

**Resolution Agreement**  
**Carlsbad Unified School District**  
**OCR Case Number 09-16-1051**

The U.S. Department of Education, Office for Civil Rights (OCR), initiated an investigation into allegations that the Carlsbad Unified School District (“District”) violated Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations. Prior to the completion of OCR’s investigation, the District agreed to resolve the allegations in the investigation of the above-referenced complaint.

In order to resolve the issues raised in the above-referenced complaint the District, without admitting any violation of law, and without a compliance determination by OCR, agrees to take the following actions in this Resolution Agreement (Agreement):

I. Notice of Nondiscrimination

- a) The District will revise and post its notices of nondiscrimination, including those in Board Policy 410 (Nondiscrimination in District Programs and Activities) and Board Policy 5145.3 (Nondiscrimination/Harassment), consistent with 34 C.F.R. § 106.9(b).
- b) The District will revise the Title IX notice in the District Student Handbook to reference the “U.S. Department of Education”, not the “U.S. Department of Health, Education, and Welfare.”
- c) Reporting Requirement: By July 24, 2018, the District will provide OCR with a draft of its revised notice(s) of nondiscrimination. Within thirty (30) days of OCR’s approval, the District will post the final version of the revised notice(s) of nondiscrimination and provide links or other documentation showing to OCR to show that they have been posted.

II. Title IX Coordinator

- a) The District will revise Administrative Regulation 5145.7 (Sexual Harassment) to identify and include current contact information for the District’s Title IX Coordinator.
- b) The District will include current contact information for the Title IX Coordinator in the 2018-2019 and subsequent editions of its District Student Handbook, School Student Handbook, and Student Planner. Within ten (10) days of publishing the revised 2018-2019 editions of these documents, the District will provide notice to OCR that it has done so.

- c) Consistent with 34 C.F.R. § 106.8(a), the District will ensure that its Title IX Coordinator and other individuals with Title IX-related complaint investigation duties receive appropriate training and possess comprehensive knowledge in all areas over which they have Title IX responsibility in order to effectively carry out those responsibilities, including training in the District policies and procedures related to sex discrimination/sexual harassment and all complaints raising Title IX issues.
- d) Reporting Requirement: By July 24, 2018 the District will provide OCR with evidence that its Title IX Coordinator and other individuals with Title IX-related complaint investigation duties have received training in the areas identified in section II(c), including the dates of the trainings and copies of the agendas and training materials used during the trainings.

### III. Sexual Discrimination Policies and Grievance Procedures

- a) The District will revise its Administrative Regulation 1312.3 (Uniform Complaint Procedure) and AR 5145.7 and all other policies and procedures used to respond to complaints of sex discrimination, including sexual harassment and sexual violence, to be consistent with 34 C.F.R. § 106.8(b) to provide for an adequate, reliable, and impartial investigation and to address the compliance issues identified by OCR. The revision will include stating which policy is used for which type(s) of sex-based harassment and discrimination complaints, as well as will include information identifying the District's Title IX Coordinator as specified in section II(a).
- b) The District will provide notice of the revised policies and procedures to students, staff, and employees in accordance with Title IX and its implementing regulations, including notice of where complaints may be filed that is easily understood, easily located, and widely distributed.
- c) Reporting Requirements: By July 24, 2018, the District will provide OCR with a draft of its revised AR 1312.3 and 5145.7 and all other policies and procedures used to respond to complaints of sexual harassment and sex discrimination for review. Within thirty (30) days of OCR's approval, the District will publicize the revised policies and procedures on its website and in any other non-digital materials where they currently appear.

### IV. Individual Remedy

- a) The District will prepare and send to the Complainant a written report describing its investigation of the alleged sexual assault. The report will include notice of the final outcome of the investigation and be consistent with the relevant grievance procedure in

effect to provide a prompt and equitable resolution to complaints of such nature, specifically revised AR 1312.3.

- b) Reporting Requirements: By July 24, 2018, the District will provide OCR with a draft of its written report. Within ten (10) days of OCR's review and approval, the District will forward the report to the Complainant.

V. Monitoring

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 the 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. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the case.

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/\_\_\_\_\_  
Assistant Superintendent

\_\_\_\_\_06/14/2018\_\_\_\_\_  
Date