

**Resolution Agreement
Forsyth County Schools
Complaint No. 04-22-1281**

Forsyth County Schools (District) enters into this Resolution Agreement (Agreement) to resolve issues raised in Complaint No. 04-22-1281. The District assures OCR that it will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity receiving Federal financial assistance and Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in programs and activities that receive Federal financial assistance from the U.S. Department of Education.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. This Agreement does not constitute an admission of wrongdoing or liability by the District pursuant to Title VI or Title IX. Accordingly, to ensure compliance with Title VI and Title IX and their implementing regulations, the District voluntarily agrees to the following actions.

I. STATEMENTS CONCERNING BOOK REMOVAL AND OUTREACH TO STUDENTS

- a) The District will post, in locations readily available to the District's middle and high school students, a statement providing the following: i) an explanation of the parameters of the District's review of books removed from District media centers and classroom libraries (collectively "school libraries") in January 2022, including notice that the review focused on sexually explicit content, and the District did not remove any book based on the sex, gender, gender identity, sexual orientation, race, national origin or color of the book's author or characters; ii) notice that the District strives to provide a global perspective and promote diversity by including in school libraries materials about and by authors and illustrators of all cultures and that the District's book review criteria for library books includes evaluating whether books promote diversity by including materials about and by authors and illustrators of all cultures; iii) an acknowledgement that the environment surrounding removal of books may have impacted students; iv) notice that any student who feels impacted by the environment surrounding the removal of books can contact the District's Title IX/Title VI Coordinator for supportive measures; v) information about how to file a complaint about discrimination or harassment based on sex, race, color or national origin with a link to online forms for filing such complaints as well as the District's Title IX training materials; and vi) a statement that the District will take appropriate action regarding anyone found to have engaged in acts of harassment that create a hostile environment based on sex, race, color or national origin on District premises or in connection with District programs or activities.

- b) **Within one week** of receipt of OCR's approval of the statement and the proposed locations for publication and posting, the District will: i) post the statement alongside the annual notice of nondiscrimination on the District's website, and ii) publish and post the statement in the locations approved by OCR.
- c) **Within three business days** of contact from or on behalf of a student about concerns related to the removal of books in January 2022: i) the Title IX/Title VI Coordinator will respond to concerns related to an impact based on sex in a manner that is not deliberately indifferent, including informing the student about the availability of supportive measures with or without a formal complaint, offering supportive measures, considering the student's wishes with respect to supportive measures and explaining the process for filing a formal complaint; and ii) respond to concerns related to an impact based on race, color or national origin in a manner that is reasonable, timely, effective and tailored to redress fully the specific problems the student experienced as a result of the harassment.
- d) **Within two weeks** of receiving feedback from OCR regarding the District's responses to a student contact, the District will fully address OCR's feedback, until the District receives notice that no further reporting is required with respect to that student contact.

REPORTING REQUIREMENT I:

- a) **By July 31, 2023**, the District will submit to OCR for approval a draft of the statement and a plan for the how the District proposes to publish and post the statement. The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the statement and posting locations.
- b) **Within 30 calendar days** of receiving OCR's final approval of the statement and plan, the District will submit to OCR weblinks to where the statements were posted, copies of the publication(s) in which the statement was published, and photos of the locations within its schools where the statement was posted.
- c) **Within a week** after the end of each semester until monitoring of the Agreement is closed, the District will provide OCR a list setting out the following regarding each student contact about the impact of the removal of books: i) the date of the contact, name of the student or other reporter, the student's school and the nature of the concern; and ii) the date(s) and nature of all steps taken by the Title IX/Title VI Coordinator in response to the concern(s) raised by the student.
- d) **Within three weeks** of receipt of feedback from OCR regarding the District's response to a student contact, the District will provide OCR documentation demonstrating how it has addressed OCR's feedback.

II. CLIMATE ASSESSMENT

The District will administer a school climate survey at the District's middle and high schools before the end of the first semester of the 2023-2024 school year. The survey can be part of a larger survey regarding school climate already being used, or planned to be used, by any of the middle or high schools. The District will identify staff members to serve as a District Climate Survey Working Group (Working Group), which will make recommendations to the District regarding the climate survey. The District will designate one or more employees to coordinate the Working Group's meetings and activities, and the employee(s) will be responsible for informing the District of the Working Group's recommendations. The District will notify parents of an opportunity to provide input or comments about the survey to the Working Group. The Working Group will be tasked with providing the District with recommendations and input regarding strategies for an effective climate survey. The Working Group's recommendations to the District will, at a minimum, address:

- a) the prevalence of harassment based on sex, race, color or national origin in the District's middle and high schools;
- b) the willingness to report incidents of harassment to each middle and high school's personnel;
- c) the perception of each middle and high school's handling of reports and complaints of harassment; and
- d) suggestions for reducing incidents of harassment at each middle and high school and improving those schools' responses to reports and complaints of harassment.

After the middle and high schools climate survey is completed, the District will review the results to: (i) assess whether any additional student or other training is needed to further improve the climate at middle and high schools; (ii) develop a plan to improve the climate at each middle and high school identified as having climate concerns; and (iii) within **30 calendar days** of OCR's approval of the plan, implement the plan.

REPORTING REQUIREMENT II:

- a) **By August 15, 2023**, the District will provide OCR written notice of the scheduled climate survey administration date. **At least 90 calendar days before the scheduled climate survey administration date**, the designated employee who coordinated the Working Group will provide to the District Superintendent a written summary of the Working Group's recommendations. **At least 60 calendar days before** the scheduled climate survey administration date, the District will provide to OCR a report that includes a copy of the proposed middle and high school climate survey, along with the District's explanation of how it plans to implement the middle and high school climate survey. The District will promptly and fully address OCR's feedback, if any, until the

District receives OCR's final approval of the survey and notice from OCR that no further reporting is required for Reporting Requirement II a).

- b) **Within 30 calendar days after the climate survey is conducted**, the District will provide OCR with a copy of the final survey together with a report summarizing the results of the survey, the assessment of whether additional student or other training is needed to further improve the climate at middle and high schools and a description of the plan developed in accordance with Action Item IV above. The District will promptly and fully address OCR's concerns, if any, until the District receives notice from OCR that no further reporting is required for Reporting Requirement II b).

By signing the Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of the 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 the Agreement

The District understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the District is in compliance with the terms of the Agreement and the statute(s) and regulation(s) at issue in the case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the resolution agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

/s/
Forsyth County Schools Superintendent
(If designee, please print title below)
Assoc Supt. HR and Legal Services

May 19, 2023
Date