

Resolution Agreement  
Stony Creek Joint Unified School District  
Docket Number 09-13-1452

To resolve the compliance issues identified by the U.S. Department of Education, Office for Civil Rights (OCR), during its investigation of the above-referenced complaint filed pursuant to Title VI of the Civil Rights Act of 1964 and its implementing regulation, the Stony Creek Unified School District (District) agrees to take the following actions:

- I. Policy and Procedures.
  - A. The District will revise its Uniform Complaint Procedure Board Policy (Policy) and Uniform Complaint Procedure Administrative Regulation (Procedures) to provide an effective process for responding to allegations of discrimination including:
    - a. The Policy will be revised to clarify that it applies to discrimination based on race, national origin, color, sex and disability.
    - b. The Procedures will be revised to:
      - i. Specify the ways in which parents, guardians, students, teachers and administrators are notified of the Policy and Procedure;
      - ii. Clarify that informal resolution is voluntary, is not a condition to proceeding with a formal complaint, and must be facilitated by an individual with appropriate training;
      - iii. Clarify the time frames for investigation completion and notice of the District's determination;
      - iv. Describe how the District will investigate complaints, including reviewing documentation and interviewing witnesses;
      - v. Clarify the sections on Appeals to the California Department of Education, Complaints Alleging Unlawful Discrimination and Intervention by the Superintendent of Public Instruction and Special Education so as to provide a clear process for responding to discrimination complaints.
  - B. The District will distribute the revised version of the Policy and Procedures to all employees by providing each employee with a hard copy as well as an electronic copy. The District will post the Policy and Procedures in a prominent place on its website and in its parent handbook. The District will delete the inaccurate references to the Procedures in the parent handbook.

- II. Guidance. The District will distribute a memo to all District staff regarding the District's obligation to provide a nondiscriminatory education environment. The memo will include the following information:
  - A. A statement prohibiting race, color, national origin, sex and disability discrimination, including peer harassment;
  - B. The District's responsibility under the federal civil rights laws to respond promptly and appropriately to alleged or suspected discrimination, regardless of whether a complaint has been filed;
  - C. A summary of the UCP with a reference to where individuals can locate the full procedure, and the name and contact information of the District level individual responsible for responding to discrimination complaints.
- III. Recordkeeping.
  - A. The District will create a log to be maintained by each school site of verbal and written reports of discrimination based on race, color or national origin. The log will include the date of the alleged incident, the date of the report/complaint, the nature of the report/complaint (including who was involved and their race, color or national origin), the date of resolution, the nature of the resolution (including any discipline implemented), and the date the complainant, victim or other interested parties were notified of the school's decisions and actions in response.
  - B. The District will maintain a centralized log. Each school site will provide a copy of its log to the District's central office at the end of each semester to be included in the centralized log.
  - C. The Superintendent or his/her designee will review the log no less than monthly and will determine whether there were deficiencies in any of the site responses. If so, the District will correct those deficiencies immediately and take other steps to ensure that site administrators' responses comply with the UCP.
- IV. Training. Upon completion of the revised Policy and Procedures, the District will provide mandatory training to all administrators, teachers and counselors on the new procedures and on how to recognize and appropriately respond to conduct that may constitute discrimination, including harassment.
  - A. Survey. The District will design, distribute and analyze a survey for the purpose of having an accurate understanding of race relations from the students' perspective. The survey will ask questions designed to assess the presence and effect of harassment based on race, color or national origin within District schools.

- B. The District will administer the survey to all students in grades 6-12, and take steps to maximize student participation.
  - C. The survey results will be analyzed and summarized by an appointed District staff member with relevant expertise. The summary will include recommendations for how the District will address any climate issues identified through the survey. The Superintendent will share the survey summary with the District's Board annually.
- V. Investigation. The District will investigate and resolve the race discrimination allegation filed on September X, 2013. The investigation will include interviews with relevant witnesses and review of other pertinent evidence, and result in a written determination of whether discrimination occurred and, if so, the actions appropriate to remedy the discrimination. The written determination will be sent to the Complainant in a timely manner.
- VI. Reporting.
- A. Section I. The District will provide OCR with a copy of its revised Policy and Procedures by April 30, 2014. The revised Policy and Procedures will be adopted within 10 business days of OCR approval, or at the next regularly scheduled Board meeting. Documentation of the adoption of the Policy and Procedures will be provided by May 30, 2014.
  - B. Section II. The District will provide OCR with a draft of the guidance described in Section II by April 30, 2014. Documentation showing distribution of the guidance will be submitted to OCR by May 30, 2014.
  - C. Section III. The District will create and submit to OCR a log as described in Section III by April 30, 2014. The District will submit one full academic year of log entries by June 30, 2015.
  - D. Section IV. The District will provide to OCR documentation of its training on its revised policy and procedures, and on how to appropriately respond to race, color, and national origin discrimination complaints by May 30, 2014.

The District will also provide OCR with a draft survey as described in Section IV by April 30, 2014. Within 20 business days of OCR approval, the survey will be administered as described in Section V. By May 30, 2014 the survey results, including the summary, will be provided.

- E. Section V. The District will provide OCR with documentation of its investigation, including interview notes, its written determination, and proof that the written determination was sent to the Complainant by May 30, 2014.

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/s/

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3/25/2014

Superintendent  
Stony Creek Joint Unified School District

Date