

RESOLUTION AGREEMENT

North Syracuse Central School District

Case No. 02-16-1219

In order to resolve Case No. 02-16-1219, the North Syracuse Central School District assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100. This Resolution Agreement has been entered into voluntarily by the District and does not constitute an admission by the District that it is not in compliance with Title VI.

Guiding Principles:

The District agrees to take all steps reasonably designed to ensure that students enrolled at Bear Road Elementary School (the school) are not subject to harassment because of their race, and will respond promptly to all allegations or reports of harassment on the basis of race. To this end, the District will conduct prompt, adequate, reliable and impartial investigations of all alleged incidents of harassment on the basis of race that are known or reasonably should be known to the District, and will continue to take appropriate action to respond to complaints, which may include disciplinary action against students and/or staff. The District will, in conducting such investigations, determine whether a hostile environment existed; and if so, will take prompt and effective action reasonably designed to end the hostile environment, prevent its recurrence, and where appropriate, take steps to remedy the effects of the hostile environment.

Action Item 1:

By October 1, 2016, the District will extend a written offer of counseling to the Student, and all other students enrolled at the school during school year 2015-2016 who complained of harassment on the basis of race, to remedy any effects of the incidents of harassment directed toward them because of their race. This counseling may be provided by qualified District staff. Appropriate District staff will also determine whether the Student and other students require any other services, e.g. tutoring, to remedy the effects of such harassment; and if so, the District's plan for providing such services.

Reporting Requirements:

- a) By October 30, 2016, the District will provide to OCR a copy of the written offers of counseling, as well as documentation indicating the parents' responses, if any, to the offers.
- b) By November 3, 2016, the District will provide to OCR its determination and any supporting documentation regarding its decision as to whether the Student and other students at the school require any other services, e.g. tutoring, to remedy the effects of racial harassment; and if so, the District's plan for providing such services.

Action Item 2:

By November 8, 2016 and November 8, 2017, the District will provide training to all staff (i.e.: teachers, assistant teachers, administrators, guidance counselors, school psychologists, social workers and therapists) at the school regarding the following: (a) requirements of Title VI, including that discrimination and/or harassment based on race is prohibited and will not be tolerated; (b) the range of behaviors that constitute discrimination and/or harassment based on race; (c) the disciplinary sanctions applicable to anyone who engages in discrimination and/or harassment based on race; (d) the responsibility of staff to report incidents of possible discrimination and/or harassment and the procedures for doing so; and (e) where, how and to whom allegations of discrimination and/or harassment are to be reported.

Reporting Requirements:

- a) By November 14, 2016 and November 14, 2017, the District will provide documentation to OCR demonstrating that training was provided consistent with Action Item 2 above, including: (a) the name(s) and credentials of the individual(s) who conducted the training; (b) a list of the individuals who attended the training and their positions; (c) the date(s) the training was conducted; (d) copies of any training materials disseminated.

- b) By July 31, 2017, and 2018, the District will provide documentation to OCR of all informal (including oral) and formal complaints of harassment on the basis of race of students at Bear Road Elementary School made during the previous twelve months. The documentation will include copies of each complaint; a description of the complaint; the District's response; and, the resolution, including a report of the investigation conducted. If there have been no complaints, the District shall so certify that no complaints of harassment on the basis of race of students at the school were made.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulation implementing Title VI, at 34 C.F.R. § 100.3, which was at issue in this case. The District also 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 the regulation implementing Title VI, at 34 C.F.R. § 100.3, which was at issue in this case. 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.

