

RESOLUTION AGREEMENT
San Juan Unified School District
OCR Docket Number 09-16-1345

In order to voluntarily resolve the issues investigated and concerns identified in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (“OCR”), under Title IX of the Education Amendments Act of 1972 and its implementing regulations (“Title IX”), the San Juan Unified School District (“District”) agrees to implement the following provisions in this Resolution Agreement (“Agreement”).

I. GUIDANCE TO STAFF REGARDING TITLE IX

- A. By **June 1, 2017**, the District will draft and provide to OCR for its review and approval a memorandum to be distributed to all District and school staff regarding the prohibition on discrimination, including harassment, under Title IX. The memorandum will be written at a level appropriate for staff without a legal or policy background. The memorandum will include the following information:
1. The District’s responsibilities pursuant to Title IX with reference to the applicable federal regulation;
 2. A description and summary of the District’s policies and procedures related to compliance with Title IX, including policies and procedures for preventing, reporting, and investigating discrimination and harassment based upon sex or gender and the steps a District staff member should take if they observe or are informed of alleged discrimination or harassment based upon sex or gender; and
 3. Contact information for the District’s Title IX Coordinator including his or her name, title, and role in the prevention, reporting, and investigation of complaints of discrimination and harassment based upon sex or gender. The memo will also encourage staff members to directly contact the Title IX Coordinator if they have any questions or concerns about the District’s compliance with Title IX.
- B. Reporting requirements, Section I
1. Within 15 calendar days of OCR’s approval of the memorandum, the District will distribute it to all certificated personnel and classified personnel who routinely interact with students. Within one week of the District’s distribution of the guidance, the District will provide OCR with evidence sufficient to demonstrate that the guidance has been distributed in accordance with this agreement, such as an email sent to staff with the attached memorandum.

II. STAFF TRAINING REGARDING TITLE IX

- A. OCR will provide training on Title IX to District administrators and staff during the 2017-2018 school year.
1. The District administrators at the training will include the following individuals: Superintendent; General Counsel; Associate Superintendent of Schools and School Supports; Senior Director of Community Relations; Assistant Superintendent of Secondary Education; Assistant Superintendent of Elementary Education; Assistant Superintendent of Educational Services; Director of Student Support Services; Director of Special Education; Director of Student Learning Assistance; Director

of Equity and Student Achievement; Director of CTE, K-12 Counseling, and College/Career Readiness, Directors of Elementary and K-8 schools; Director of Professional Learning and Curriculum Development; Assistant Superintendent of Human Resources; Director of Certificated Personnel; Director of Classified Personnel; Director of Admissions, Family Services, and Charter Schools; and any other individuals who interface with schools regarding complaints and/or who conducts investigations.

2. The Casa Roble High School (CRHS) administrators and staff at the training will include: principal, vice principal, counselors, teachers, librarian, front desk staff, and any other individuals who would be likely to interface with students and parents regarding complaints and/or investigations, or who would be likely to receive notice of potential discrimination or harassment involving students.
- B. The training session(s) will be scheduled through coordination between the District and OCR. The topics of the training will include:
1. Title IX, its history, purpose, and application to elementary and secondary schools;
 2. OCR's current guidance on Title IX, including the October 2010 "Dear Colleague Letter" issued by OCR, which clarifies the relationship between bullying and discriminatory harassment and how schools should respond;
 3. Prohibition of retaliation against individuals who have filed a complaint or participated in the complaint resolution process; and
 4. The District superintendent or designee will address the group(s) regarding his/her expectations regarding compliance with Title IX at the training. OCR and the Superintendent or designee will consult regarding the content of the training.
- C. Reporting requirement, Section II
1. Within 15 calendar days of receiving the training(s), the District will provide OCR with a copy of the sign in sheets for the training(s) for administrators and teachers, including the legible names and titles of those who attended.

III. STUDENT TRAINING, CRHS

- A. No later than **February 19, 2018**, the District will provide training for all high school students at CRHS regarding discrimination on the basis of sex and gender, including harassment. OCR is available to provide the training(s) if requested by the District. The training will:
1. Make clear that such discrimination and harassment is prohibited;
 2. Make clear that retaliation against individuals who have filed a complaint or participated in the complaint resolution process is prohibited;
 3. Discuss stereotypes and the negative impact of stereotypes based on sex and gender;

4. Address steps students can take to respond to discrimination and harassment on the basis of sex and gender;
5. Discuss how to report to the District concerns about discrimination or harassment on the basis of sex and gender; and
6. Include an evaluation form completed by all students asking them to reflect upon what was learned in the training, ways that they intend to change their behavior based on the training, and a review of the effectiveness of the training.

B. Reporting requirements, Section III

1. If the District chooses to provide training to CRHS students, within 90 calendar days of signing this Agreement, the District will provide OCR with draft training materials (including a PowerPoint presentation, if used) for OCR's review and approval, along with a schedule for the proposed training, and the name, title, and qualifications of the individual who will provide the training, and a draft evaluation form. The District will provide the student training within 30 calendar days of OCR's approval of the training materials, schedule, individual providing the training, and evaluation form. The District will also provide OCR with information as to how it will provide students with the training who were absent or unable to attend.
 - a. Within 15 calendar days of completing the student training(s), the District will provide OCR with a copy of the sign in sheets with names of the student who attended the training(s) for students, a copy of the completed student evaluation forms, a copy of the materials used at the training(s), and a confirmation of the individual who conducted the training.
2. If the District requests that OCR provide training to CRHS students, within 90 calendar days of signing this Agreement, the District will provide OCR with a proposed schedule for providing training to the CRHS students during the 2017-2018 school year. The District will work with OCR to develop a final schedule.
 - a. Within 15 calendar days of completing the student training(s), the District will provide OCR with a copy of the sign in sheets with names of the student who attended the training(s) for students and a copy of the completed student evaluation forms.

IV. SCHOOL CLIMATE TASK FORCE, CRHS

- A. By **October 1, 2017**, the District will form a School Climate Task Force (Task Force) at CRHS consisting of students, professional staff, and any other interested volunteers. The Task Force's purpose will be to promote a positive and informed educational climate at CRHS free of sex and gender-based harassment or discrimination. To this end, the Task Force will:
 1. discuss the academic and social climate at CRHS with regard to sex and gender, including the ways that sex and gender stereotypes impact the school's extracurricular programs, peer relationships, academics, athletics or other areas;

2. obtain information from the CRHS community (including students, professional staff, classified staff, parents/guardians, and school volunteers) through surveys, meetings, or other means about the climate at CRHS with regard to sex and gender harassment, discrimination, or stereotyping and their impact on the CRHS community;
 3. develop a summary of the information gathered pursuant to IV.A.2 above which will be shared with CRHS administrators, District administrators, and the CRHS community;
 4. develop recommendations to ensure that the school climate promotes a positive educational climate free of sex and gender-based harassment or stereotyping, including training the CRHS community on how to stand up against bullying and stereotyping when observed; and
 5. develop anti-harassment/discrimination awareness events, activities, and materials for the 2017-2018 school year that are directed toward students and address sex and gender-based harassment or stereotyping at CRHS.
- B. For each school year after the 2017-2018 school year in which this Agreement remains in effect, if any, the District will form a new Task Force consistent with the purposes and actions described in Section IV.A.1-5.
- C. Reporting requirements, Section IV
1. By **October 15 2017**, the District will provide to OCR a narrative describing how the Task Force was publicized and a description of who has volunteered to be a part of the Task Force. The narrative will include the names and positions of all District and/or CRHS staff who will be a part of the Task Force, and a description of the number of students and grade levels of student members of the Task Force.
 2. By **November 15, 2017**, the District will provide to OCR a report describing the Task Force's progress toward the items listed in Section IV.A above. The report will include information about the Task Force's meeting schedule, its schedule and goals for completing the items in Section IV.A.
 3. On **January 31, 2018, March 31, 2018, and May 31, 2018**, the District will provide to OCR reports regarding the Task Force's activities and results.
 4. For each school year after the 2017-2018 school year in which this Agreement remains in effect, if any, the District will provide quarterly narratives to OCR about the Task Force's composition, schedule, goals, activities, and results.

V. MONITORING

- A. The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with Title IX and its implementing regulation, which were at issue in this case.

- B. The District understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the District understands that during the monitoring of this agreement, if necessary, 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 this agreement and is in compliance with Title IX and its implementing regulation, which were at issue in this case.

- C. 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 this agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Kent Kern
Superintendent
San Juan Unified School District

03/15/2017

Date