

Resolution Agreement  
Placentia Yorba Linda Unified School District  
Case No. 09-16-1286

The Placentia Yorba Linda Unified School District (District), without admitting to any violation of state or federal law, agrees to implement this Resolution Agreement (Agreement), in order to resolve the issues investigated by the U.S. Department of Education Office for Civil Rights (OCR) under Title IX of the Education Amendments of 1972 as amended, 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106 (Title IX), Title II, of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation, at 28 C.F.R. Part 35 (Title II), and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504) in the above referenced case.

I. Sexual Harassment Procedures and Notice of Nondiscrimination

- A. The District provided OCR with its revised Title IX related procedures, BP/AR 1312.3 and 5145.7, on September 12, 2016. Within 90 days of OCR's review and approval of the draft procedures, the District will adopt and publish the revised procedures and provide OCR with documentation showing that it has done so.
- B. The District will update its Notice of Nondiscrimination to include information regarding the revised Title IX related procedures and the contact information for the Title IX Coordinator, including name, title, phone number, address, and email address, on the District's website home page.

Reporting Requirements:

By January 31, 2017, the District will provide OCR with a draft of its revised Notice of Nondiscrimination for OCR's review and approval. Within 10 days of OCR's approval of the Notice of Nondiscrimination, the District will publish the revised Notice of Nondiscrimination in accordance with 34 C.F.R. § 106.9(b) and as described in II and provide OCR with documentation showing that it has done so.

## II. Distribution of Title IX Related Procedures and Notice of Nondiscrimination

Within 30 days of adopting its Title IX related procedures and the Notice of Nondiscrimination referred to in Item I, the District will distribute the procedures and notice by including a link on the homepage of the District's website to the procedures, the Notice of Nondiscrimination, and the Title IX Coordinator's contact information. This information will also be updated in the Parent Information Packet and the Student Handbook. Hard copies of the Parent Information Packet and the Student Handbook will be updated when revised for printing.

### Reporting Requirements:

Within 40 days of adopting the procedures, the District will provide OCR with the link on the homepage to the items described above. The District will also provide OCR with a copy of the Parent Information Packet and the Student Handbook by August 2017, which will include information about the revised Title IX Procedures and Notice of Nondiscrimination.

## III. Staff Guidance and Training

A. Within 30 days of adopting the procedures, the District will provide OCR with a draft Guidance Memorandum summarizing the updates to the District's Title IX related procedures for all District and site level administrators and staff. The Guidance Memorandum will include a description of the District's revised Title IX related procedures, information about the Title IX Coordinator, and what to do if a Title IX concern comes to a staff member's attention. Within 10 days of receiving OCR's approval of the Guidance Memorandum, the District will distribute the Guidance Memorandum to all District and site level administration and staff by email or other means.

B. The District will also hold training for those staff members who are responsible for responding to an allegation of sex discrimination, including school site administrators. The training will review: 1) the District's revised procedures; 2) when parents/guardians should be

informed of their right to file a complaint under the District's Uniform Complaint Procedures; 3) how to conduct an adequate, prompt, reliable, and impartial investigation and the appropriate legal standards that is to be used in reaching its determinations; 4) provision of interim and other remedies for affected students; 5) how to adequately provide written notice of the outcome of the District's investigation; and 5) clarification that some student misconduct that falls under the District's anti-bullying policy may also violate civil rights statutes if the harassment is based on sex, disability, race, color, or national origin. OCR will also provide the District with information and resources to provide to those who attend the training.

#### Reporting Requirements:

By January 31, 2017, the District will provide OCR for review and approval, the materials that will be used during the staff training, including copies of any slide presentation and materials that will be distributed and the name, title and qualifications of the trainer(s). This training may be provided via video or in-person.

By January 31, 2017, the District will provide OCR with the dates of when the trainings described in Item II.B will take place. Within 10 days after each training has taken place during the 2016-17 school year, the District will provide OCR with a copy of the sign-in sheets that includes the names and titles of the staff members who attended, the materials distributed, and the dates of each training.

#### IV. Additional Information for Students

The District will continue to provide information specifically designed to inform students at the middle and high school about appropriate social and relationship boundaries and how to recognize, prevent, and avoid sexually harassing interactions and relations. Students will also be reminded that they can report incidents of sexual harassment or assault using the Text-A-Tip number for their school. The information will be continue to be provided in the 2016-17 school year.

#### Reporting Requirements:

By January 31, 2017, the District will provide OCR for review and approval a written description of the information that will be provided to the students as a reminder. Once OCR approves the information that will be provided to the students, the District will schedule disseminating the information within 30 days at the middle and high schools. This information may be disseminated via email. Within 10 days of when the trainings are held, the District will provide OCR with the dates information was shared at the middle and high schools.

#### V. Monitoring

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, 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 and is in compliance with the statute(s) and regulation implementing Title IX and its implementing regulations, which were at issue in this case.

The District understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with Title IX and its implementing regulations.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the District written notice of the alleged

breach and sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/s/\_\_\_\_\_  
Greg Plutko, Ed.D., Superintendent  
Placentia-Yorba Linda Unified School District

December 15, 2016