

RESOLUTION AGREEMENT
Albemarle County Public Schools
OCR Complaint No. 11-19-1032

The Albemarle County Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-19-1032. This Agreement does not constitute an admission by the Division of a violation of Title VI of the Civil Rights Act of 1964 (Title VI), or any other law enforced by OCR.

The Division agrees to the following:

1. In accordance with the Division's "Prohibition Against Harassment and Retaliation" policy and procedures, the Division will investigate the Complainant's fall 2018 and spring 2019 allegations of race, color and national origin peer harassment against the Student. The investigation will determine if the Student was subjected to a hostile environment at XXXXXX School ("the School") during the 2018-2019 school year. In this regard, the investigation will include a thorough investigation of the Complainant's Title VI peer harassment allegations. In accordance with the Division's policies and procedures, at the conclusion of the investigation, the Division will provide the Complainant with a written response of its determination regarding the allegations, including notification of his appeal rights.
2. Within 7 days of the completion of its investigation of the Complainant's allegations, if the Division determines that the Student was or is being subjected to a hostile environment at the School, the Division will appropriately remediate the peer harassment. In the event that a remedial action cannot reasonably be completed within 7 days, the Division will provide an estimated timeline for completion of outstanding items not to exceed beyond September 1, 2019.

Reporting Requirement:

By May 15, 2019, the Division will provide OCR with: (1) a copy of the Division's investigation report, (2) all notes of interviews conducted during the investigation, (3) documents collected by the investigator as evidence during the course of the investigation, and (4) any other documents relied upon by the investigator to complete his or her investigation. The Division will also provide a copy of the notice to the Complainant of the outcome of the Division's investigation, including his appeal rights. If the Division substantiates any of the Complainant's peer harassment allegations, the Division will also provide OCR a copy (or description) of all actions identified to remediate the substantiated allegations, documentation of the implementation of these actions, and a timeline for the completion of any outstanding actions.

Training

3. The Division will provide training to teachers and administrators at the School and the Division's Compliance Officer(s) responsible for Title VI investigations on the

Division’s policy, procedures and practices regarding reporting and conducting investigations of Title VI peer harassment allegations. The training will cover Title VI and the Division’s obligation to investigate and address harassment that creates a hostile environment based on race, color and /or national origin. The training will also review the Division’s “Prohibition Against Harassment and Retaliation” policy and procedures, including the responsibility of staff members to report complaints of racial harassment to the appropriate personnel. The training will cover the Division’s personnel’s responsibility to investigate and address allegations of peer harassment that violate Title VI. For those individuals that are responsible for conducting such investigations, the Division will ensure that such individuals are trained on their responsibilities to conduct these investigations.

Reporting Requirement:

Within 7 days of the completion of the training, and no later than September 1, 2019, the Division will provide OCR with documentation demonstrating the provision of the training described in Item No. 3. The documentation to be provided to OCR should include: (1) a copy of the training materials; (2) the name(s) of the individual(s) who provided training; (3) the date(s) of the training(s); and (4) sign-in sheets showing the name(s) and title(s) of Division staff and personnel who were required to attend the training(s) and signatures of the individuals who attended the training.

The Division understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the Division understands that during the monitoring of this Agreement, if necessary, 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 Division has fulfilled the terms of this Agreement. Upon the Division’s satisfaction of the commitments made under this Agreement, OCR will close this case.

The Division understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the Division written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: _____ Date: _____
Dr. Matthew S. Haas, Superintendent
Albemarle County Public Schools