

**Resolution Agreement**  
Compton Unified School District  
OCR Case Numbers 09-15-1227 and 09-15-1149

Compton Unified School District (District), without admitting to any violation of law, agrees to implement the following provisions in this Resolution Agreement and Addenda (Agreement) to resolve the issues investigated by the Office for Civil Rights, U.S. Department of Education (OCR), under the Title II of the Americans with Disabilities Act (Title II) and Section 504 of the Rehabilitation Act (Section 504), and Title VI of the Civil Rights Act of 1964 in the above-referenced complaints.

**Individual Remedies**

For OCR case number 09-15-1227, the District agrees to implement the remedies and reporting requirements identified in Addendum 1.

For OCR case number 09-15-1149, the District agrees to implement the remedies and reporting requirements identified in Addendum 2.

**I. Grievance Procedures and Guidance Memoranda**

- A. The District will revise its Uniform Complaint Procedures (UCP) to ensure that they provide a prompt and equitable response to complaints alleging discrimination, including harassment, on the bases of race, color, national origin, sex, disability and/or age. The revised procedures will include the following elements:
1. The procedures will apply to complaints against students, employees, and third parties.
  2. The procedures will inform the complainant of the availability of optional informal resolution, but will state that the student is under no obligation to participate in informal resolution.
  3. The procedures will state that the District must make a determination of whether interim measures are necessary during and pending the results of an investigation. Any such actions, whether interim or permanent, shall avoid or minimize to the extent possible any disadvantage to the student who complained.
  4. The procedures will include designated and reasonably prompt timeframes for the major stages of the complaint process (e.g., investigation, notice of outcome, appeal, etc.), as well as a process for extending timeframes.
  5. The procedures will provide that complainants are informed at regular intervals of the status of the investigation.
  6. The procedures will provide the complainant the opportunity to identify relevant witnesses and other evidence.

7. The procedures will provide that the District will conduct an investigation that is adequate, reliable, and impartial. The investigator will interview individuals who have knowledge relevant to the complaint, including, but not limited to, the complainant, the person who was the subject of the discrimination if different, the person accused of discrimination, anyone who witnessed the reported discrimination, and individuals identified as having relevant information. The investigator will also review any records, notes, memoranda, correspondence, or statements related to the discrimination. The District may take other appropriate investigative steps, such as visiting the location where the discrimination is alleged to have taken place.
  8. The procedure will provide an assurance that if discrimination, including harassment, is found, the District will take steps to stop the discrimination, prevent recurrence, and remedy discriminatory effects on the complainant and others, if appropriate.
  9. The procedures will require that written notification is provided to the complainant and/or target of the alleged discrimination explaining the District's investigative process, a summary of the factual information gathered, its determination as to whether discrimination occurred, the reasons for its decisions, and any appeal procedures. If discrimination is found to have occurred, the written notification will also include any remedial and corrective actions that have been or will be taken to address the discrimination and prevent any retaliation or recurrence.
  10. The District's procedures will state that it will disclose to the target of the discrimination information about the sanction imposed upon an individual who was found to have engaged in discrimination, including harassment, when the sanction directly relates to the targeted student.
  11. The District's procedures will include a statement that the District prohibits any form of retaliation, intimidation or harassment against any individual who filed or otherwise participated in the filing or investigation of a complaint of discrimination. Any individual who believes he/she has been subjected to retaliation may file a separate complaint under this procedure.
- B. In satisfaction of the above, the District may choose to adopt the most recent California School Boards Associations (CSBA) Model Uniform Complaint Procedure.
- C. The District will update all publically available documentation related to the District's grievance procedure (including the District's website, the Board Policies and Administrative Procedures available through Gamut Online, all summaries of the Uniform Complaint Procedures provided on line and to District parents and employees, and other written materials concerning the Uniform Complaint Procedures) to reflect the above changes.
- D. The District will issue a guidance memorandum to all District staff and administrators regarding the revised UCP. The guidance memorandum will include, but is not limited to, the following:
1. A statement that the Uniform Complaint Procedure (UCP) is the District's procedure for addressing complaints alleging unlawful discrimination based on disability.

2. A statement that any school employee who observes any incident of discrimination, including harassment, involving a student, or receives a complaint (whether in writing or informally) or other notice of such discrimination, shall report the information within five days to the Associate Superintendent of Human Resources, or a designee, whether or not the targeted student files a complaint.
  3. A statement that the District is required to follow the steps itemized in the investigation of the UCP, including: a) conducting an adequate, reliable, and impartial investigation; b) preparing and sending a written report of the District's investigation and decision to the complainant; and ensuring that the report is in English and in the language of the complainant.
  4. A statement that parents or students who report an act of discrimination to any school employee must be informed of the Uniform Complaint Procedure.
- E. The District will issue a guidance memorandum to staff and administrators regarding school site staff responsibility to implement provisions in student IEPs and 504 plans. The guidance memorandum will include, but is not limited to, the following:
1. A statement that School staff and administrators are responsible for implementing the accommodations in students' Section 504 plans and IEPs. If the IEP/Section 504 team identifies deficiencies in the student's IEP/Section 504 plan or placement or in their implementation, it must take immediate steps to remedy those deficiencies.
  2. The name, title and contact information for the individual at the School whom teaching staff and administrators may contact if they have any questions or concerns regarding the implementation of the accommodations in a student's Section 504 plan or IEP.
- F. The District will develop and implement an action plan to ensure that complaints of discrimination are investigated promptly and thoroughly, consistent with the UCP, and that complainants receive notice of the results of investigations. The action plan will identify the steps that will be taken, the person(s) responsible, the date of completion, and the information that will be provided to OCR with respect to the following:
1. Identification and assignment of adequate numbers of staff members to investigate all complaints of discrimination within the timeframes in the UCP procedure, including a process for assigning additional staff if necessary due to higher than expected numbers of complaints.
  2. Documentation of all steps of the complaint investigation and response process, including referral of complaints of discrimination to appropriate investigative staff, review of documents and interviews of relevant witnesses, and provision of notice of the investigation results to complainants.
  3. Provision of adequate language services when complaints are filed by individuals with limited proficiency in English (LEP complainants) under the UCP, Williams Uniform Complaint Procedures. Such language services will include:

- a) Interpretation of interviews with LEP complainants and witnesses where necessary;
  - b) Written translation of all communications with complainants who file complaints in Spanish and with other LEP parents or students;
  - c) Oral interpretation of written communications with LEP complainants who speak languages other than Spanish.
4. Ongoing monitoring of implementation of all portions of the UCP, including translation of communications with LEP complainants.

## **II. Professional Development and Training**

- A. The District will provide training on the revised Uniform Complaint Procedures to all District Office personnel responsible for receiving complaints or conducting investigations.
- B. The District will provide training on staff responsibilities regarding the implementation of IEPs and 504 plans to the school site staff of XXXXXXXXXXXX High School. The training will also provide information on how to access further technical assistance from the District.

## **III. Monitoring and Reporting**

- A. By June 17, 2016, pursuant to Section I.A., the District will provide a draft of the revised Uniform Complaint Procedures to OCR for review and approval. Within 90 days of receiving OCR approval the District will provide documentary evidence to OCR that the approved procedures are adopted by the District.
- B. By June 17, 2016, pursuant to Section I.D., the District will provide a draft of the guidance memorandum to OCR for review and approval. Within 30 days of receiving OCR approval, the District will provide OCR with a final copy of the guidance memorandum and a distribution list pursuant to Section I.D.
- C. By June 17, 2016, pursuant to Section I.E., the District will provide a draft of the guidance memorandum to OCR for review and approval. Within 30 days of receiving OCR approval, the District will provide OCR with a final copy of the guidance memorandum and a distribution list pursuant to Section I.E.
- D. By May 18, 2016, pursuant to Section I.F., the District will provide a draft of the Action Plan to OCR for review and approval. Within 30 days of receiving OCR approval, the District will provide OCR with a progress update on the plan implementation. By June 30, 2016, the District will provide OCR with a full report on the plan implementation, including the following information:
  1. Status of each element of the Action Plan
  2. A list of all complaints of discrimination received in the District during the 2015-16 school year, with the following information for each complaint:

- a) Date of complaint;
  - b) General summary of allegations (e.g. alleged sexual harassment, alleged failure to implement Section 504 plan, etc.);
  - c) Staff member assigned to conduct the investigation;
  - d) Current status of the investigation;
  - e) For all completed investigations, a copy of the notice sent to the complainant, both in English and in any required translations.
3. A list of all complaints (under any complaint procedure) submitted in Spanish and the identity of the person who translated the District response to the complainant.
- E. By June 1, 2016, pursuant to Section II.A, the District will provide to OCR for review and approval a copy of the training agenda, including the names of the trainer(s) and the proposed date(s) of completion, which will be no later than June 1, 2016.
- F. By April 22, 2016, pursuant to Section II.B., the District will provide to OCR for review and approval a copy of the training agenda, including the names of the trainer(s) and the proposed date(s) of completion, which will be no later than June 1, 2016.
- G. Within 30 days of completion, the District will provide OCR with documentation that shows that it has completed the training described in Section II A and B. This documentation shall include (a) the names and titles of the trainer(s), (b) the dates of the trainings, (c) a copy of the final agenda and materials used at each of the trainings, and (d) a list of the participants.

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 in compliance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 C.F.R. part 104, and Title II of the Americans with Disabilities Act and its implementing regulations at 28 C.F.R. part 35, which were at issue in this case.

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 Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 C.F.R. part 104, and Title II of the Americans with Disabilities Act and its implementing regulations at 28 C.F.R. part 35, which were at issue in this case.



**Resolution Agreement – Addendum 2**  
Compton Unified School District  
OCR Case Numbers 09-15-1149

By February 15, 2016, the District will provide the Complainant with a Spanish translation of the District's response to her October 24, 2014, Williams Complaint. The District will simultaneously provide OCR with a copy of the translated response.