

**Resolution Agreement**  
Case No. 09-16-1960  
Glendale Unified School District

In order to resolve the issues investigated 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 Glendale Unified School District (District) agrees to the terms of this Resolution Agreement (Agreement). This Agreement has been entered into voluntarily and does not constitute an admission that the District violated Title IX and its implementing regulations. The District agrees to fully implement the terms below:

**I. Definition of Harassment and Anti-Harassment and Discrimination Statement**

- A. As used in this Agreement, the term “harassment” incorporates the use of derogatory language (including epithets in other languages) or images, including in graffiti, pictures or drawings, notes, e-mails, postings on the Internet and social networking sites, text messages or voicemail, intimidation and threats, unwanted physical contact, and/or physical violence based on real or perceived characteristics of sex, in any District-sponsored education program or activity or which has continuing effects on a District campus if such conduct takes place off campus outside a District-sponsored educational program or activity.
  
- B. The Superintendent and School Board will issue a statement to all XXXXX XXXXXX High School (School) students, parents, and staff that will be printed in the School’s newsletter, posted in prominent locations at the School, and published on the District’s and School’s websites, stating that the District does not tolerate acts of discrimination and/or harassment, including acts of discrimination and/or harassment based on real or perceived characteristics of sex, by District or School staff, students or third parties. The statement will: (1) encourage any student who believes he or she has been subjected to discrimination and/or harassment based on sex, including being subjected to discrimination and/or harassment on the basis of sexual stereotyping or gender expression, to report the discrimination and/or harassment to the District; (2) provide appropriate contact information for the District’s Title IX Coordinator and a link to the District’s complaint procedure utilized for investigating complaints; and (3) include a statement that complaints can be made to OCR with OCR’s contact information. The statement will also reaffirm the District’s commitment to conducting a prompt and equitable investigation. The statement will state: (1) that the District will take prompt action to stop the discrimination and/or harassment on the basis of sex, including on the basis of sexual stereotyping or gender expression, prevent its recurrence, and remedy the effects of discrimination and/or harassment; and (2) that retaliation against anyone who makes a complaint and/or those who provide information regarding discrimination and/or harassment on these bases is prohibited. The statement will encourage students, parents, and District/School staff to work together to prevent acts of discrimination and/or harassment on these bases.

- C. Reporting Requirement: By May 5, 2017, the District will submit a draft of the statement required by Section I.B. to OCR for its review and approval. Within ten calendar days of receiving approval from OCR, the District will provide OCR with documentation of its implementation of Section I.B. of this Agreement, including a copy of the statement referenced in Section I.B., and evidence of its distribution in accordance with Section I.B.

## **II. Response to Notice of Harassment**

- A. The District's Title IX Coordinator will continue the investigation, to the best of his/her ability, of the Complainant's June X, 2016 complaint of (1) peer-to-peer harassment on the basis of sex at the June X, 2016 assembly; and (2) alleged different treatment of Student B by the Principal when enforcing the dress code. The District's Title IX Coordinator will review all documents and information pertaining to the two alleged incidents. Based on the investigations, the Title IX Coordinator will determine whether responses or actions, if any, are needed to end harassment and/or different treatment, prevent further discrimination and/or eliminate any hostile environment that may have been created, prevent the recurrence of discrimination and/or harassment, if applicable, and, as needed, remedy the effects.
- B. Reporting Requirement: Within 60 calendar days of the date of this Agreement, the District will provide OCR a copy of the final determinations in the investigations for Section II.A. (1) and (2), which shall, to the extent practicable, include the information required by the District's grievance procedure for complaints filed pursuant to Title IX (AR 1312.3) or another procedure, which is compliant with Title IX and its requirements. Within fifteen calendar days of OCR's review of the final determinations of the investigations, the District shall issue final determinations to the Complainant and any respondents in a manner consistent with FERPA and in a manner that does not run afoul of other privileges and/or confidentiality protections, and provide documentation to OCR that it has issued the final determinations.

## **III. Guidance Memorandum**

- A. The District will distribute a guidance memorandum to all District administrators and School staff, including substitute teachers, that includes the following:
  - 1. An explanation of the District's obligation to comply with Title IX and its implementing regulations;
  - 2. The definition and examples of sex discrimination and harassment, including on the bases of sexual stereotyping and gender expression, as well as the District's policy prohibiting such discrimination and harassment (including a reference to the District's anti-harassment statement in Section I.B. above); and
  - 3. A description of the District's Uniform Complaint Procedure to resolve discrimination and/or harassment complaints based on sex, including on the

bases of sexual stereotyping and gender expression, with an explanation of the steps all School employees should follow if they receive notice of discriminatory harassment from School staff, parents, students, or third parties and a reference to where individuals may locate a copy of the policy and procedure.

- B. Reporting Requirement: By May 5, 2017, the District will submit a draft of the guidance memorandum required by Section III.A. to OCR for its review and approval, along with any Board Policies and Administrative Regulations that correspond with the memorandum. Within fifteen calendar days of OCR's approval of the draft guidance memorandum, the District will distribute the final version of the guidance memorandum to District and School administrators and staff, and provide documentation to OCR that it has distributed the memorandum.

#### **IV. Harassment and Investigation Training for School Staff**

- A. The District will train School administrators and staff, including substitute teachers, on its policies and procedures prohibiting discrimination, including harassment based on sex. The District will provide the training no later than January 31, 2018.

- 1. The training will include the following:

- a. The District's anti-harassment statement in Section I.B. above, including all statement sub-parts;
- b. Examples of sex and gender discrimination, including, but not limited to, enforcement of a dress code in accordance with sexual stereotyping.
- c. A statement of District and School personnel's responsibility to report incidents of discrimination and/or harassment, the procedures for doing so, and instructions on how to recognize, prevent, and respond promptly and equitably to such reports;
- d. Description of the District's Uniform Complaint Procedure to resolve discrimination and/or harassment complaints based on sex, including on the bases of sexual stereotyping and gender expression, with an explanation of the steps all School employees should follow if they receive notice of discriminatory harassment from School staff, parents, students, or third parties, in addition to a reference to where individuals may locate a copy of the policy and procedure and a reference to where individuals may locate a copy of the policy and procedure.
- e. A statement that a student or parent/guardian who has reported alleged incidents of discrimination and/or harassment on the basis of sex, including on the bases of sexual stereotyping and gender expression,

should be notified of their right to file a complaint in accordance with existing District policies and procedures;

- f. A detailed description of the role the Title IX Coordinator and, if applicable, his/her designee(s), in the processing, investigation, and/or resolution of complaints; and
- g. Guidance on how and when the School should take steps to notify the students, parents or guardians who report alleged incidents of discrimination based on sex of the outcome of the investigation of the reported incident.

**B. Reporting Requirement:**

- 1. By October 31, 2017, the District will identify an individual with relevant experience to conduct the training and provide the name, title and qualifications of this individual and a copy of the agenda and training materials, for OCR's review and approval. The District will provide the OCR-approved training by January 31, 2018.
- 2. Within 10 calendar days after completing the training, the District will provide OCR a report that includes documentation that demonstrates the training occurred, including the date(s) of training, the names of the trainer(s), sign-in sheets with participant names and titles, list of School staff, and a copy of the final materials used by the District in the training.

**V. Anti-Harassment Information and Training for Students**

A. The District will provide to all School students information on discrimination and harassment based on sex, including on the bases of sexual stereotyping and gender expression, and training on the District's grievance procedures compliant with Title IX (collectively "Information and Training"). The District will provide the Information and Training during orientation at the start of the 2017-2018 school year and annually thereafter.

**B. Reporting Requirement:**

- 1. By July 31, 2017 and again by July 31, 2018, the District will provide OCR, for its review and approval, the District's proposed date(s), materials, method for providing the information, and the trainer(s) for the 2017-2018 Information and Training and the 2018-2019 Information and Training.
- 2. Within 10 calendar days after completing the 2017-2018 Information and Training and the 2018-2019 Information and Training, the District will provide OCR a report that includes documentation that demonstrates the Information and Training occurred, including sign-in sheets, list of enrolled

students at the School, and a copy of the final materials used by the District in the Information and Training.

## **VI. Ongoing Improvement of the District's Anti-Harassment and Discrimination Program**

- A. Climate Survey: During the 2016-2017 and 2017-2018 school years, the District will conduct a climate survey for School students and staff, to assess the educational environment being provided for School students and the presence and effect of harassment based on sex within the School. This climate survey should, among other things, solicit input from School students and staff regarding strategies for improving cultural awareness, preventing harassment and discrimination on campus, and identifying School staff members to whom students feel comfortable reporting sex based discrimination and harassment complaints, including on the bases of sexual stereotyping and gender expression. The climate survey may be accomplished through written or electronic surveys, provided that students receiving the survey are notified of a contact person, such as a counselor, should they wish to discuss any of the questions in the survey in person. Participation in the survey by students will be entirely voluntary, and the survey will be conducted in a manner consistent with applicable law.
- B. Review of Resolution of Complaints: Within 30 calendar days of the end of the 2016-2017 school year and 2017-2018 school year, the District will provide OCR with written complaints and a description of all oral reports of sex based discrimination and/or harassment, including on the bases of sexual stereotyping and gender expression, made to the School. The District will also provide to OCR its written response or description of its verbal response to each written complaint and oral report, if any, including, any additional actions taken for the broader School community, if applicable.
- C. Reporting Requirements:
  1. By May 10, 2017, the District shall submit the proposed School climate survey to OCR, along with an explanation of how the District intends to implement the school climate survey for the 2016-2017 school year, for OCR review and approval. Within 15 calendar days of receiving approval from OCR of the climate survey, the District will conduct the survey at the School.
  2. By July 31, 2017 and again by July 31, 2018, the District shall provide a summary of the results of the survey to OCR, and an explanation of how the District intends to address the results of the survey.
  3. Within 30 calendar days of the end of the 2016-2017 school year and 2017-2018 school year, the District will provide OCR with the documents and information described in Section VI.B for OCR review. The District will also designate a knowledgeable person(s) to review and discuss the documents and information with OCR.

## VII. 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 and has provided documentation that it has complied with the terms of this Agreement.

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, 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 Title IX and its implementing regulations, which were at issue in this 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/\_\_\_\_\_  
Dr. Kelly King  
Assistant Superintendent, Educational Services  
Glendale Unified School District

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04/12/2017  
April 12, 2017