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.
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.

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

**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.

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.

Deadline:
Consultant’s report due to District no later than March 25, 2022.
District must submit recommendations for policy changes by April 29, 2022.
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:

<table>
<thead>
<tr>
<th>Reporting</th>
<th>Focus Groups</th>
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<tbody>
<tr>
<td>Case management system for reporting harassment and discrimination and timely responses.</td>
<td>Secondary school student focus groups to discuss District practices and progress will convene twice a year.</td>
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<table>
<thead>
<tr>
<th>Notices</th>
<th>Surveys</th>
</tr>
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<tbody>
<tr>
<td>Non-discrimination policies sent via U.S. mail and email to all families.</td>
<td>Annual surveys for both students and parents to invite feedback and increase transparency.</td>
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<thead>
<tr>
<th>Learning</th>
<th>Trust in Communication</th>
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<tbody>
<tr>
<td>Outreach events and student assemblies on policies and bullying and harassment intervention programs for students.</td>
<td>Increased communication and transparency in the complaint process for students and parents.</td>
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</tbody>
</table>
Complaints Procedure Timeline

START: Complaint filed
Student, parent, or staff member submits complaint into the central reporting system

Within 1 day of filing
District will assign complaint to coordinator for investigation

Within 2 days of filing
Coordinator will put safety measures in place (if necessary)

Within 10 days of filing
District will conduct interviews, obtain witness statements, examine evidence, determine what happened, and recommend a remedial or disciplinary response

During the investigation
Coordinator will send notice of the complaint, information regarding the investigation process and evidentiary needs, estimated timeline, and the District’s findings and response to the complaint

Investigation completed
District provides notice of appeal options

END
# Duties of Coordinators

## General Information

<table>
<thead>
<tr>
<th>District Coordinators</th>
<th>School Coordinators</th>
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</thead>
<tbody>
<tr>
<td>• At least 3 District Coordinators</td>
<td>• At least 30 School Coordinators *</td>
</tr>
<tr>
<td>• Based in OEO</td>
<td>• Based in local schools (in addition to general job duties)</td>
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<tr>
<td>• Full-time position (1.0 FTE)</td>
<td>• Annual stipend, minimum 2 year term</td>
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## Student-on-student complaints **

<table>
<thead>
<tr>
<th>District Coordinators</th>
<th>School Coordinators</th>
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</thead>
<tbody>
<tr>
<td>• 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</td>
<td>• Investigate and respond to all complaints of student-on-student racial harassment and racial discrimination <strong>not elevated to the District Coordinators</strong></td>
</tr>
</tbody>
</table>

(*) *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

<table>
<thead>
<tr>
<th>District Coordinators</th>
<th>School Coordinators</th>
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<tbody>
<tr>
<td>• Monitor the investigations led by the Department of Human Resources or ACT Committee to ensure the District follows the proper procedures</td>
<td>Not involved in investigations of staff-on-student complaints</td>
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</table>

### Responding to complaints

<table>
<thead>
<tr>
<th>District Coordinators</th>
<th>School Coordinators</th>
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<tbody>
<tr>
<td>• Within 10 days of receipt of a complaint, enter a detailed summary of actions taken in response to the complaint</td>
<td>• Within 10 days of receipt of a complaint, enter a detailed summary of actions taken in response to the complaint</td>
</tr>
<tr>
<td>• Receive copies of every complaint filed in the centralized reporting/case management system</td>
<td></td>
</tr>
<tr>
<td>• Oversee all complaints filed in the system and coordinate with other compliance officers on complaints that allege harassment or discrimination</td>
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## Duties of Coordinators

### District Meetings

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<thead>
<tr>
<th>District Coordinators</th>
<th>School Coordinators</th>
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<tr>
<td>• 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)</td>
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<tr>
<td>• Meet monthly during Year 1 and quarterly thereafter with the OEO Director and Assistant Superintendent to assess District progress with implementing terms of Agreement</td>
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### Culture, Climate, & Community Engagement

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<tr>
<th>District Coordinators</th>
<th>School Coordinators</th>
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<tbody>
<tr>
<td>• Assist Elementary and Secondary School Directors with hosting parent and community outreach events</td>
<td></td>
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<tr>
<td>• Analyze the results of the annual surveys and focus groups with the OEO Director and incorporate the analysis into the annual Effectiveness Assessment Report</td>
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</table>
### Duties of Coordinators

**Improving School and District Culture and Climate**

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<tr>
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<tbody>
<tr>
<td>• Analyze the student and parent surveys and focus group results with the Director of OEO and incorporate analysis into the annual Effectiveness Assessment Report</td>
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</table>

**Monitoring & Reporting**

<table>
<thead>
<tr>
<th>District Coordinators</th>
<th>School Coordinators</th>
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<tbody>
<tr>
<td>• Monitor compliance with the Agreement</td>
<td>• Monitor the effectiveness of the school’s response to harassment complaints and recommend additional remedies where a response is ineffective</td>
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<tr>
<td>• Manage all report submissions (quarterly and annual) and communication and coordination with the United States</td>
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<tr>
<td>• Assist in hiring consultants and training facilitators</td>
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<tr>
<td>• Maintain and improve the complaint portal</td>
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<tr>
<td>• Review disciplinary practices to reduce discrimination and promote equitable implementation</td>
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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:

✉️ OEComplaints@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