

**Voluntary Resolution Agreement
Catawba County Schools
OCR Complaint No. 11-12-1492**

Catawba County Board of Education (herein referred to as the District) agrees to fully implement this voluntary resolution agreement (herein referred to as Agreement) to resolve Office for Civil Rights' (herein referred to as OCR) Complaint No. 11-12-1492. Immediately upon receiving Complaint No. 11-12-1492, the District expressed an interest in resolving this complaint and provided substantial information to OCR regarding the actions the District had already taken to investigate, respond to, end and prevent the recurrence of the incidents outlined in the Complaint. The Agreement, when fully implemented, will resolve the above-referenced Complaint and does not constitute an admission of any liability on the part of Fred T. Foard High School or the District. This Agreement is entered into to ensure the District's compliance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, at 34 C.F.R. Part 100, which were at issue in this case.

The District is committed to fostering an environment of understanding and respect for all its students and employees. To honor this commitment, the District agrees to continue expanding upon its existing efforts to take all the steps reasonably designed to respond to allegations of harassment on the basis of race, color, and national origin and to address any findings of a hostile environment. To this end, the District will continue to promptly investigate all incidents of harassment of students on the basis of race, color, and national origin that are known, or reasonably should be known, to the District and will take appropriate action to respond to complaints, which may include disciplinary action against students. The District will take prompt and effective responsive action reasonably designed to end the hostile environment if one has been created, prevent its recurrence, and, where appropriate, take steps to remedy the effects of the hostile environment on affected student(s).

The District voluntarily agrees to take the following actions to achieve the aforementioned goals:

ANTI-HARASSMENT STATEMENT

1. Within thirty (30) days of OCR's approval of the statement, the Superintendent and School Board will issue a statement to all District students, parents and staff that will be posted in prominent locations at the District's high schools and published on the District's website, stating that the District does not tolerate acts of harassment, including acts of harassment based on race, color, or national origin. The statement will encourage any student who believes he or she has been subjected to harassment or a hostile environment based on race, color, or national origin to report the harassment or hostile environment to the District and note the District's commitment to conducting a prompt investigation. The statement will include the appropriate contact information for the designated staff member to whom students and parents may report allegations of harassment and/or discrimination. The statement will warn that students found to have engaged in acts of harassment or other acts that create a hostile environment based on race, color, or national origin will be promptly disciplined in accordance with the District's Code of Student Conduct. The statement will encourage students, parents and District staff to work together to prevent acts of harassment of any kind. It is permissible of the District to issue this statement to all District students and parents by placing the same in the student's take-home folder or back pack as the District typically does for documents needing parents' review. It is permissible for the District to issue this statement to staff members by placing a copy of this statement in their paystub envelope. The District will distribute this statement in English and in the language(s) of the District's predominant language groups.

Amelia OS

Reporting Requirement: By February 1, 2013, the District will provide OCR with its anti-harassment statement for OCR's review and approval. Within thirty (30) days of OCR's approval of the statement, the District will provide OCR with a written statement certifying that the statement was posted and published, as described above.

REVISED DATA TRACKING PROCESS / TRAINING

1. The District has expressed an interest in working with the Southeastern Equity Center (herein referred to as the Equity Center), and on its own accord, solicited the assistance of the Equity Center. The District will continue to collaborate with the Equity Center in developing a centralized recordkeeping process for documenting and tracking complaints of racial discrimination, including racial harassment. By July 1, 2013, the District will develop a centralized recordkeeping process that will maintain information including the name of the individual who reported the allegation, the identity of the alleged victim and alleged perpetrator, notes from witness interviews, documentation of investigative steps completed, the determination, and any step(s) taken to address the effects of the alleged racial discrimination/harassment. The District will also indicate the title and position of its employee(s) responsible for maintaining and reviewing this information.

Reporting/Training Requirement: By July 1, 2013, the District will provide OCR with its proposed recordkeeping process for OCR's review and approval. In addition, prior to the beginning of the 2013-2014 school year, the District will provide training on the recordkeeping process to any employees responsible for investigating and/or responding to complaints of racial discrimination, including harassment. Within thirty (30) days after this training on the recordkeeping process, the District will provide OCR with confirmation that the training occurred, including a list of individuals who received the training, the name(s)/title(s) of the trainer, and any materials used during the training.

2. By April 1, 2013, in collaboration with the Equity Center, the District shall assess its efforts to eliminate any racially hostile environment and its effects and prevent the racial harassment/discrimination from recurring.
3. The District will continue to work with its existing Building Leadership Teams (herein referred to as BLT's) which include representative parents, administrators and teachers in order to make recommendations to the District regarding the effectiveness of the District's efforts to eliminate any racially hostile environment and its effects and prevent the racial harassment/discrimination from recurring. The District shall designate a District employee to coordinate the BLT meetings for this purpose. The District shall consider recommended strategies from the BLT's for preventing harassment, and ensuring that District students understand their right to be protected from racial discrimination/harassment. The District shall consider recommendations from the BLT's regarding strategies to ensure students understand how to report possible racial harassment/discrimination and are aware of the District's obligation to promptly and effectively respond to racial harassment/discrimination complaints and how, and if, outreach efforts to families can be made to obtain support for the District's efforts to eliminate any racially hostile environment and its effects and prevent the racial harassment/discrimination from recurring.

Also, the District will establish a student committee, which will have the same privileges as other District extracurricular activities, including access to meeting space and public notice



about the committee, and will select at least two (2) students to be members of the BLT's (as described above).

Reporting Requirement: By April 1, 2013, and periodically throughout the term of this Agreement, the District will provide OCR with copies of notices and other information available to students and their families about the BLT's and the student committee and their meetings and activities, a list of the persons who have joined the BLT's and the student committee disaggregated by race, national origin and position, including the name of the position who has been designated to coordinate the BLT's and student committee and the names of the representatives from the student committee on the BLT's, and a report summarizing their recommendations and the District's responses to the recommendations and suggestions (including whether and how they were implemented). OCR will provide the District with feedback on the recommendations, and the District will incorporate OCR's feedback and will provide OCR documentation every ninety (90) days of its steps to implement OCR's recommendations.

4. The District will expand upon its existing efforts to provide opportunities for all District K-12 students to discuss matters concerning discrimination or harassment on the basis of race, national origin or color, increase student awareness of the District's efforts to eliminate any racially hostile environment and its effects and prevent the racial harassment/discrimination from recurring, and suggest measures for improving the effectiveness of the District's efforts.
5. In addition, the District will provide training to all school administrators, counselors, teachers, and any other staff who have significant contact with students, to recur on an annual basis, regarding the prevention of, and response to, possible harassment based on race, national origin or color. This training will be provided separately to staff who work with particular grade levels--elementary school, middle school, and high school--and will specifically target staff responsibilities by employment designation.

This training will include:

- a. guidance to increase awareness of what constitutes discrimination and harassment on the basis of race, national origin or color between students or involving a student victim, and the negative impact that it has on the educational environment;
- b. a review of the District's Policies 1.71 and 1.72 on Discrimination, Harassment and Bullying, including specific guidance on what constitutes harassment based on race, national origin, or color; how it is different from bullying; and the District's responsibility for responding to such harassment and its roles in that response;
- c. notice that failure to respond appropriately to notice of such harassment violates District policy and federal law;
- d. information regarding law enforcement resources and school counseling services that may be available.

Reporting Requirement: The District will also provide, on an annual basis, training for school administrators with responsibility for conducting investigations or supervising investigators on how to conduct and document investigations of harassment based on race, color, or national origin pursuant to District's Policies 1.71 and 1.72 on Discrimination, Harassment and Bullying, and the appropriate standards to apply in reaching determinations and formulating corrective actions and providing for appropriate discipline.

Amelia A. J.

Reporting Requirement: By the end of the 2012-2013 school year, the District will announce a date for the trainings described above. At least thirty (30) days prior to the date of each training, the District will provide OCR with the name and qualifications of the trainer, and an outline of the training content for OCR's review and comment. Within thirty (30) days following each training, the District will notify OCR that it has provided training to the individuals indicated above and provide copies of sign-in sheets from each training session. The District will notify OCR of the completion of these trainings prior to the beginning of the 2013-2014 and 2014-2015 school years.

6. The District will collaborate with the Equity Center to develop age-appropriate student education to the District's K-12 students. This education shall be conducted by the District through each school year (under a schedule developed by the District) and shall be designed to increase awareness of harassment based on race, color, and national origin; inform students of the consequences of such harassment pursuant to District's Policies 1.71 and 1.72 on Discrimination, Harassment and Bullying; explain to students what they should do if they believe they or another student is being racially harassed or discriminated against; and encourage students to report such harassment/discrimination.

Reporting Requirement: By July 1, 2013, for each K-12 student grade level, the District will provide OCR with an outline of this education and training for review and approval. At the same time, the District will provide OCR, for each school, the dates during the current school year on which each education session or training will be presented or the period during the school year when it will be presented.

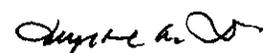
Reporting Requirement: After receiving OCR's comments and feedback of the District's proposed student education and training, the District will incorporate OCR's comments and feedback, and will implement the first student education session or training for each age level. By the end of the 2013 and 2014 Fall Semesters, the District will provide confirmation to OCR that the training occurred, by school and age level, including the dates when the training occurred, and a copy of written materials used in conjunction with the presentation.

SCHOOL CLIMATE

7. OCR recognizes the District's efforts in developing and implementing climate surveys for high school seniors during the 2011-2012 school year. The District will continue to administer the school climate survey and/or other assessment(s) for the 2012-2013 and 2013-2014 school years and on an annual basis and will expand the survey and/or assessment(s) to incorporate all K-12 District students and staff to determine whether harassment or discrimination based on race, national origin, or color is occurring in its schools and to assess the effectiveness of steps taken pursuant to this Agreement or otherwise by the District to prevent such harassment or discrimination. In fulfilling this requirement, the District is permitted to utilize or create assessments other than surveys that are age-appropriate for students.

Reporting Requirement: By March 4, 2013 and March 3, 2014, the District will provide OCR with a draft of any climate surveys the District intends to administer for that particular school year. By August 1, 2013, the District will provide OCR with a draft of any other assessments for students and faculty District intends to utilize or administer and manner of reviewing the survey/assessment results for OCR's review and approval.

8. Based on the results of the climate assessment, the District will continue to take steps to



address and prevent harassment and discrimination on the basis of race, color, and/or national origin at school.

Reporting Requirement: By the end of the 2013 Fall semester and the end of the 2014 Fall semester, the District will administer any climate surveys and other assessments discussed in Provision 7 for that particular school year, and will continue to administer climate surveys and assessments annually thereafter.

The District will provide OCR with a summary of the results from each survey or assessment per school and a list of steps the District will take in response to the results of the surveys or assessments within thirty (30) days after the same are administered.

HARASSMENT COMPLAINTS

9. The District will review the original investigations of the two (2) allegations of peer racial harassment that were alleged in the complaint. The District will ensure its review complies with District's Policies 1.71 and 1.72 on Discrimination, Harassment and Bullying. The review will be documented, and will require the District to consider whether the harassed students and their families know how to report any subsequent problems, conduct follow-up inquiries to see if there have been any new incidents or any instances of retaliation, and respond promptly and appropriately to address continuing or new problems (including whether the students were disciplined, assigned to an alternative school, or harmed because of the incidents). The District will incorporate feedback from the students' parents/guardians in assessing whether they need additional services that the school is required to provide, and if applicable, the District will take appropriate steps to prevent the recurrence of any discrimination and to remedy any discriminatory effects on the individual students. Following OCR's review and approval of the District's analysis, the District will provide each student's parents/guardians with its written findings of its initial investigation, including this subsequent review.

Reporting Requirement: By April 1, 2013, the District will provide to OCR documentation of its review, as discussed above, including any actions it proposes to take to correct any effects on the students.

Reporting Requirement: Within thirty (30) days of receiving feedback from OCR, the District will incorporate OCR's feedback and will provide OCR with documentation of actions that it took, including providing the parents/guardians with written notice of the outcome of its investigations and offering the parents/guardians any services or other remedies.

Reporting Requirement: If applicable, within thirty (30) days of receiving feedback from OCR, the District will provide OCR with documentation that it provided the students with any approved remedies.

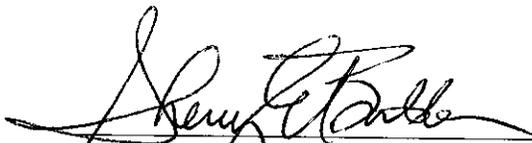
10. In accordance with its revised data tracking system referenced in Provision 1, the District will provide to OCR information regarding each incident of alleged racial harassment and/or discrimination that occurred during each semester. Information provided will include a written description of the allegations, and a copy of any documentation of the school or District's response, including interview notes, investigative reports, written findings, and records of any corrective action taken, including any disciplinary action.

Amelia A. G.

Reporting Requirement: Within sixty (60) days of the end of each semester, the District will provide OCR with the information described above.

As mentioned earlier, when fully implemented, this Agreement will resolve OCR Complaint No. 11-12-1492. 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 Agreement and is in compliance with the regulation implementing the provisions of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d and its implementing regulation, at 34 C.F.R. Part 100, which were at issue in this case. 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.

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 a minimum of sixty (60) calendar days to cure the alleged breach.



Sherry E. Butler, Chairman
Catawba County Board of Education

12/20/2012
Date

