

RESOLUTION AGREEMENT
Cumberland County Schools
OCR Case No. 11-16-1220

Cumberland County Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-16-1220. This 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.

1. By October 1, 2016, the District will notify the Complainant via letter that the District will provide up to 20 hours of social/emotional or academic counseling for the Student at the prevailing rates in the local community. The District will provide the Complainant a list of a minimum of three (3) available social/emotional and three (3) available academic service providers and inform the Complainant that she can select the provider of her choice within the rate established by the District. The District will inform the Complainant that she has thirty (30) days from the date of the letter to accept the offer of services and indicate her selection of service provider. The District will notify the Complainant that the Student must utilize the counseling no later than June 1, 2017 or it will be forfeited.

Reporting Requirements:

By October 31, 2016, the District will provide documentation to OCR of the letter described above and whether the Complainant accepted the District's offer of counseling services.

If the Complainant accepts the District's offer of counseling services, by June 15, 2017, the District will provide OCR documentation, from a service provider bill or log signed by the provider or the Complainant, times, and locations that counseling was provided, a description of what was provided, and the name(s) of the service provider(s).

2. By January 31, 2017, the District will provide mandatory in-service training to XXXX (the School) administrators and appropriate faculty and staff on the following:
 - a. The District's obligations regarding peer racial harassment under Title VI;
 - b. The District's race, color, and national origin discrimination, harassment, and bullying policies, procedures and/or administrative rules;
 - c. How to investigate and respond to student or parent complaints of harassment related to race, color, or national origin;
 - d. The requirement that the School take immediate and appropriate action to investigate race, color, or national origin bullying or harassment complaints, and that their inquiry should be prompt, thorough, and impartial; and,
 - e. The requirement to take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring.

Reporting Requirements:

By October 31, 2016, the District will provide OCR with the name and title of the individual providing the training described above and the draft training materials for OCR's review and comment. Within 30 days after completing the training, the District will provide OCR with a copy of the training sign-in sheets and/or verification of completion of computer training.

3. By January 1, 2017, the District will provide age-appropriate education to School students designed to increase awareness of race, color, and national origin harassment and the District's policies, procedures and/or administrative rules. The program will inform students of the consequences of race, color, and national origin harassment, explain what they should do if they believe they or another student is being harassed based on race, color, or national origin, and encourage them to report bullying or harassment. The education materials will use age-appropriate terminology and the instruction will promote sensitivity to and tolerance of the diversity of the student body, and will specifically address harassment related to race, color, or national origin.

Reporting Requirement:

Within 30 days after completing the program, the District will provide OCR with confirmation that the education session occurred, copies of its program materials, and the identity and credentials of the presenters conducting the program.

4. The District will develop and disseminate to all parents/guardians of students attending the School a written notice explaining the District's policy concerning discrimination, harassment, and bullying; including how to file a complaint with the School and the School's required response. The written notice will also inform the parents/guardians that they may also file complaints with OCR concerning discrimination, harassment, or bullying due to race, color, or national origin.

Reporting Requirement:

By November 1, 2016, the District will provide OCR with its draft notification for review and approval. Within ten working days of the District's submission, OCR will respond with any concerns about or its approval of the notice to the District.

Within 10 working days of OCR's approval of the notice, the District will disseminate the notice as described above and provide OCR documentation of the dissemination of the notice.

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 Title VI at 34 C.F.R. Part 100.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of

this Agreement, 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. Part 100, 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 a minimum of sixty (60) calendar days to cure the alleged breach.

By: _____/s/_____ Date: 09/13/2016
Signature

Name and Title of Signor: Frank Till, Superintendent.