

**Waverly Community Schools**  
**OCR Docket #15-14-1250**  
**Resolution Agreement**

Waverly Community Schools (District) voluntarily submits this Resolution Agreement (the Agreement) to the U.S. Department of Education (Department), Office for Civil Rights (OCR), to resolve the above-referenced complaint, and to ensure its compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d *et seq.* (Title VI), and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination based on race, color, or national origin by a recipient of Federal financial assistance. This Agreement is not and should not be construed as a finding or admission of any wrongdoing or violation by the District.

**Agreement Principles – Safe and Equitable Schools**

The District's goal is to ensure that it provides all of its students with schools that are safe and that have an environment that is conducive to learning. The District is committed to nondiscrimination in discipline and to treating all students fairly and equitably in the administration of discipline, without regard to race, color, or national origin. The fair and appropriate implementation of student discipline policies grounded in research-based evidence is one means of achieving this objective. In addition, it is critical that students learn and are reinforced in appropriate behavior so that they are engaged in the District's education program, rather than its disciplinary system. The District is committed to ensuring that, to the extent possible and permitted by and consistent with the law, its student discipline policies and procedures are designed and implemented in such a way as to ensure that the imposition of discipline does not require a student's removal from the education program unless absolutely necessary to protect the safety, wellbeing, and learning opportunities of other students. Furthermore, the District is committed to applying school discipline policies and procedures in a manner that is in compliance with Title VI and its implementing regulation. Therefore, to the maximum extent possible and permitted by and consistent with the law, the District strives to adopt and implement student discipline policies and procedures that: 1) keep students learning in the classroom; 2) ensure consistent and equitable implementation of research-based alternatives to exclusion; and 3) use exclusionary discipline only as a last resort.

Accordingly, the District agrees to take the following Action Steps:

**I. District-wide Remedies**

**A. Retention of an Expert and Designation of Responsible Employee(s)**

1. By **August 31, 2017**, and throughout its implementation of this Agreement, the District will retain an expert(s), subject to OCR's review and approval, in non-discriminatory discipline practices, data analysis, and research-based strategies to address any practices and policies leading to or resulting in disproportionate disciplinary outcomes for African American students. The expert will assist the District in responding appropriately to incidents that may lead to discipline referrals and assessing the District's discipline data, including at the District, school, grade, classroom levels, along with consideration of time of day and location. The expert(s)

will also focus on the impact that curriculum and instruction and student engagement, including extra-curricular activities, may have on reducing any disproportionate and unwarranted discipline outcomes affecting African American students. The expert will give particular attention to addressing any racial disparities in the District's administration of discipline. The expert(s) will provide the District with strategies for meeting the District's goals of ensuring that discipline is appropriately and equitably applied to all students regardless of race, implementing this Agreement, monitoring and evaluating practices, and involving stakeholders. Additionally, the expert will investigate the additional areas identified by OCR in its investigation of Student A's complaint, including, but not limited to, discipline case files from the 2013-2014 school year, additional interviews of student and staff, student focus groups, and other materials that the District or Student A and her parent may present.

2. By **August 31, 2017**, the District will designate an employee(s) to serve as the District's Discipline Supervisor, subject to OCR's review and approval. The Discipline Supervisor shall be responsible for ensuring that the implementation of the District's policies concerning discipline is fair and equitable, and shall oversee review of the District's discipline data on a regular, on-going basis, with quarterly assessments provided to the retained expert(s). In addition, the District will identify a District administrator (who may also be the Discipline Supervisor) who will address complaints from parents, guardians, students, and others regarding the implementation of the District's disciplinary policies. The District will publish the name and/or title, office address, e-mail address, and telephone number of the Discipline Supervisor and any other District administrator identified pursuant to this Action Step on its website, in all school publications regarding discipline, and in any notices that the District sends to parents annually.

**REPORTING REQUIREMENTS:** By **August 31, 2017**, the District will provide OCR with the name(s) and qualifications of the expert(s) retained pursuant to Action Step I.A(1), and the individual(s) appointed as the Discipline Supervisor and the District administrator who will address complaints received about discipline, pursuant to Action Step I.A(2), for OCR's review and approval.

#### **B. Student, Staff, and Community Engagement**

1. By **March 31, 2018**, the District will establish a District-wide Task Force or Committee with an inclusive membership, including key staff involved with administering and monitoring discipline, key curriculum and instruction administrators, staff representatives, parent representatives, leaders of local community organizations working on issues related to disproportionate discipline of African Americans students in the District, representatives from the District's African American community, or other appropriate members. In consultation with the District's expert, the District's Discipline Supervisor will coordinate and facilitate the group's meetings, which will occur no less than quarterly during the 2018-2019 and 2019-2020 school years.

The Task Force or Committee will consult with the District's expert and Discipline Supervisor identified pursuant to Action Steps I.A.1 and 2, above, as appropriate, and will provide feedback, input, and recommendations regarding the District's current policies, procedures, and practices, and with respect to the results of the climate survey issued pursuant to Action Step I.B.2, below, in order to provide equitable administration of discipline to students regardless of race.

- a. If the District plans to implement any revisions to its policies, procedures, and practices, the Task Force or Committee will be provided an opportunity to review and comment at least 45 days prior to any such revisions being implemented.
- b. The Task Force or Committee will provide District officials with input regarding strategies for improving student behavior, addressing student misbehavior by means other than disciplinary sanctions, and reducing any racial disparity in referrals for discipline, the imposition of disciplinary sanctions and the exclusion of students from the educational program.
- c. The District's Discipline Supervisor will prepare a written summary of the concerns, recommendations, and suggestions of the expert and Task Force or Committee including specific suggestions for improving the District's discipline policies, practices and procedures and establishing a safe school environment that is conducive to learning, and the District's responses by no later than April 30 of each school year.
- d. The District will develop an action plan for implementing the group's recommendations and suggestions, as appropriate by no later than June 30 of each school year. The District will provide the Task Force or Committee with a copy of the plan along with a written explanation of the reasons why any recommendations or suggestions made by the Task Force or Committee will not be implemented.

**REPORTING REQUIREMENTS:** By **March 31, 2018**, the District will provide documentation to OCR that the Task Force or Committee required by this Action Step has been established, including the efforts the District undertook to secure members of the Task Force or Committee (e.g., community notices, flyers, etc.), the identity of the members of the Task Force or Committee (e.g., teacher, parent, principal), the identity of the District employees who have been designated to coordinate or oversee the activities of the Task Force or Committee, and a summary of the initial activities undertaken by the Task Force or Committee.

By **June 30, 2018, June 30, 2019, and June 30, 2020**, the District will provide (1) documentation to OCR of the written reports submitted by the Task Force or Committee, (2) for OCR's review and approval the action plans developed by the District in response to the reports, (3) the steps taken by the District in response to the reports, and (4) the written explanations provided by the District for its decision not

to implement any of the recommendations or suggestions made by the Task Force or Committee.

Within 60 school days of OCR's approval of the proposed action plans, the District will provide documentation concerning its implementation of the plans. Throughout the course of this Agreement, the District will submit for OCR review and approval any changes to the plans approved by OCR prior to their implementation.

2. Beginning in the 2018-2019 school year, following approval by OCR of the survey instrument and methodology for survey administration, the District will administer annually a comprehensive and age appropriate climate survey to students, teachers/staff, and parents at all District schools to measure the perceptions of students and other members of the District community in connection with the administration of school discipline. In particular, the survey will measure perceptions of relationships among the school community members, school safety and fairness, and clarity of rules and behavioral expectations.

**REPORTING REQUIREMENTS:** By **June 30, 2018**, the District will provide OCR for its review and approval the climate surveys it proposes to use and the methods by which it will administer the surveys in order to maximize the response rate.

By **December 30, 2018, December 30, 2019, and December 30, 2020**, the District will provide OCR for its review and approval a copy of the survey results and a description of actions it proposes to take in the following school year in response to the survey results.

By **June 30, 2019, June 30, 2020, and June 30, 2021**, the District will document the steps it has taken in response to the previous school year's survey results.

#### **C. Early Identification of At-Risk Students and Early Intervention**

1. By **January 31, 2018**, and annually thereafter, all District schools will require that school staff employ a range of corrective measures before referring a student to school disciplinary authorities unless it can be documented that the safety of students and/or staff is threatened or the behavior in question is such that the disruption to the educational environment can only be remedied by such a referral. This notice to school staff will be drafted in consultation with the expert and Discipline Supervisor.
2. By **June 30, 2018**, in consultation with the expert and Discipline Supervisor, the District will develop a plan to effectively tailor school-based services that are supportive of the needs of students in order to decrease behavioral difficulties that manifest in school and to increase students' ability to benefit from the learning environment. The plan will describe the following:

- a. The process for identifying students who are at risk for behavioral difficulties due to their experiences in and outside of school.
- b. School-based interventions for students who are identified as at-risk for behavioral difficulties.
- c. Skill-building for at-risk students.
- d. Support for school staff to meet the needs of the at-risk students.

**REPORTING REQUIREMENTS:** By **January 31, 2018**, the District will provide OCR with documentation demonstrating that it has informed all District staff of the requirement to employ a range of corrective measures before referring students for discipline. Such documentation should identify for staff the range of corrective measures available.

By **June 30, 2018**, the District will provide OCR, for review and approval, its proposed plan developed pursuant to Action Step I.C.2.

By **September 30, 2018, September 30, 2019, and September 30, 2020**, the District will provide to OCR documentation of the steps taken to implement the plan developed pursuant to Action Step I.C.2, in the just-completed school year.

#### **D. Alternative Education Program**

1. By **January 31, 2018**, the District, after consultation with at least the expert and the Discipline supervisor, will develop a detailed policy for the placement of a student in the District's Alternative Education Program. The policy will, at a minimum, include the following:
  - a. The specific non-discriminatory criteria upon which the District will rely (e.g., grades, discipline, parent contacts, student contacts, other life circumstances) when evaluating whether a student is placed, or continues to be placed, in the alternative education program.
  - b. The documentation the District will maintain to support each decision made to place a student in the alternative education program.
  - c. The specific educational and/or disciplinary criteria used by the District to determine whether a student's exit from the alternative education program and return to the general education program is appropriate and an explanation of the process by which a student can request to exit the alternative education program and return to the general education program.

**REPORTING REQUIREMENTS:** By **January 31, 2018**, the District will submit its policy for student placement in the Alternative Education Program to OCR for review and approval.

Within 60 calendar days of OCR's approval, the District will provide documentation demonstrating that it has adopted the policy for student placement in the Alternative Education Program, disseminated the policy to all District students enrolled in the program, their parents, and all District staff, and posted the policy in a prominent location on the District's website and in each District school. Throughout the course of this Agreement, the District will submit for OCR review and approval any changes to the policies and procedures approved by OCR prior to their implementation.

2. Within 30 calendar days after OCR's approval of the policy submitted under Action Step I.D.1, the District will review the status of each student in its Alternative Education Program, using the criteria approved by OCR pursuant to Action Step I.D.1, above, to determine whether or not they are properly placed in the program. If the District determines that any students are not properly placed in the program and in consultation with the parents or guardians of students, it will transition the students to the general education classroom within 30 calendar days of the determination.

**REPORTING REQUIREMENTS:** Within 30 calendar days after OCR's approval of the policy submitted under Action Step I.D.1, the District will provide to OCR, for review and approval, the evaluation it completed of each student enrolled in the Alternative Education Program for the for the 2017-2018 school year or the current school year at the time the policy is implemented, the basis for its determinations, and the date(s) on which any students were transitioned to the general education classroom.

#### **E. Discipline Policies, Practices and Procedures**

By **June 30, 2018**, the District will review and revise its student discipline policies and procedures, taking into account any recommendations made by the expert(s), Discipline Supervisor and community Task Force or Committee referenced in Action Step I.B.1, above, to ensure they include the following:

1. Definitions of misconduct that are clear and objective to the maximum extent possible and that clearly distinguish between similar acts (e.g., assault, fighting, and aggressive physical behavior). Such definitions must include clearly defined, uniform criteria for all offense categories.
2. The elimination, to the maximum extent possible, of vague, subjective, or redundant offense categories including those that necessarily require a high degree of subjectivity and individual discretion (e.g., defiance, insubordination, disruptive behavior, other). To the extent the District retains such categories, the District will provide clear definitions and specific examples to ensure that staff understand the circumstances under which such categories can be used to refer and impose disciplinary sanctions and the distinctions between such categories.

3. The range of penalties proportionate to the type of misconduct that may be imposed for each infraction and the criteria for selection within the range of possible penalties when imposing disciplinary sanctions.
4. The designation of infractions that may be addressed through the use of restorative justice methods or techniques.
5. An explanation of how the District will distinguish between first offenders and repeat offenders when imposing disciplinary sanctions and a clear explanation of how any progressive disciplinary policies, practices, and procedures will be implemented.
6. A requirement that alternatives to dismissal, suspension, or other sanctions that require removal from the educational setting be considered in all cases, particularly for pre-kindergarten and kindergarten students, except those where the immediate safety of students or staff is threatened or the behavior in question is such that the disruption to the educational environment can only be remedied by removal.
7. Appropriate due process standards for all students disciplined under the District's student discipline policies, practices, and procedures, including a description of the key elements of the discipline process (appeals, alternative dispositions, timelines, provisions for informal hearings, etc.).
8. The removal of the District's Teacher "Snap" Suspension Policy from all District and school-specific discipline policies and procedures.

The District will also review each school's discipline enforcement chart to ensure its consistency with District-wide policies, practices, and procedures. The District will ensure that such enforcement charts only deviate from District-wide policies based on the age and grade of students served at the school and for other limited, but appropriate factors.

**REPORTING REQUIREMENTS:** By **June 30, 2018**, the District will submit its revised student discipline policies, practices and procedures to OCR for review and approval. The District will also provide documentation demonstrating that the Task Force or Committee created pursuant to Action Step I.B.1 had the opportunity to review provide input, feedback, and suggestions, and that such comments were considered and incorporated, as appropriate, into the revised documents. To the extent the recommendations were not accepted or concerns were not addressed, the District will provide the bases for its determination.

Within 60 calendar days of OCR's approval, the District will provide documentation demonstrating that it has adopted the revised policies, practices, and procedures. The District will provide documentation that it has disseminated the revised student discipline policies, practices, and procedures to all District students, parents, and staff and posted them in a prominent location on the District's website and in each District school. Throughout the course of this Agreement, the District will submit for OCR review and

approval any changes to the policies and procedures approved by OCR prior to their implementation.

**F. Data Collection and Self-Monitoring**

1. Beginning with the 2017-2018 school year, the District will collect data regarding referrals for student discipline and the imposition of disciplinary sanctions, at all District schools. The data collection system will be revised to include, but not be limited to:
  - a. The name/identification number, race, ethnicity, sex, age, disability and/or English Language Learner (ELL) status, and grade level of each student referred for discipline, as well as all other students involved in the incident and whether they were referred for discipline.
  - b. A detailed description of the misconduct, including whether there were any student and/or adult witness(es) to the incident, names of witness(es), and number of witnesses.
  - c. The date of the referral, the school and type of class from which the referral was made or other specific settings (e.g. bus referral, hallway referral), the referring staff member (by staff identification/employee number), and the specific Code violation for which the referral was made.
  - d. The specific Code violation for which the student was punished and the penalty/sanction imposed (e.g., suspension, expulsion, referral and/or notification to law enforcement, alternative education program) or, if no violation was charged or penalty/sanction imposed, the reason why, the length of the penalty/sanction (in number of days), the date the penalty/sanction was imposed, and staff member who assigned the penalty/sanction (by staff identification/employee number).
  - e. The prior disciplinary history of the student.
  - f. The outcome of the manifestation hearing determination, if applicable.
  - g. Whether the student was arrested or otherwise sanctioned by law enforcement.
  - h. Any non-punitive outcomes arising out of each referral incident, including, but not limited to, use of restorative justice techniques, skill-building, peer mentoring, etc.

**REPORTING REQUIREMENTS:** By **March 31, 2018**, the District will submit documentation to OCR demonstrating that it has revised its discipline data collection system to capture the information required by this Action Step.



By **June 30, 2019, June 30, 2020, and June 30, 2021**, the District will provide to OCR the data referenced in Action Step I.F.1 for the just completed school year.

2. Beginning with the 2017-2018 school year, the District will provide the expert(s) and the Task Force or Committee with the data described above. In consultation with the expert, the Discipline Supervisor and the Task Force or Committee will evaluate, on a quarterly basis at a minimum, the data referenced in Action Step I.F.1 to assess whether the District is implementing its student discipline policies, practices and procedures in a non-discriminatory manner, at each school. The evaluation of the data will include, but not be limited to, the following:
  - a. Review of discipline referrals and penalties imposed to examine whether African American students are receiving more referrals or discipline than students of other races.
  - b. Review of student referrals for expulsions and long-term suspensions to examine whether African American students are receiving more expulsions than students of other races.
  - c. Examination of discipline data disaggregated by race and by District, school, grade, classroom, time of day, and location (classrooms, hallways, cafeterias, school buses, etc.) of the discipline incidents.
  - d. Examination of whether certain teachers and administrators refer disproportionately high numbers of students of a particular race for discipline or are disproportionately responsible for imposing disciplinary sanctions that include exclusion from the educational program.
  - e. Examination of whether African American students are disproportionately referred for offenses in which subjective judgment is exercised, while students of other races are not.
  - f. Examination of whether all students are referred for similar misbehaviors without regard to race.
  - g. Examination of whether penalties imposed are consistent with the penalties specified in the District's discipline policies and procedures and, where exceptions are made, whether they are justified.
  - h. Examinations of whether each school uses behavioral programs such as restorative justice, for what infractions, and whether such programs reduce the number of discipline sanctions that result in exclusion from the educational program.

**REPORTING REQUIREMENTS:** By **June 30, 2019, June 30, 2020, and June 30, 2021**, the District will provide to OCR copies evaluations completed (on a

quarterly basis at a minimum) pursuant to Action Step I.F.2 that summarizes the results of the Task Force or Committee’s review at each school and includes recommendations on any changes to individual student’s discipline records, as well as the District’s discipline policies, procedures, and practices that should be made in light of the committee’s findings.

3. Beginning with the 2018-2019 school year, and quarterly thereafter, the Discipline Supervisor will meet with the principal of each District school to discuss the data gathered and evaluated by the District under Action Steps I.F.1 and 2. The meetings will examine how discipline referrals and disciplinary sanctions imposed at each school compare to those at other District schools and consider any data suggesting that African American students are disproportionately referred for discipline or sanctioned more harshly than similarly-situated students of other races.

If the data suggests such disproportion, the meetings will explore possible causes for the disproportion and consider steps that can be taken to eliminate the disproportion to the maximum extent possible. If applicable, the principals will be reminded of District resources that are available to assist them and their staff in addressing the disproportion. Where the data shows that a particular teacher is responsible for a disproportionate number of referrals or disproportionately refers African American students, the principals will meet privately with that teacher to discuss the data, explore the reasons for the disproportion, and examine potential solutions.

If the information suggests that the principal or other school staff are failing to adhere to the District’s student discipline policies, practices, and procedures or are engaging in discrimination, the District Discipline Supervisor will inform the superintendent or superintendent’s designee(s) who will take appropriate steps, including but not limited to, additional training or corrective disciplinary action. Where the data shows no disproportion at a school, the meetings will examine steps that are being taken at the school to ensure the fair and equitable enforcement of the District’s student discipline policies, practices, and procedures that might be adopted as “best practices” at those schools where disproportion exists.

**REPORTING REQUIREMENTS:** By **June 30, 2019, June 30, 2020, and June 30, 2021**, the District will provide to OCR documentation of the meetings held pursuant to this Action Step and of all steps taken as a consequence of the information shared at the meetings.

#### **G. District Staff, Student, and Community Training**

1. By **September 30, 2018**, and annually thereafter, the District in consultation with its expert(s), will provide training programs to all District teachers, administrators, school aides, and any other District personnel charged with supervising students, making disciplinary referrals or imposing disciplinary sanctions.

- a. The training will emphasize the District's commitment to using its discipline policies, practices, and procedures to ensure a safe and orderly educational environment and to ensure the fair and equitable treatment of all students when making disciplinary referrals and imposing disciplinary sanctions. The training for District employees will include but not be limited to detailed explanations of the discipline policy, the definitions of offense categories, the specific manner in which progressive disciplinary consequences will be employed, if applicable, the circumstances under which deviations from established policies and procedures may be justified, and the documentation that must be developed and maintained by all District staff who make disciplinary referrals or impose disciplinary sanctions. The training will provide employees the opportunity to raise concerns or suggestions regarding the improvement of the District's disciplinary policies, including any issues in connection with fairness and non-discrimination on the basis of race.
- b. The training will provide evidence-based techniques on classroom management and de-escalation approaches, including restorative justice, information on how to administer discipline fairly and equitably, techniques to address implicit bias, resources that are available to staff who are having difficulty with classroom discipline, resources that are available to students to assist them in developing self-management skills, the value of recognizing and reinforcing positive student behavior, and the importance of ensuring to the maximum extent possible that misbehavior is addressed in a manner that does not require removal from the educational program.

**REPORTING REQUIREMENTS:** By **March 31, 2018**, the District will submit for OCR's review and approval the name(s) and qualifications of individual(s) who the District has retained to provide the training required by this Action Step and a copy of the proposed training materials.

By **September 30, 2018, September 30, 2019, and September 30, 2020**, the District will provide documentation to OCR that it has provided the training required by this Action Step, including a copy of the training materials, the date(s) of the training, and the names and titles of the attendees.

2. By **September 30, 2018**, and annually thereafter, the District will provide training programs to all District students in an age-appropriate, easily understood manner.
  - a. The training will emphasize the District's commitment to using its discipline policies, practices, and procedures to ensure a safe and orderly educational environment and to ensure the fair and equitable treatment of all students when making disciplinary referrals and imposing disciplinary sanctions. The training will advise students of their right to appropriate due process procedures in connection with any disciplinary action taken or proposed by the District.

- b. The training will include but not be limited to detailed explanations of the discipline policy, the definitions of offense categories, the specific manner in which progressive disciplinary consequences will be employed, if applicable, the circumstances under which deviations from established policies and procedures may be justified, resources that are available to students to assist them in developing self-management skills, and the District's commitment to recognizing and reinforcing positive student behavior and to ensuring to the maximum extent possible that misbehavior is addressed in a manner that does not require removal from the educational program.

**REPORTING REQUIREMENTS:** By **September 30, 2018, September 30, 2019, and September 30, 2020**, the District will provide documentation to OCR that it has provided the training required by this Action Step.

3. By **September 30, 2018**, and annually thereafter, the District, in collaboration with the Task Force or Committee described above, will develop and provide informational programs for parents or guardians of students at all District schools that will explain the disciplinary policies of the District in an easily understood manner, what is expected of students under those policies, the District's efforts in achieving fair discipline of all students, and provide parents the opportunity to raise concerns or suggestions regarding the improvement of the District's disciplinary policies, including any issues in connection with fairness and non-discrimination. The parent programs may be incorporated into other planned parent meetings, conferences, or parent outreach programs. The District will ensure that the informational programs are offered in such a manner as to ensure the maximum possible participation by parents or guardians.

**REPORTING REQUIREMENTS:** By **September 30, 2018, September 30, 2019, and September 30, 2020**, the District will provide documentation to OCR demonstrating that the information programs required by this Action Step have been conducted, providing any recommendations, suggestions or reports that were provided by parents or guardians at the programs, and indicating the plans developed by the District in response to any input provided during these programs.

## **II. Individual Remedies**

By **August 31, 2017**, the District will draft a letter to Student A and X parent. The letter will state that the District is fully committed to the prohibition of race, color, and national-origin discrimination under Federal law and District policy. The letter will also state that OCR has resolved Student A's complaint and has not concluded that the District violated Title VI and that the District has requested to voluntarily resolve the complaint prior to the completion of OCR's investigation. The letter will also state that as part of this voluntary resolution of Student A's complaint, the District signed an Agreement. In its letter to the Student, the District may notify X that the Agreement expressly states that it should not be construed as a finding or admission of any wrongdoing or violation by the District. The letter will state that because of the District's commitment to a school environment free of discrimination, the District is hiring an outside expert to continue the review of the disciplinary outcome for

Student A, including areas of further investigation identified by OCR and listed above in Action Step I.A.1. The letter will also provide that the District's expert will review OCR concerns and conduct additional investigative steps in order to determine if any discrimination occurred. In addition, the letter will explain that, if warranted, the school will expunge or modify Student A's record and provide any other appropriate remedies. The letter will note that the Agreement does not mandate that the expert conclude that Student was disciplined inappropriately, or for the District to adopt such a recommendation. The letter will include the name, title, office location and telephone number of the District's staff person(s) responsible for overseeing the expert's work.

**REPORTING REQUIREMENTS:** By **August 31, 2017**, the District will submit to OCR for review and approval a proposed draft of the letter to be sent to the Student's pursuant to Action Step I. Within 30 days of OCR's approval, the District will submit documentation to OCR demonstrating that it sent the letter to Student A and her parent pursuant to Action Step II.

### **GENERAL REQUIREMENTS**

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreements and is in compliance with the regulation implementing Title VI, at 34 C.F.R. §§ 100.3(a) and (b), which were at issue in this case. Prior to the conclusion of OCR's monitoring, the District will provide documentation establishing that any remaining disparities in disciplinary referrals and/or sanctions, including referrals to the District's alternative education program and to law enforcement are not the result of discrimination prohibited by Title VI and its implementing regulations.

The District 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 this Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, 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 Title VI and its implementing regulation at 34 C.F.R. § 100.3(a)-(b).

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

\_\_\_\_\_  
/s/  
Superintendent or Designee

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1/25/17  
Date