



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

**United States Attorney's Office  
District of Utah**

DJ 169-77-26 SS:WP:AV:JJ:FM  
USAO: 2019V00231

U.S. Mail: 950 Pennsylvania Ave., NW  
4CON, Rm. 10.1117  
Washington, DC 20530  
Overnight: 150 M Street, NE,  
10<sup>th</sup> Floor, Rm. 1117  
Washington, DC 20002

May 6, 2022

**By Electronic Mail**

Heidi Alder  
Lear & Lear Education Law Group  
808 E. South Temple  
Salt Lake City, UT 84102

Benjamin Onofrio, General Counsel  
Davis School District  
45 E. State St.  
P.O. Box 588  
Farmington, UT 84025-0588

**Re: Amendment to 2021 Settlement Agreement Regarding Racial Discrimination  
in Davis School District**

Dear Ms. Alder and Mr. Onofrio:

As you know, on October 20, 2021, the United States Department of Justice and the Davis School District executed a Settlement Agreement to resolve the United States' determination under Title IV of the Civil Rights Act of 1964, 42 U.S.C. § 2000c, *et seq.*, that the District deprived students of their equal protection rights based on race.

The Agreement requires that the District designate 30 District employees as School Equal Opportunity Coordinators (School Coordinators) who would, among other duties, respond to complaints of race discrimination, including racial harassment. Agreement ¶ 15. The District, with its Consultants, determined that it would better serve the purpose of the Agreement to hire five full-time School Coordinators, and has requested to amend the Agreement in this regard. The United States agrees that this change will improve accountability and oversight and therefore agrees to this request.


As a result, paragraph 15 is revised as follows:

15. By July 1, 2022, the District will hire five full-time School Equal Opportunity Coordinators (School Coordinators) to join the OEO to investigate and respond to all complaints of student-on-student racial harassment and other racial discrimination (including discriminatory discipline) that are not elevated to a District Coordinator (*see* Appendix C). The District will hire candidates with a demonstrated a commitment to racial equity who have effectively addressed incidents of racial harassment or other racial discrimination.
  - a. Before selecting School Coordinators, the District will submit its recommendations for each position to the United States for review and comment.
  - b. The specific duties of the District Coordinators and School Coordinators are outlined in Appendix C. The District may propose to include the School Coordinators in additional OEO functions, such as the meetings described in paragraphs 24-25 and cultural, climate, and community engagement described in paragraphs 32, 37, and 38. These proposals should be created in consultation with the Consultant and submitted to the United States for review and comment.
  - c. The District will propose how it plans to allocate among the School Coordinators all complaints of harassment and other racial discrimination not elevated to a District Coordinator (e.g., by school, by assignment by OEO Director) in the Complaint Procedures described in Paragraph 22.
  - d. If, over time, the Director or Consultant determines that additional staffing resources are needed, the District will either transfer or hire additional staff to ensure compliance with this Agreement and Federal law.

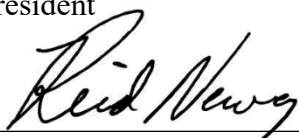
This letter does not relieve the District of any of its substantive obligations under the Agreement, and the United States will continue to monitor the Agreement consistent with its existing terms and enforcement mechanisms.

**For the Davis School District:**

**For the United States of America:**

  
 \_\_\_\_\_  
 JOHN ROBISON, Board of Education  
 President




  
 \_\_\_\_\_  
 REID NEWAY, Superintendent

\_\_\_\_\_  
 SHAHEENA A. SIMONS  
 WHITNEY M. PELLEGRINO  
 ARIA S. VAUGHAN  
 JADINE C. JOHNSON  
 LAURA FENTONMILLER  
 United States Department of Justice  
 Civil Rights Division  
 Educational Opportunities Section  
 150 M Street, NE  
 Washington, DC 20002  
 (202) 514-4092  
[Aria.Vaughan@usdoj.gov](mailto:Aria.Vaughan@usdoj.gov)

Davis School District  
 45 E. State Street  
 P.O. Box 588  
 Farmington, UT 84025  
 (801) 402-5261

[Jadine.Johnson@usdoj.gov](mailto:Jadine.Johnson@usdoj.gov)  
[Laura.Fentonmiller@usdoj.gov](mailto:Laura.Fentonmiller@usdoj.gov)

TRINA A. HIGGINS  
United States Attorney  
District of Utah



---

CARRA S. CADMAN  
Assistant United States Attorney  
111 South Main Street, Suite 1800  
Salt Lake City, UT 84111  
(801) 524-5682  
[Carra.Cadman@usdoj.gov](mailto:Carra.Cadman@usdoj.gov)

Date: May 10, 2022