

Resolution Agreement
Mt. Diablo Unified School District
OCR Case No. 09-19-1031

In order to resolve the concerns identified with respect to the above-referenced complaint to the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Title IX of the Education Amendments of 1972 (Title IX), and its implementing regulation, the Mt. Diablo Unified School District (District) agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Investigation of Allegations of Harassment

- A. The District will complete a new investigation regarding the allegations that the Student was harassed by other students on the basis of sex, including sex stereotypes during the 2017-18 school year. As part of the investigation, the District will request to speak to the Student and will ask the Student for details regarding all of the allegations of harassment on the basis of sex by other students that were included in the Complainant's October XX, 2018 letter to the District. If the District determines that the Student was harassed on the basis of sex within the meaning of Title IX, the District will take appropriate responsive action.

II. Staff Training

- A. By **September 30, 2019**, all District staff responsible for responding to complaints of discrimination, harassment, intimidation, or bullying on the basis of sex will participate in a training regarding Title IX complaint and investigation procedures.

III. Monitoring and Reporting

- A. By **May 17, 2019** the District will provide OCR a report regarding the completion of the investigation required in Section I and the District's determination. That report will include any notes from interviews conducted as part of the investigation. Upon completion of its review, OCR will provide the District technical assistance, and within five working days, the District will issue written notice to the Complainant consistent with its applicable grievance procedures.
- B. By **June 21, 2019** the District will provide a draft of the proposed training materials described in Section II to OCR for review and approval. After OCR review and approval, the District will provide the training by **September 30, 2019**. Within 30 days of conducting the training, the District will provide documentation to OCR (e.g., a sign-in sheet or other evidence) showing training attendance by name and title of attendees, a list of any required staff that have not yet been trained, a copy of the materials distributed at the training, the name and title of the trainer(s), and the date of the training.

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 Title IX and its implementing regulations, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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/_____

Nellie Meyer, Ed.D
Superintendent
Mt. Diablo Unified School District

_____04/23/2019_____

Date