



U.S. Department of Justice

Civil Rights Division, Educational Opportunities Section
U.S. Attorney's Office, District of Utah



Summary of
Settlement Agreement
between
The United States of America
and
The Davis School District





Overview

This document provides an overview of the Settlement Agreement between the United States and Davis School District to address:

- 1 Student-on-student and staff-on-student racial harassment**
- 2 Discriminatory discipline of Black students**
- 3 Denial of Black students' requests to form and maintain student groups**

The United States Department of Justice, Civil Rights Division, Educational Opportunities Section and the U.S. Attorney's Office for the District of Utah initiated this investigation under Title IV of the Civil Rights Act of 1964 in July 2019. On October 20, 2021, the United States and the District entered into a Settlement Agreement to ensure equal access to District programs without regard to race.

This Summary is intended to increase awareness of the Settlement Agreement and share the steps the District will take to address racial discrimination in its schools. It will also help students and parents better understand the rights of students to attend school free from discrimination based on race. This Summary is designed for those who may not have a legal background.





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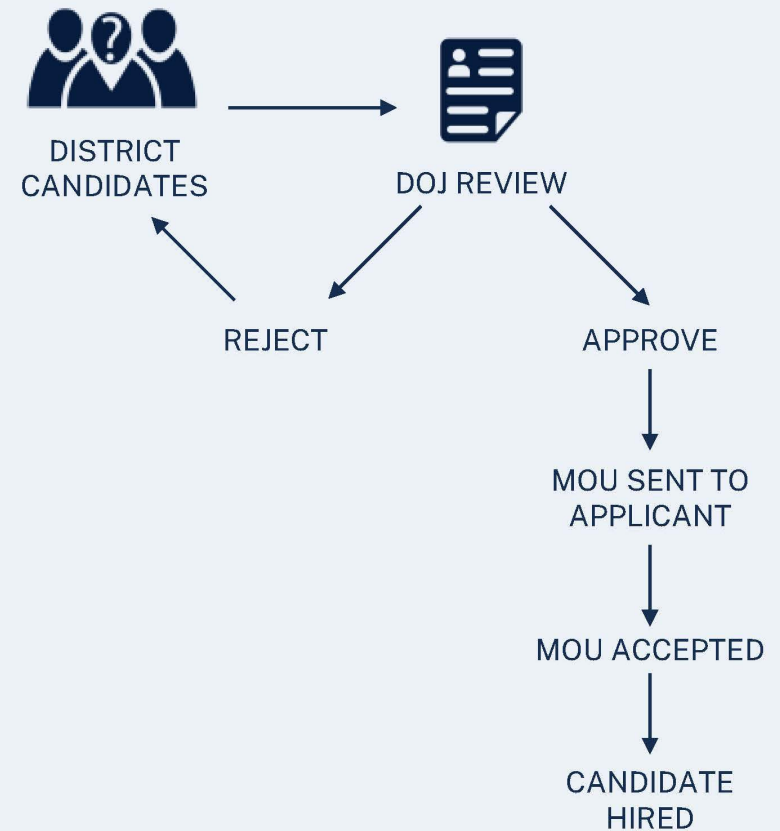


Section 1: General

Highlights

The **District will hire one or more third-party consultants** to:

- **Review and assess harassment policies** and procedures;
- Analyze and **address discriminatory discipline**;
- **Create trainings** to help staff identify, investigate, report, and respond to student-on-student and staff-on-student racial harassment or other discrimination;
- **Monitor and assess** the District's progress in implementing the Agreement; and
- Potentially **recommend additional experts or trainers** where needed to meet the requirements of the Agreement.



Deadline:
District will select final candidate(s)
by **December 20, 2021.**



Section 2: Office of Equal Opportunity (OEO)

Highlights

The District will update its personnel structure by:

- Creating a new **“Office of Equal Opportunity”** (OEO);
- Hiring a **full-time Director of OEO** to oversee the Department and to fulfill the mission;
- Hiring at least **three, full-time District-level staff members** (District Equal Opportunity Coordinators) to support OEO’s mission;
- **Appointing employees to act as School Equal Opportunity Coordinators** (School Coordinators) for at least two years;
- Assembling an **OEO Committee** to oversee and facilitate the District’s compliance with the Agreement during the 2021-2022 school year; and
- Drafting and submitting a **detailed plan for the OEO**.

Department Structure



Office of Equal Opportunity



OEO Director



District Equal Opportunity Coordinator



District Equal Opportunity Coordinator



District Equal Opportunity Coordinator



School Equal Opportunity Coordinators





Section 3: Reporting & Responding to Complaints

Highlights

The District will develop a **centralized electronic reporting/case management system** to receive, track, and manage all complaints or reports of racial harassment and other racial discrimination.

This **system will be available to the public.**

The District will use this system to **record its response to such complaints and communications with complainants.**

District or School Coordinators will **enter into this system a detailed summary** of actions taken in response to the complaint **within 10 days** of receiving the complaint.

The District will **retain this information for at least 5 years** from the date of the incident.

The system will include functionality to:

- **Generate data and reports;**
- Allow users to **create timelines to track the District's responses** to complaints;
- **Track staff's compliance** with District complaint response procedures; and
- Generate letters to complainants, witnesses, or staff or students alleged to have engaged in harassment **notifying them of the District's findings and conclusions.**



Deadline:

District will develop a centralized reporting system by **April 30, 2022** and implement new complaint procedures by the **2022-2023 school year.**



Section 4: Notice on Anti-Harassment & Non-Discrimination

Highlights

Each year, the District will **send a notice to all students, parents, and staff** stating the District's commitment to creating and maintaining a safe and welcoming environment for all students that is free from harassment and other discrimination.

- The notice will describe the **District's duty to promptly and appropriately investigate and resolve** complaints of discrimination, including race-based harassment, and will encourage students and parents who believe a student was subjected to harassment or discrimination to **file a complaint** or report it to the District Coordinator.
- The District will issue the notice **within 30 days** of signing the Agreement and **within 7 days of the start** of each school year starting in 2022-2023.

The notice of nondiscrimination policy must be sent out via the following communication channels:

- Direct mail to all students, parents, and staff;
- Email to all students, parents, and staff;
- District homepage;
- All District social media pages;
- In the central office; and
- In the Student Code of Conduct.

Deadline:

District will issue notice **within 30 days** of the Agreement and **within 7 days** of the start of future school years.



Section 5: Culture, Climate, & Community Engagement

Highlights

To create an environment free from discrimination and harassment, the Director of OEO and the Consultant(s) will:

- Create a plan for harassment-free learning for all (**Engagement Plan**) by soliciting input from diverse groups of students;
- **Host outreach events and assemblies** on the District's harassment and discrimination policies;
- **Distribute two annual surveys**, one for students and one for parents, that will assess program effectiveness; and
- Convene **secondary school student focus** groups each year.

Deadline:

Engagement Plan due by **July 1, 2022** for the 2022-2023 school year and **14 days before the start** of future school years.

Additionally, the District will create a *second* plan to improve school culture and climate (**School Culture and Climate Improvement Plan**) that will:

- Address racial harassment and the discriminatory administration of discipline;
- Develop clear procedures for how students can apply to start student organizations, including rules for organizations;
- Provide specialized counseling to students who have experienced trauma from racial harassment and hostile environments; and
- Consider ways to increase representation of diverse students and staff in District materials, groups, programs, initiatives, and activities.

Deadline:

School Culture and Climate Improvement Plan due by **May 27, 2022**.



Section 6: Policies & Procedures

Highlights

In partnership with the District, the **Consultant(s) will:**

- Review and assess all District- and school-level policies, practices, and procedures related to racial harassment and discrimination, including student discipline;
- Provide the District with a Report and Recommendations to address:
 - racial harassment;
 - discriminatory administration of discipline; and
 - discriminatory access to student groups.

Deadline:

Consultant's report due to District no later than
March 25, 2022.

District must submit recommendations for policy changes by **April 29, 2022.**

The District will incorporate Consultant recommendations into its policies and procedures before submitting to the school board and the United States for final approval.

The Report and Recommendations must include:

- Detailed explanation of how OEO and other departments and programs will implement the policies and procedures.
- Topics and the specific requirements for each topic described in the Policy Addendum.





Section 7: Training & Professional Development

Highlights

The District will create a **Professional Development Program** that includes:

- **Annual training program** for all student-facing staff;
- **Mandatory training** that must be completed by **August 20, 2022** for the 2022-2023 school year and by June 1 for future school years;
- **Smaller school- and department-level workshops** to teach staff how to identify, report, and respond to racial harassment; and
- Trainings **led by qualified instructors** to cover the topics in the Policy Addendum.

Deadline:

Professional Development Program
due on **March 31, 2022.**

The District will create a **Priority School and Priority Staff Assistance and Training Program** that includes:

- **Targeted trainings and assistance** for staff and schools where data indicate that particularized training and support are needed to administer discipline in a nondiscriminatory manner.

Priority Training Materials for use with “priority staff” and “priority schools” as determined by the District.

These priority trainings will begin in the 2022-2023 school year and will be tailored to focus on the **specific areas of need**, as identified by the Director of OEO and Consultant(s).

Deadline:

Priority School and Priority Staff Assistance and
Training Program due on **June 1, 2022.**



Section 8: Monitoring & Reporting

Highlights

The District will ensure that:

- By **October 1 each year**, the District will provide the information contained in Appendix A for the current school year;
- By **July 1 each year**, the District will provide the information contained in Appendix B for the school year that just ended;
- District Coordinators create **quarterly reports** for the meetings with the Director of OEO and Assistant Superintendent describing the school- and District-level compliance progress; and
- Starting July 1, 2023 and every July thereafter, the District will conduct a **multi-year review** of the District's progress in responding to complaints of racial harassment and addressing discriminatory discipline practices.



Deadline:
The District's reports are due by **October 1** and **July 1** of each year covered by this Agreement.



District Responsibilities to Students and Parents

The District makes the following commitments to students and parents:



REPORTING

Case management system for reporting harassment and discrimination and timely responses



FOCUS GROUPS

Secondary school student focus groups to discuss District practices and progress will convene twice a year



NOTICES

Non-discrimination policies sent via U.S. mail and email to all families.



SURVEYS

Annual surveys for both students and parents to invite feedback and increase transparency



LEARNING

Outreach events and student assemblies on policies and bullying and harassment intervention programs for students



TRUST IN COMMUNICATION

Increased communication and transparency in the complaint process for students and parents

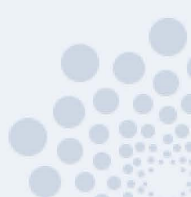
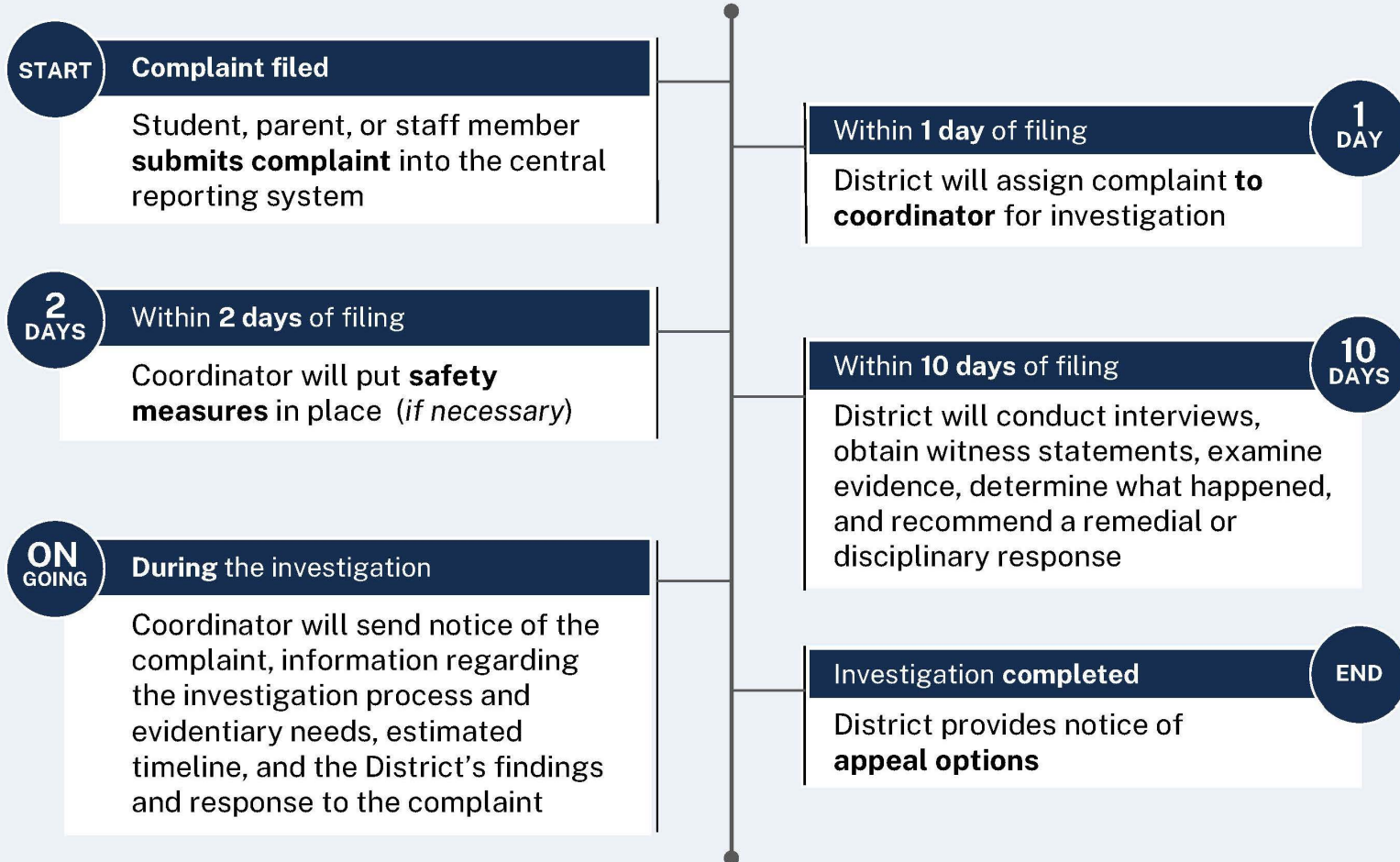




NEED HELP?

What Should You Do if You Witness or Experience Harassment or Other Forms of Discrimination?
File a complaint

Complaints Procedure Timeline





Duties of Coordinators

General Information

District Coordinators	School Coordinators
<ul style="list-style-type: none"> At least 3 District Coordinators Based in OEO Full-time position (1.0 FTE) 	<ul style="list-style-type: none"> At least 30 School Coordinators * Based in local schools (in addition to general job duties) Annual stipend, minimum 2 year term

Student-on-student complaints **

District Coordinators	School Coordinators
<ul style="list-style-type: none"> Investigate complaints of student-on-student racial harassment and other racial discrimination that involve recurring students, physical harm or threats of physical harm, or involve allegations of discrimination against administrators 	<ul style="list-style-type: none"> Investigate and respond to all complaints of student-on-student racial harassment and racial discrimination not elevated to the District Coordinators

(*) Elementary School Coordinators will cover up to 4 schools. Secondary School Coordinators will cover up to 3 junior high or 2 high schools.

(**) The District will develop protocols to determine which student-on-student complaints should be investigated by a District Coordinator or a School Coordinator.





Duties of Coordinators

Staff-on-student complaints

District Coordinators	School Coordinators
<ul style="list-style-type: none"> Monitor the investigations led by the Department of Human Resources or ACT Committee to ensure the District follows the proper procedures 	<p><i>Not involved in investigations of staff-on-student complaints</i></p>

Responding to complaints

District Coordinators	School Coordinators
<ul style="list-style-type: none"> Within 10 days of receipt of a complaint, enter a detailed summary of actions taken in response to the complaint Receive copies of every complaint filed in the centralized reporting/case management system Oversee all complaints filed in the system and coordinate with other compliance officers on complaints that allege harassment or discrimination 	<ul style="list-style-type: none"> Within 10 days of receipt of a complaint, enter a detailed summary of actions taken in response to the complaint





Duties of Coordinators

District Meetings

District Coordinators	School Coordinators
<ul style="list-style-type: none"> Meet monthly during Year 1 and quarterly thereafter with the Director of OEO, Consultant(s), and all School Directors and Director of Human Resources (separately) Meet monthly during Year 1 and quarterly thereafter with the OEO Director and Assistant Superintendent to assess District progress with implementing terms of Agreement 	

Culture, Climate, & Community Engagement

District Coordinators	School Coordinators
<ul style="list-style-type: none"> Assist Elementary and Secondary School Directors with hosting parent and community outreach events Analyze the results of the annual surveys and focus groups with the OEO Director and incorporate the analysis into the annual Effectiveness Assessment Report 	





Duties of Coordinators

Improving School and District Culture and Climate

District Coordinators	School Coordinators
<ul style="list-style-type: none"> Analyze the student and parent surveys and focus group results with the Director of OEO and incorporate analysis into the annual Effectiveness Assessment Report 	

Monitoring & Reporting

District Coordinators	School Coordinators
<ul style="list-style-type: none"> Monitor compliance with the Agreement Manage all report submissions (quarterly and annual) and communication and coordination with the United States Assist in hiring consultants and training facilitators Maintain and improve the complaint portal Review disciplinary practices to reduce discrimination and promote equitable implementation 	<ul style="list-style-type: none"> Monitor the effectiveness of the school's response to harassment complaints and recommend additional remedies where a response is ineffective





Contact Information

Davis School District

If you have concerns about racial discrimination in any Davis School District school, please reach out to the Office of Equal Opportunity.

Contact Office of Equal Opportunity:

✉ OEOcomplaints@dsdmail.net

☎ (801) 402-5357

U.S. Department of Justice, Civil Rights Division, Educational Opportunities Section

If you have questions, concerns, or information about racial discrimination in the District, please contact the Department's dedicated email address.

Please let us know when and where the incident(s) occurred, if the information has been reported to a school or District administrator, and how the school or District responded.

Contact DOJ Civil Rights Division:

✉ Community.Davis@usdoj.gov

You may also submit a complaint to the Department through the:

[Civil Rights Division Complaint Portal](#)

