

Resolution Agreement Reached During an Investigation
Natomas Unified School District
OCR Case No. 09-15-1424

The Natomas Unified School District (District), without admitting to any violation of law, agrees to implement this Resolution Agreement (Agreement) reached during an investigation to resolve the issues investigated by the U.S. Department of Education, Office for Civil Rights (OCR), under Title IX of the of the Education Amendments of 1972 (Title IX).

I. Written Notice

- a. The District will issue the Complainant a written determination letter in response to her internal peer sexual harassment complaint. The District may seek technical assistance from OCR regarding the content of the written determination letter.

II. Grievance Procedures

- a. The District will revise the applicable provisions of AR 5145.7 (a-f), “Sexual Harassment – Students” (Sexual Harassment Complaint Procedure) and AR 1312.3 (a-l), “Uniform Complaint Procedures” (UCP) to clarify that the procedures apply to complaints of sexual harassment of students by employees, other students, and third parties and to off campus activities.
- b. The District will add a clarification to the appropriate sections of the Sexual Harassment Complaint Procedure and the UCP to explain when the respective procedures should be utilized in response to a complaint of peer sexual harassment. Such clarification may address some of the issues raised in subsections c.-e. below.
- c. For the Sexual Harassment Complaint Procedure, the District will include amendments to clarify that the preponderance of the evidence standard applies, that students will be informed at regular intervals of the status of the investigation, and to address conflicts of interest, real or perceived, and evidence of past relationships for the complainant is not allowed.
- d. For the UCP, the District will include amendments to clarify that the respondent has appeal rights, as well, that students will be informed at regular intervals of the status of the investigation, and evidence of past relationships for the complainant is not allowed, and that the notice of outcome must include remedies offered to complainant, any sanctions for respondent, and steps to eliminate the hostile environment and prevent recurrence.
- e. The District will include information in the Sexual Harassment Complaint Procedure about its process for training the Title IX Coordinator and its designees and any investigators.

- f. With respect to the procedural revisions in A-E, the District may seek technical assistance from OCR.

III. Reporting

- a. By December 18, 2015, the District will provide OCR with a copy of the written determination letter described in Section I of this Agreement.
- b. By February 10, 2016, the District will provide OCR with verification that the procedural revisions described in Section II of this Agreement.

IV. 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 regulations implementing Title IX at 34 C.F.R. §106.31 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, attend and observe the Student's IEP meetings, 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 regulations implementing Title IX at 34 C.F.R. §106.31 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/_____

Chris Evans
Superintendent

____12/09/2015_____

Date