

Resolution Agreement
Beaumont Unified School District
OCR Case Number 09-16-1431

To resolve the concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the above referenced complaint filed under Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. §794, Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, Title VI of the Civil Rights Act of 1964, and their implementing regulations, at 34 C.F.R. Part 104, 28 C.F.R. Part 35, & 34 C.F.R. Part 100, Beaumont Unified School District (District), without admitting to any violation of law, agrees to implement the following provisions in this Resolution Agreement (Agreement).

I. Substantive Provisions

- A. By May 1, 2017, OCR will provide training to all District staff who investigate complaints of harassment on the basis of race, color, national origin, ethnicity, gender, and disability. The training will include the proper legal standards to apply when conducting an investigation, the steps for conducting a thorough and impartial investigation, and the requirements for investigating such complaints contained in the District's grievance procedures.

- B. The District will take the following district-wide actions, also described in a letter to the Complainant dated May XX, 2016, to address the Complainant's concerns regarding bullying and race-based harassment.
 - i. By February 17, 2017, the District will provide all District administrators two and a half days of training focused on equity and racial sensitivity.
 - ii. By February 17, 2017, the District will provide all District certificated teaching staff with a half-day training focused on equity and racial sensitivity.
 - iii. By November 15, 2016, the District will finalize a student education and staff professional development timeline which lays out the steps the District will take during the 2016-2017 school year to create a bullying/harassment prevention plan to address bullying/harassment issues related to race, color, national origin, ethnicity, gender, or disability.
 - iv. By June 15, 2017, the District will create a plan, for the 2017-2018 school year, to implement the bullying/harassment prevention plan, created pursuant to Section I.B.(iii).

- C. By November 15, 2016, the District will notify the Complainant that, if she requests it, the District will provide individualized counseling for the Student from a qualified counselor who has received training in cultural sensitivity and addressing bullying. The District will also provide Complainant a contact person from whom to request the counseling. The Complainant retains the right to request this counseling for the Student until at least June 15, 2017, and the District's notice to her shall so state.

II. Reporting Requirements

- A. By November 30, 2016, the District will provide OCR with draft training materials and the qualifications of the individuals providing the trainings required under Section I.B.(i)-(ii), for OCR review and approval. Within 21 days of OCR's approval, the District will notify OCR of the date of the trainings.
- B. Within fourteen (14) days of the training(s) required by Sections I.A. & B.(i)-(ii), the District will submit to OCR documentation confirming that the training(s) occurred, including: the training agenda, the date on which the training was held, and a list of the names and titles of the individuals present at the training.
- C. By November 15, 2016, the District will provide OCR with the student education and staff development timeline described in Section I.B.(iii) for review and approval. The District will fully implement the approved timeline by June 30, 2017.
- D. By July 1, 2017, the District will submit to OCR documentation evidencing that the District has taken the steps enumerated in the student education and staff development timeline, required by Section I.B.(iii).
- E. By July 1, 2017, the District will submit to OCR the plan, required by Section I.B.(v), to implement the bullying prevention plan during the 2017-2018 school year.
- F. By November 20, 2016, the District will provide to OCR documentation that it has notified the Complainant about the counseling available to the Student, pursuant to Section I.C.
- G. If Complainant requests the counseling provided for in Section I.C., within 5 days of that request, the District will provide to OCR documentation of the request. Within 30 days of the request, the District will provide OCR with documentation of plan to provide the counseling.

III. Monitoring

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. 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 in compliance with the statute(s) and regulations implementing Section 504 of the Rehabilitation Act at 34 C.F.R. §104.33(b)(2), Title II at 28 C.F.R. §§35.103(a) and 35.130(b)(1)(ii) and (iii), and Title VI of the Civil Rights Act of 1964, which were at issue in this case.

The District understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the Section 504, Title II, and Title VI.

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/_____
Authorized Official
Beaumont Unified School District

_____11/07/2016_____
Date