

**Resolution Agreement**  
Glendora Unified School District  
No. 09-16-1430

In order to resolve the issues investigated and non-compliance findings and concerns identified in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR) under Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations, the Glendora Unified School District (District) agrees to fully implement the terms of the Agreement below:

I. Revision of Notice(s) of Nondiscrimination, Policies and Procedures

- A. The District will revise and distribute its Notice of Nondiscrimination on the Basis of Sex, Handicap, Race, Color, National Origin in accordance with the requirements of 34 C.F.R. §§ 106.9(b), 106.8(a).
- B. The District will review and revise BP/AR 5145.3 (Student: Nondiscrimination/Harassment); BP/AR 1312.3 (Uniform Complaint Procedures); and BP/AR 5145.7 (Students: Sexual Harassment) consistent with Title IX requirements. The revisions shall include but not be limited to the following:
1. Consistent identification of the “Director of Student Services” as the District’s Title IX Coordinator with all required by 34 C.F.R. § 106.8(a);
  2. Description of prompt and equitable process for investigating both formal and informal complaints, including:
    - i. notice to students and employees of the procedures that apply, including where complaints may be filed;
    - ii. application of the procedures to complaints alleging discrimination and harassment carried out by other students, employees or third parties;
    - iii. provision of adequate, reliable, and impartial investigation of complaints, including the opportunity for both the complainant and respondent to present witnesses and other evidence;
    - iv. designated and reasonably prompt timeframes for the major stages of the complaint process;
    - v. notice to both parties of the outcome of the complaint and any appeal; assurance that the recipient will take steps to prevent recurrence of any sex discrimination or harassment found to have occurred, and to correct its discriminatory effects on the complainant and others, if appropriate;
    - vi. notification to both parties of the right to end the informal process at any time and begin the formal stage of the complaint process;

- vii. equitable evidence presentation, appeal, and extension of investigation notification rights for the respondent;
- viii. a statement that the District will consider the effects of off-campus misconduct when evaluating whether there is a hostile environment on campus or in an off-campus education program or activity that is not school-sponsored or school-related but may have an impact on an educational program or activity; and
- ix. a statement acknowledging that the recipient has an ongoing duty to address harassment on the basis of sex of which it knew or should have known about, regardless of the date of complaint filing.

C. The District will consider eliminating duplicative policies and procedures. However, if the District retains multiple policies and procedures, it will ensure that all policies and procedures related to Title IX sex discrimination provide a prompt and equitable process and include appropriate cross-references to provide adequate notice of the applicable policy and procedure to students, employees, and third parties.

## II. Training

The District will provide training on the revised policies and procedures identified in section I of this Agreement to all District and School administrators, teachers, staff, and other individuals with responsibility for investigating, reporting, and responding to allegations of sex and gender-based harassment and discrimination, including harassment based upon gender nonconformity and gender stereotyping. The training shall be conducted by a person with appropriate expertise in these areas and shall include information about the law and best practices for identifying harassment and discrimination based upon sex and gender, including gender non-conformity and gender stereotyping; as well as the School's obligation to respond to notice of such conduct, including how to conduct thorough, reliable, and impartial investigations, evaluate evidence, maintain confidentiality, reach conclusions, and implement remedies. OCR is available to provide this training at no cost upon request. Within ten (10) days of the conclusion of the training, the District will prepare and distribute to all individuals subject to the training or who a document summarizing the revised complaint grievance procedures as well as providing additional informational resources for identifying and responding to allegations of sexual and gender-based harassment and discrimination.

## III. Investigative Report

The District will prepare a written response for the Complainant outlining the steps it took to respond to her allegation that the Student was subjected to gender-based harassment and the District failed to provide a prompt and equitable response when notified of the

harassment (investigative report). The investigative report will include the following information: 1) the Complainant's allegations, including the date she complained of the harassment and the date she requested to be informed of any recurrence of harassing behavior; 2) the District's response to her complaint, including any steps it took to investigate and the date each step was taken; 3) the policy or procedural basis for the investigation, including whether the steps taken complied with the policy or procedure; and 4) a determination as to whether the District responded appropriately and effectively to the Complainant's notice of gender-based harassment. If the District determines that it did not respond appropriately and effectively to notice of gender-based harassment, the response will identify the corrective actions that should have been taken to stop the harassment, prevent its recurrence, and remedy its effects on the Student; as well as the steps the District will take to prevent recurrence of the harassing behavior directed at the Student in the future. The District will provide a copy of its investigative report to the Complainant for OCR to review and approve. Upon OCR's approval, the District will forward the response to the Complainant.

#### IV. Reporting

##### A. Notice of Nondiscrimination and Policy and Procedures Revision:

By October 31, 2017, the District submit a draft of the Notice of Nondiscrimination, policies and procedures as described in Section I to OCR for review and approval. No policy, procedure, or Notice will be final without approval from the District's Board. Within 30 days of receiving OCR's approval, the District will: (1) finalize and distribute the notice of nondiscrimination as required by the regulations at 34 C.F.R. § 106.9(b); (2) adopt the policies and procedures, post them on the District's website, publish them in any written materials, such as student and staff handbooks, and send an email to all staff and students with a link to the revised policies and procedures and information about upcoming training and/or guidance regarding these materials. The District will provide OCR with documentation of its distribution of the notice of nondiscrimination and policies and procedures, including links, emails, and copies of written publications.

##### B. Training:

By September 30, 2017, the District will provide the names, titles and qualifications of the proposed trainers, the proposed training materials including the document summarizing the grievance procedures and providing additional resources, to OCR for review and approval. The District will finalize and provide the training required in Section II within thirty-one days of OCR's approval. Within 15 days of providing the training required in Section II, the District will provide OCR with the following

documentation: the dates of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, sign-in sheets evidencing the District employees who attended the training, a list of the required District employees who did not attend, and a plan for providing follow-up for those employees who did not attend, as needed.

C. Investigative Report

By October 31, 2017, the District will provide OCR with a draft of its investigative report as described in Section III. Within 5 working days of OCR's approval of the investigative report, the District will issue it to the Complainant. If the District determines remedial action is required, the District will report to OCR on implementation of the remedial action by the last day of each semester until the actions are complete.

V. Monitoring

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 Title IX and its implementing regulations, which were at issue in this complaint.

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, 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 compliance with Title IX and its implementing regulations, which were at issue at this complaint.

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

08/18/2017  
Date