

**VOLUNTARY RESOLUTION AGREEMENT**

**Durham Public Schools**

**OCR Case Number 11-11-1224**

**BACKGROUND**

1. The U.S. Department of Education, Office for Civil Rights (OCR) received a complaint filed against Durham Public Schools (the District). The complaint alleged that the District discriminates against limited English proficient (LEP) parents and/or guardians on the basis of national origin by failing to ensure that they have meaningful access to information that is provided to parents and guardians in English. The complaint raised additional allegations that students were harassed based on national origin, and an allegation that the District discriminated against a particular student on the basis of national origin by requiring her to produce a passport and immigrant visa in order to enroll in a District high school.

2. Title VI of the Civil Rights Act of 1964 (Title VI), and its implementing regulation at 34 C.F.R. § 100.2, prohibit discrimination on the basis of race, color, or national origin in

activities and programs that receive Federal financial assistance from the U.S. Department of Education. The District is a recipient of U.S. Department of Education funding and therefore is subject to this law.

3. During the course of OCR's investigation, the District indicated its willingness to take steps

**I. COMMUNICATION PROCEDURES**

*A. General Policies and Procedures*

The District will develop a written plan with policies and procedures

timely and effective communication with national-origin minority limited-English proficient (LEP) parents. The plan will specify how the District will provide

D. *Staff Notice and Training*

1. By **February 1, 2012** the District will notify appropriate teachers and administrators of the names of national-origin minority LEP parents, as identified

by Section 19 of the resolution agreement, 11-11-1224.

[REDACTED]

d. Ensuring that only qualified staff members or other qualified individuals

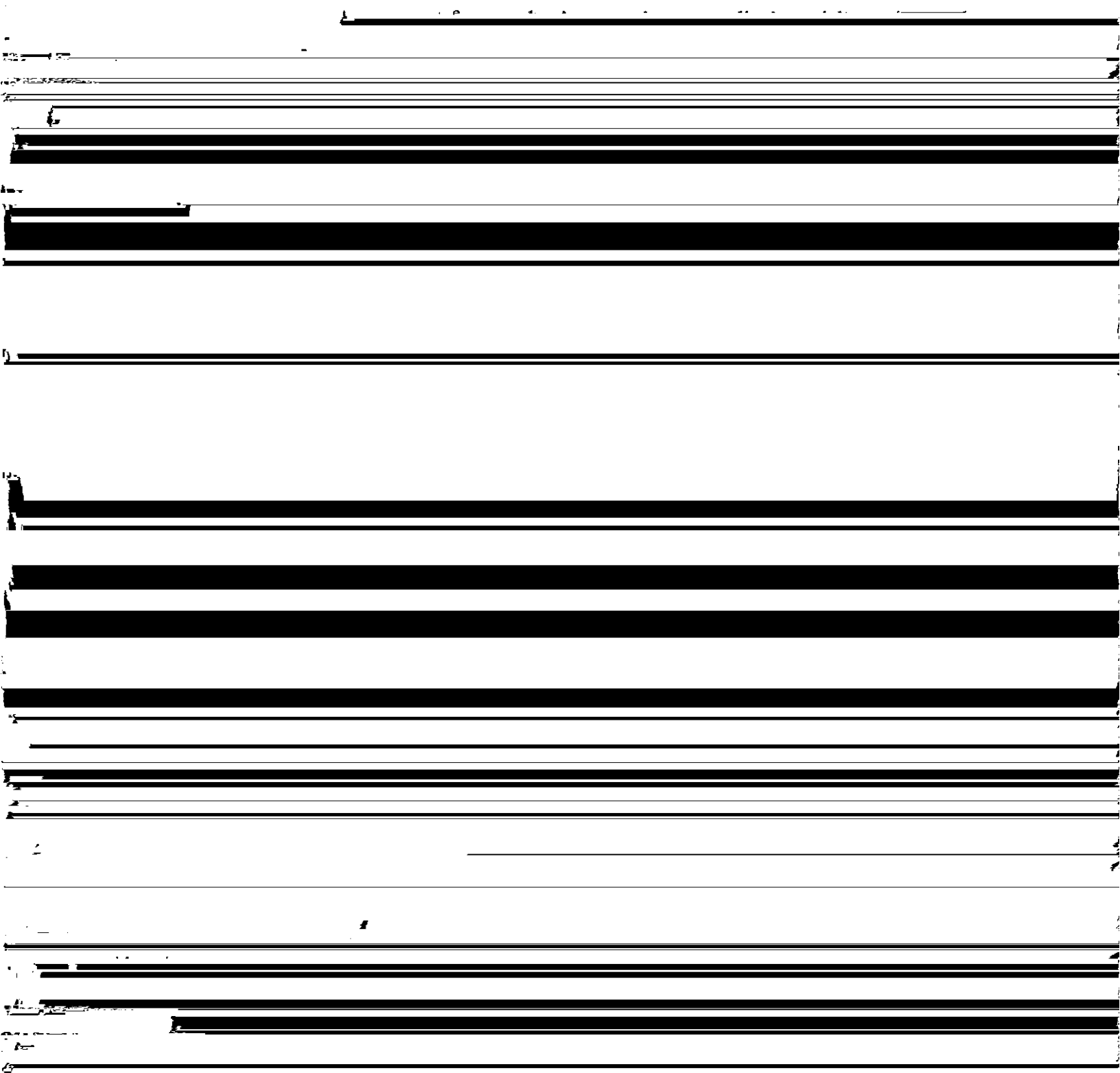
2. By **February 1, 2012**, the District will disseminate the final procedures for providing qualified interpreter services to all school-level administrators. As provided in I.D.1. above, the District will train appropriate staff on District procedures for effectively communicating with national-origin minority LEP parents by **May 1, 2012** and on an annual basis thereafter.

F. *Translation of Written Materials*

1. For predominant language groups, as determined by the District, the District will provide, to the extent feasible, written translations to national-origin minority LEP

origin minority LEP parents on the same basis that information is sent to other

- a. Registration and enrollment forms and registration and enrollment policy, practice, or procedure (including establishing residency within the district) do not request or require information regarding a student's, parent's, or guardian's citizenship or immigration status;
- b. No enrollment or registration material states or implies that a student, parent, or guardian must provide a passport or any other immigration-related document as a form of identification; and



h. As provided in section III.D. of this Agreement, the District will provide cultural sensitivity training to school front office staff.

2. By **March 15, 2012**, the District will provide OCR with a list of employees

~~(including each employee's title and site location) under the~~

and a copy of the training materials used. The training materials shall include OCR/DOJ's Dear Colleague Letter, dated May 6, 2011, and the related Qs & As document.

### III. EDUCATIONAL CLIMATE

A. The District agrees to take all steps reasonably designed to ensure that students enrolled in

2. The District will consult with the Equity Consultant regarding the analysis of the \_\_\_\_\_

survey results and submit an analysis of the results of the survey to OCR within sixty (60) calendar days of the date the surveys are administered for each year this Agreement is in force. The analysis will include recommendations for the climate issues identified through the surveys.

3. Based on a review of the results of the climate surveys, the District will work together in good faith with the Equity Consultant to agree on appropriate actions by the District to address all climate issues related to harassment, including \_\_\_\_\_