

Hermosa Beach City Unified School District
Resolution Agreement
OCR No. 09-06-1482

The Hermosa Beach City Unified School District (District) agrees, without admitting to any violation of law, to implement the following Resolution Agreement (Agreement) to resolve the issues investigated by the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA) in the above-referenced OCR case number.

I. REVISION OF NONDISCRIMINATION NOTICES, POLICIES, AND PROCEDURES

A. Notice of Nondiscrimination (Notice)

1. By March 10, 2008, the District will provide to OCR a draft revised Notice of Nondiscrimination [currently designated by the District as BP 5145.3(a) and 5145.3(b)] that meets the requirements of the regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI), Title IX of the Education Amendments of 1972 (Title IX), Section 504, the Age Discrimination Act of 1975, and the ADA (34 C.F.R. §§ 100.6(d), 106.9, 104.8, 110.25, and 28 C.F.R. § 35.106, respectively). The revised Notice will, at a minimum, state that the District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. It will also list at least one individual who will be designated as the individual responsible for inquiries regarding implementation of the nondiscrimination policies and responsibilities. The designated individual will be identified by name or title, or both, and a physical address and phone number at which to contact the individual will be provided.
2. By April 16, 2008, after OCR's review of the draft revised Notice, the District will present the draft Notice to its Board of Education (Board) for approval.
3. If the Board approves the Notice as written, the District will provide OCR with a finalized copy within ten (10) calendar days of the Board's approval. If the Board decides not to approve the Notice as written, the District will notify OCR within ten (10) calendar days of the Board's decision.
4. Within ten days of the Board approving the Notice, the District will publish and effectively disseminate it to students, parents, guardians, staff, and employees.
5. Within ten (10) calendar days of the Notice being published and disseminated, the District will provide written confirmation to OCR that it has published and disseminated the Notice along with a list of publications or places in which the Notice has been published and disseminated.

B. Policy Prohibiting Retaliation

1. By April 25, 2008, the District will distribute to the Hermosa Valley School administration, faculty, and staff its policy prohibiting retaliation against those engaging in civil rights related protected activity. Along with the policy, the District will provide an attachment that: reemphasizes that retaliation against those engaging in protected activities is prohibited; clarifies that protected activity is not limited to students and staff but also includes parents, guardians, and others; provides examples of protected activity; and, provides examples of actions that may be considered retaliatory in nature.
2. Within ten (10) calendar days of the policy being distributed, the District will provide a copy of the policy to OCR along with written confirmation to OCR that it has distributed the policy and the manner in which it was distributed.

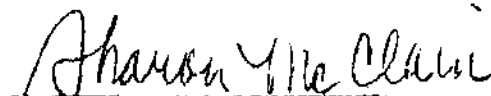
C. Uniform Complaint Procedures (UCP)

1. By March 10, 2008, the District will provide to OCR a draft revised Uniform Complaint Procedures [currently designated by the District as BP 1312.3(a) through 1312.3(c) and AR 1312.3(a) through 1312.3(g)] that clearly states that the UCP applies to the filing, investigation and resolution of a complaint regarding an alleged violation by the District of federal law or regulations governing educational programs, including allegations of unlawful discrimination.
2. By April 16, 2008, after OCR's review of the draft revised UCP, the District will present the draft UCP to its Board of Education (Board) for approval.
3. If the Board approves the UCP as written, the District will provide OCR with a finalized copy within ten (10) calendar days of the Board's approval. If the Board decides not to approve the UCP as written, the District will notify OCR within ten (10) calendar days of the Board's decision.
4. Within ten days of the Board approving the UCP, the District will publish and effectively disseminate it to students, parents, guardians, staff, and employees.
5. Within ten (10) calendar days of the UCP being published and disseminated, the District will provide written confirmation to OCR that it has published and disseminated the UCP along with a list of publications or places in which the UCP has been published and disseminated.

II. NONDISCRIMINATION AND RETALIATION TRAINING

1. By June 24, 2008, the District will provide training to the certificated staff and the administration at Hermosa Valley School. The training will cover: the protections afforded to individuals by Title VI, Title IX, Section 504, and the ADA; the process to be followed upon receipt of a complaint of discrimination, harassment, or retaliation (e.g., receipt, acknowledgment, investigation, and resolution); and, the prohibition of retaliatory acts against those individuals who have complained of discrimination or harassment, participated in any investigation or otherwise participated in the resolution of a complaint of harassment or discrimination, or opposed a discriminatory or harassing practice, procedure, or activity.
2. The training will be provided by a qualified and appropriate District administrator or by an outside expert or consultant who is qualified and knowledgeable about the issues identified in OCR case no. 09-06-1482.
3. Within ten (10) calendar days of the training being provided, the District will provide to OCR: a list stating the number of individuals attending the training and the types of positions they hold; the qualifications and experience of the individual(s) providing the training; and, an assurance that all District employees referenced in the factual findings of OCR's resolution letter have attended the training.

By:


Sharon L. McClain, Ed.D., Superintendent

Date: March 4, 2008