

**Resolution Agreement
Antioch Unified School District
Case Number 09-13-1293**

In order to resolve the allegations raised in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights under Title VI of the Civil Rights Act of 1964 (Title VI) and Section 504 of the Rehabilitation Act of 1973 (Section 504), and without admitting to any violation of the law, the Antioch Unified School District (District) agrees to implement the actions outlined in this Resolution Agreement (Agreement).

I. Training on Nondiscrimination and Harassment Policies and Procedures

- A. The District has in place Board Policy 5145.3 Nondiscrimination/ Harassment/Anti-Bullying, Board Policy 1312.3 and Administrative Rule 1312.3, Uniform Complaint Procedures (Policies and Procedures) which contain a prohibition of discrimination, including harassment, based on race, color, national origin, and disability and procedures for responding to complaints of race, national origin, and disability discrimination.
- B. By the end of the 2015-16 school year, the District will train all District employees, staff, and administrators who work with or supervise students on its policies and procedures prohibiting discrimination, including harassment based on race, color, national origin, and disability.
- C. The District will provide training to all District employees, staff, and administrators who work with or supervise students on its policies and procedures prohibiting discrimination, including harassment based on race, color, national origin, and disability. The training will specifically include:
 - 1. The definition and examples of race, color, national origin, and disability harassment, as well as the District's policy prohibiting race, color, national origin and disability harassment.
 - 2. An explanation of the Administrative Rule 1312.3, Uniform Complaint Procedure, the District's complaint procedure for resolving complaints of race, color, national origin and disability discrimination, including harassment.
 - 3. Identification of the individual, by name or title, and contact information, responsible for receiving and investigating reports of harassment.
 - 4. A statement that all District personnel have the responsibility to report incidents of possible harassment, the procedures for doing so, and instructions on how to recognize, prevent, and respond appropriately to such reports.

5. A statement that a student or parent/guardian who has reported alleged incidents of race, national origin, color and/or disability harassing behavior must be notified of their right to file a formal complaint pursuant to the District's Administrative Rule 1312.3, Uniform Complaint Procedure, and be offered a copy of the procedure.
6. A statement that the District is responsible under Title VI for responding appropriately to reports of harassment based on race, national origin, and color and Section 504 for disability harassment, even if a formal complaint is not filed.

D. Reporting Requirements

1. As soon as identified, but no later than 30 days from the signing of this agreement, the District will provide to OCR the name of the person(s) who will provide the training, and proposed dates for the training. The District will provide OCR with the District's proposed training materials no later than 60 days from the signing of this agreement. OCR will review and approve the materials, or notify the District of any concerns, within 30 calendar days of receipt.
2. By **June 30, 2016**, the District will provide OCR a report that includes documentation that demonstrates the training occurred, including sign-in sheets, and a copy of the final materials used by the District in the training.

II. Investigative Training

- A. In addition to the reporting training above, the District will provide investigative training to all District administrators and staff who are directly involved in investigating complaints or other reports of race, color, national origin, and/or disability discrimination, including harassment (investigative training). The investigative training will specifically include:
 1. A review of the District's Policies and Procedures that focuses specifically on investigation of discrimination complaints, including instructions on how to conduct and document reliable and impartial investigations of alleged discrimination, including harassment based on race, color, national origin, and/or disability, and on the appropriate legal standards to apply in such an investigation.
 2. Techniques for thorough and supportable investigation, including interviewing a sufficient number of witnesses in order to reach a factual conclusion, recording or documenting interviews, and keeping proper records.
 3. The requirement that a student or parent/guardian who has reported alleged incidents of racially and/or disability harassing behavior must be notified of

the steps the District is taking in response to the reported incident(s), and guidance to staff on how and when to provide this notification.

4. A description of the steps the District will take in response to any harassing behavior discovered, including actions to ensure that the offending student(s) understands the seriousness of the alleged offense.

B. Reporting Requirements

1. As soon as identified, but no later than 30 days from the signing of this agreement, the District will provide to OCR the name of the person(s) who will provide the training and the proposed dates for the training.
2. The District will provide OCR a report that includes the District's proposed investigative training materials. OCR will review and approve or notify the District of any concerns within 30 calendar days of receipt. All District staff referred to in item II A will receive the training by **June 15, 2016**.
3. No later than **June 30, 2016**, the District will provide OCR a report that includes documentation that demonstrates the investigative training occurred, including sign-in sheets, and a copy of the final materials used by the District in the investigative training.
4. By **June 30** of each academic year covered by this agreement (2014-15 and 2015-16), the District will provide copies of all complaints alleging race and disability harassment received by the District under the District's Policies and Procedures. The District will include with the complaints all documentations related to the investigation(s) conducted, such as e-mails, notes, letters, interviews and/or investigative reports and corrective actions.

III. 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 the regulation implementing Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, which was 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/or 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 the regulation implementing Title VI of the

Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, which was 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 a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Superintendent

_____02/20/2015_____
Date