964 which was at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close this case.

The School 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 School written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

By: _____ Date: _____
Susan Pullium
Executive Director (or Designee)
Neuse Charter School