

RESOLUTION AGREEMENT
Lincoln County Schools
OCR Case No. 11-22-1530

Lincoln County Schools (the District) agrees to implement this Resolution Agreement (the Agreement) to resolve the allegation investigated in Office for Civil Rights (OCR) Case No. 11-22-1530. The Agreement does not constitute an admission by the District of a violation of Title VI of the Civil Rights Act of 1964 (Title VI) or any other law enforced by OCR.

Action Item 1: Anti-Harassment Statement

The District will issue a statement that the District does not tolerate harassment based on race, color, or national origin to all students, parents, and staff at [redacted content] (the School) and will post the statement in prominent locations at the School and on the School's website. The statement will provide notice of the District's policy prohibiting harassment, encourage anyone aware of harassment to report it to the District, identify the process for filing harassment complaints, and note the District's commitment to conducting prompt and thorough investigations of harassment complaints. The statement will include contact information for the designated staff members to whom harassment may be reported. The statement will include the potential disciplinary consequences for those found to have engaged in harassment, note that supportive measures are available to those affected by harassment, and encourage students, parents, and staff to work together to prevent harassment. This statement may also include other protected classes such as sex and disability.

Reporting Requirements:

- a. Within 30 days of executing this Agreement, the District will submit to OCR for review and feedback a copy of the proposed statement.
- b. Within 15 days of receiving OCR's feedback, the District will provide documentation to OCR of its publication of the statement. This documentation will include, at a minimum, a copy of the notification (i.e., email), the link for the location on the District's website where the statement is published, and a description of all publications in which the statement is placed.

Action Item 2: Staff Training

The District will conduct a training for teachers, administrators and staff at the School and District personnel responsible for responding to complaints of racial harassment. The training will cover the District's obligation to investigate and address racial harassment, including appropriately reporting and responding to incidents of harassment, determining whether harassment created a hostile environment for affected students, offering and providing supportive measures to affected students, and implementing non-disciplinary remedies where appropriate, such as taking broader corrective actions to address a more widespread hostile environment.

Reporting Requirements:

- a. By December 1, 2023, the District will submit to OCR, for OCR's review and feedback, a copy of the proposed training materials and the name(s), position title(s), and qualifications of the individual(s) who will conduct the training.
- b. By February 1, 2024, the District will conduct the training and provide verification to OCR, including: (i) the date(s) of the training session(s); (ii) confirmation that the training materials shared with OCR were used; (iii) confirmation that the District used the identified facilitator(s); and (iv) a sign-in sheet with the names, signatures, and position titles of the District personnel who participated in each training session.

Action Item 3: Student Information Session

The District will provide documentation that it has conducted an age-appropriate information program for students at the School that addresses harassment based on race. The program will have included, at a minimum:

- a. a reminder of the District's commitment to having a school environment free from discrimination, including harassment, based on race;
- b. an explanation that students who are aware of harassment should promptly report it to the District and details about how the students should report;
- c. a notice that harassment is prohibited by the District's policies and procedures;
- d. examples of the type of harassing conduct and behavior covered by the policy;
- e. an explanation regarding the potential disciplinary consequences related to findings of discrimination/harassment based on race.

Reporting Requirements: By February 1, 2024, the District will provide documentation that it has conducted one or more sessions of the information program, ensured that students attending the School attend the program, and submitted to OCR: (i) the date, time, and location of the program session(s); (ii) confirmation that the program materials shared with OCR were used; (iii) confirmation that the District used the identified facilitator(s); (iv) the names and grades of students who attended the program.

Action Item 4: Individual Remedies

The District will evaluate whether the Student may have needed additional supports in light of allegations of harassment in Fall 2022. If the District determines that it should have provided the Student with additional supports, the District will provide them to the Student.

Reporting Requirements:

- a. By December 1, 2023, the District will provide to OCR the results of its review of what supports the Student may have needed to remedy the harassment's effects and, if deemed necessary as a result of that review, the District's proposed responsive actions, including any additional supports it proposes to provide to him.

- b. If the District provides additional supports to the Student, it will notify OCR of the added supports within 30 days of providing them.

Action Item 5: Investigation of Racial Harassment Reports

The District will provide, for OCR's review, a chart of all reports of student-to-student racial harassment at the School during the 2023-24 school year. The chart will include for each incident a description of the alleged harassment, the names of the alleged harassers, the names of the targets of harassment, the names of any witnesses and whether they were interviewed, the investigative steps taken, any supportive measures provided, the outcome of the investigation, any discipline that was imposed on the parties involved, its assessment of whether the incident created or contributed to a racially hostile environment, and what corrective actions, if any, were taken.

Reporting Requirements: By July 30, 2023, the District will provide with a chart of all reports of racial harassment at the School during the 2023-24 school year as described in Action Item 5.

Action Item 6: Climate Survey

By February 1, 2024, the District will administer a climate survey to students at the School that includes gathering information related to discrimination and harassment based on race, and the responsiveness of School and District personnel to student and parent concerns. Based on its review of the survey results, the District will provide, for OCR's review, its plan to take appropriate corrective action to address the climate issues related to racial harassment identified through the survey, if any.

Reporting Requirements:

- a. By January 15, 2024, the District will submit the proposed survey to OCR for review and approval.
- b. By March 15, 2024, the District will administer the survey.
- c. Within 60 days of receiving survey results, the District will provide those results to OCR as well as any plans for corrective action.

By signing this Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement.

The District understands that OCR will not close the monitoring of this Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and with the obligations under Title VI and its implementing regulation at 34 C.F.R. Part 100 at issue in this case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice for judicial proceedings to enforce the specific terms of this Agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings,

OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: Superintendent Aaron Allen, Lincoln County Schools

Date: 11-17-23