

Resolution Agreement

Lake Tahoe Unified School District

09-15-1217

In order to resolve the compliance issues identified during the investigation of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), the Lake Tahoe Unified School District agrees to implement this Resolution Agreement (Agreement).

I. Publication of AR 1312.3 Uniform Complaint Procedures

- a. The District will review and revise, as necessary, each publication or notice of AR 1312.3 to ensure that the information conveyed is consistent with the revisions adopted in January 2015, including, but not limited to, the following: information posted on the District's website; the Annual Notification of Parents'/Students' Rights; information posted at school sites and in District offices; and information contained in any other parent, student, or employee publication.
- b. The District will revise its complaint form and attachments describing its complaint policies and procedures to ensure that the information conveyed is consistent with the revised AR 1312.3 including, but not limited to: clarifying that complaints of discrimination, including harassment, filed against an employee are processed under AR 1312.3 and not under AR 1312.1 (Complaints Concerning District Employees); and revising the description of the District's response and the procedural steps, including those for informal and formal complaint resolution.
- c. Reporting Requirements:
 - i. By August 15, 2015, the District will submit its draft publications, notices, and complaint form and attachments to OCR for review and approval.
 - ii. Within 30 days of OCR approval, the District will verify that it has revised its publications, notices, and complaint form and attachments, and that the revised information is in place for posting and distribution beginning the 2015-16 school year.

II. Training or Written Guidance

- a. The District will take effective action, through training or written guidance, to ensure that the Assistant Superintendent and any other individual designated to investigate discrimination, including harassment, complaints under AR 1312.3 are knowledgeable about: the requirements of the revised AR 1312.3; legal standards applicable to discrimination, including harassment, complaints, including Section 504 and Title II standards; how to effectively investigate complaints of discrimination, including harassment, and to document the investigation; standards for analyzing

the evidence and reaching complaint determinations; and appropriate corrective measures if discrimination, including harassment, is found.

b. Reporting Requirements:

- i. By October 1, 2015, the District will report to OCR the effective action that it has taken under II.a. If written guidance is issued, the District will provide a copy to OCR and confirm distribution to the Assistant Superintendent and to any other individual designated to investigate discrimination, including harassment, complaints under AR 1312.3. If training is conducted, the District will report the date(s), participants, trainer, and information conveyed.

III. Monitoring

- a. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled its terms and is in compliance with the regulation implementing Section 504, at 34 C.F.R. §§104.4(a) and (b) and 104.7(b), and Title II, at 28 C.F.R. §§35.130(a) and (b) and 35.107(b), which were at issue in this case.
- b. By signing this Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. The District further 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 the regulation implementing Section 504, at 34 C.F.R. §§104.4(a) and (b) and 104.7(b), and Title II, at 28 C.F.R. §§35.130(a) and (b) and 35.107(b), 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 a minimum of 60 calendar days to cure the alleged breach.

_____/s/_____
James R. Tarwater, Ed.D.
Superintendent

06/17/2015
Date