

**Carmel Unified School District
Resolution Agreement
OCR Case Number 09-22-1158**

The Carmel Unified School District (the District) agrees to implement this Resolution Agreement (the Agreement) to resolve the violations and the compliance concern identified by the U.S. Department of Education, Office for Civil Rights (OCR), under Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations, 34 C.F.R. Part 100, in the above-referenced OCR case number.

I. Individual Remedies for Harassed Students

A. Review of Harassment Incidents from School Years 2021-2022, 2022-2023, and 2023-2024

1. The District will review incidents of harassment based on race, color, and national origin, including shared ancestry or ethnic characteristics, at the School during the 2021-2022, 2022-2023, and 2023-2024 school years (SY) using a list of incidents provided by OCR and other relevant information.
2. In its review, the District will determine – through records reviews, interviews, etc. – what further action, if any, is needed to provide an equitable resolution of each incident. Such further action may include offering remedies for individuals affected by a hostile environment in the District’s education programs or activities resulting from harassment based on race, color, and national origin, including shared ancestry or ethnic characteristics.

B. Reporting

1. The District will complete the review set forth in Section I.A. within 60 calendar days of OCR providing to the District a list of incidents.
2. The District will take the identified further actions as determined pursuant to Section I.A.2. within 30 calendar days of completing its review.
3. Within 90 calendar days of OCR providing the District with a list of incidents to review, the District will submit to OCR the following for each incident:
 - a. a summary of the District’s review, including who conducted the review and how the review was conducted (e.g., what records and other information were considered);
 - b. a determination regarding whether student(s) experienced a hostile environment as a result of the incident(s);
 - c. a description of corrective steps the District took, if any (e.g., administering discipline, creating a safety plan, implementing a no-contact order, offering counseling or compensatory services, etc.); and
 - d. the name(s) and job title(s) of the employee(s) responsible for providing the corrective steps, if any.

4. If OCR notifies the District that further corrective steps are needed for one or more reported incidents, the District will take those actions and provide documentation of having taken them to OCR within 60 days of OCR's notice.

II. Harassment Policies and Procedures

A. Review and Revise Policies and Procedures

The District will review and revise, as necessary, its policies and procedures to ensure that the District adequately addressed the Title VI prohibition on discrimination, including harassment, based on race, color, and national origin. At a minimum, the District will ensure that its policies and procedures:

1. explain that Title VI prohibits the District from discriminating based on race, color, and national origin and that this prohibition includes a District duty to respond promptly and effectively to actual and constructive notice that harassment on these bases is creating a hostile educational environment for students, including by stopping the harassment, preventing its recurrence, eliminating the hostile environment, and remedying its effects, as appropriate;
2. define actual notice and constructive notice, and emphasize that school personnel must promptly report to the designated District or School administrator(s)/staff member(s) all incidents of possible harassment that they witness or of which they have received reports or information, whether such incidents are verbal or physical or amount to harassment in other forms, and regardless of whether a formal complaint is filed;
3. explain that Title VI protects students from harassment based on race, color, and national origin – including based on their actual or perceived shared ancestry or ethnic characteristics (e.g., shared Jewish ancestry), or citizenship or residency in a country with a dominant religion or distinct religious identity (e.g., shared Muslim ancestry) – that creates a hostile educational environment for them (and define hostile environment);
4. include examples of harassment based on race, color, and national origin, including harassment based on shared ancestry or ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity, and explain that harassment need not be targeted or directed at a specific individual;
5. explain the right to file a formal complaint pursuant to the District's policies and procedures, and the right to be offered a copy of the procedures;
6. encourage students to immediately report incidents of harassment;
7. specify that the District will investigate formal and informal complaints of harassment;

8. provide examples of supportive measures that the District may offer to students reported to have been harassed while the District investigates the alleged harassment;
9. provide examples of District responses to a determination that a student harassed another student based on race, color, or national origin (e.g., disciplinary sanctions, no-contact orders, counseling, and assemblies);
10. expressly prohibit retaliation, define retaliation, provide examples of retaliation, and identify consequences for retaliation; and
11. include the following regarding the District’s complaint procedures:
 - a. the name or title, office address, and telephone number for the District employee(s) responsible for receiving and investigating reports of harassment; and
 - b. description of the procedures that will be used to receive, investigate, and resolve complaints, including how to file complaints, the availability of supportive or interim measures (including safety plans), the steps that will be taken as part of the complaint investigation, and notice of the outcome of the complaint.

B. Disseminate Revised Policies and Procedures

The District will disseminate the revised policies and procedures by:

1. posting them on the District’s Board Policies website;
2. including them, or at least a link to them, in all District schools’ student or parent handbooks (starting with the handbooks for the 2025-26 school year);
3. including a link to them on all District schools’ websites; and
4. emailing an announcement, with a link to them, to all District employees, students, and parents. (For purposes of this Agreement, “parents” include guardians and other caretakers of District students.)

C. Reporting

1. Within 90 calendar days of the District signing this Agreement, the District will submit to OCR for review and approval drafts of the revised policies and procedures. The submission will indicate (e.g., with tracked changes) what text is different or new compared to existing District policies and procedures. The District will promptly and fully address OCR’s feedback, if any, until the District receives OCR’s final approval of the revised policies and procedures.
2. Within 60 calendar days of OCR notifying the District that the revised policies and procedures are approved, the District will submit to OCR documentation

which demonstrates the District has: (i) formally adopted the revised policies and procedures, and (ii) disseminated the adopted policies and procedures as required by Sections II.B.1, II.B.3, and II.B.4.

3. Within 20 calendar days of the District approving a final version of the 2025-26 student and parent handbooks for publication, which include the OCR-approved revisions to the policies and procedures, or a link to them, the District will submit to OCR documentation confirming final approval of the handbooks.

III. Written Guidance

A. Written Guidance to School Staff

Following the District's adoption of revised policies and procedures under Section II, the District will issue a written guidance memorandum to School staff which will, at a minimum, include the following components:

1. A statement setting forth the District's commitment to a harassment-free environment;
2. A general overview of Title VI, including how the law's nondiscrimination provisions apply to students;
3. An explanation of the District's Title VI policies and procedures, including what constitutes harassment based on race, color, and national origin, including shared ancestry and ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity; the role of any designated compliance officer; the availability of supportive or interim measures (including safety plans); and corrective or disciplinary actions related to findings of violations of the District's harassment policies and procedures, including the District policy prohibiting retaliation and intimidation;
4. An explanation of what staff should do if they believe students have been subjected to harassment (which need not be targeted or directed at a specific individual), including their duty to immediately report all allegations of possible harassment;
5. The names and contact information for the designated employee(s) to whom students or others may report allegations of harassment;
6. Information regarding where staff can find the District's harassment policies and procedures; and
7. Information about OCR and its authority to enforce Title VI.

B. Reporting

1. Within 30 calendar days of receiving OCR's approval of the District's revised policies and procedures, the District will submit, for OCR's review and approval, a draft of the written guidance memorandum. The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the guidance memorandum.
2. Within 30 calendar days of receipt of notice of OCR's approval, the District will submit to OCR documentation that the guidance memorandum has been disseminated to School staff. The documentation shall include a copy of the memorandum and a description of the means by which it was disseminated (e.g., email or other online communication).

IV. Recordkeeping

A. Forms

1. The District will develop and use a standard form for employees, students, and parents to report or file a complaint about harassment of students based on race, color, and national origin (Form 1); and a standard form for designated employees to use when responding to such reports or complaints (Form 2).
2. Form 1 will include, at a minimum, fields for:
 - a. the name and status/position (e.g., employee, student, or parent) of the individual making the report;
 - b. the date of the report;
 - c. the name(s), school(s), and grade(s) of the student(s) who was/were harassed;
 - d. the name(s), school(s), and grade(s) of the student(s) who engaged in harassment;
 - e. the basis or bases for the harassment (e.g., race, color, and/or national origin);
 - f. a description of the harassment, including the nature, location(s), date(s), and approximate time(s) of the harassment;
 - g. the name(s) and status(es) of any witness(es) to the harassment; and
 - h. the impact(s) of the harassment on the student(s) who was/were harassed.
3. Form 2 will include fields for at least the following information:
 - a. the name and title of the employee who received the report or complaint of harassment;
 - b. the date the employee received the report or complaint;
 - c. the name and title of the employee who responded to the report or complaint;
 - d. the name and status of the individual who made the report or complaint;

- e. the name(s) and school(s) of the student(s) who was/were allegedly harassed;
- f. the name(s) and status(es) of the individual(s) who allegedly engaged in harassment;
- g. the steps taken to investigate the alleged harassment (e.g., interviewing witnesses, obtaining witness statements, and reviewing video footage, photographs, screenshots, and communications, and the date that each step was taken);
- h. a description of any interim or supportive measures offered and implemented for the students involved (e.g., a safety plan, no contact order, etc.);
- i. a determination regarding whether the student(s) was/were harassed based on race, color, or national origin, and if so, a determination regarding whether the harassment created a hostile environment;
- j. the date(s) the determination(s) was/were made;
- k. an explanation for the determination(s) made;
- l. the names and positions of the individuals who were notified of the outcome of the investigation and the date each individual was notified; and
- m. a description of any remedial measures taken by the District, including measures taken to eliminate the hostile environment, prevent its recurrence, and remedy its effects (e.g., disciplining the harasser, providing counseling to students, and holding an assembly).

B. Policies and Procedures

The District will develop and implement policies and procedures designed to help ensure that employees adequately and accurately document and preserve all reports and complaints of and responses to harassment based on race, color, and national origin. The recordkeeping policies and procedures will include, at a minimum:

- 1. a requirement that Forms 1 and 2 be readily available and consistently used;
- 2. a description of what records and information must be maintained (including, but not limited to, Forms 1 and 2, witness statements, interview notes, and other evidence);
- 3. a description of how records and information must be maintained, including which student information system (SIS) must be used, which relevant codes in the SIS must be used, and how long records must be maintained;
- 4. who is responsible for maintaining specific records and information; and
- 5. how the District will ensure that the recordkeeping policies and procedures will be followed with fidelity (e.g., periodic reviews and audits for each District school).

C. Dissemination

1. The District will make Form 1 available:
 - a. on the District's website;
 - b. on each District school's website;
 - c. via a link in each school's student or parent handbook; and
 - d. in the front office and counseling office of each District school.
2. The District will disseminate Form 2 to all employees who are authorized to handle reports of harassment based on race, color, or national origin by:
 - a. emailing it to them;
 - b. disseminating hardcopies of it at a staff meeting at each school; and
 - c. posting it on any shared drives or cloud storage used by employees.
3. The District will disseminate the recordkeeping policies and procedures by:
 - a. emailing them to all employees;
 - b. disseminating hardcopies of them at a staff meeting at each school; and
 - c. posting them on any shared drives or cloud storage used by employees.

D. Reporting

1. Within 90 calendar days of the District signing this Agreement, the District will submit to OCR for review and approval:
 - a. a draft of Form 1;
 - b. a draft of Form 2; and
 - c. a draft of the recordkeeping policies and procedures.

The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the forms and recordkeeping policies and procedures.

2. Within 30 calendar days of OCR notifying the District that the Form 1, Form 2, and the recordkeeping policies and procedures are approved, the District will disseminate them as required and submit supporting documentation to OCR. The documentation shall include a copy of the notice as disseminated pursuant to Section IV.C.

V. Notice of Nondiscrimination

A. Content

The District will draft a notice that includes:

1. a statement that it does not tolerate discrimination, including harassment, based on race, color, or national origin, including shared ancestry and ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity;
2. a statement encouraging any student or parent who believes they have been subjected to harassment to report the incident(s) to the District, and informing them of their right to file a formal complaint;
3. a statement of the District's commitment to conducting a prompt, adequate, and reliable investigation;
4. a statement of the District's commitment to providing an effective response to stop the harassment, prevent its recurrence, and address its effects;
5. a statement that retaliation is prohibited and that allegations that students and/or employees have retaliated against individuals who report harassment will be promptly investigated and addressed;
6. a link to the District's revised harassment policies and procedures (see Section II); and
7. a link to Form 1 (see Section IV).

B. Dissemination

The District will disseminate the notice to all employees, students, and parents by, at a minimum:

1. posting the notice in common areas throughout all District schools;
2. posting the notice on the homepages of the District's website and each District school's website;
3. emailing the notice to all employees, students, and parents; and
4. including the notice in all student and parent handbooks.

C. Reporting

1. Within 30 calendar days of OCR notifying the District that no further reporting is required for Sections II-IV, the District will submit to OCR for review and approval a draft notice. The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the notice.
2. Within 30 calendar days of OCR notifying the District that the notice is approved, the District will disseminate the approved notice as required and submit

supporting documentation to OCR. The documentation shall include a copy of the notice as disseminated pursuant to Section V.B.

VI. Climate Surveys

A. Administration

During SY 2024-25, and for such period of time as compliance with this Agreement is being monitored, the District will administer an age-appropriate climate survey of employees, grade [redacted content] students, and parents at the School.

B. Content

The survey will include topics related to harassment of students based on race, color, and national origin (including antisemitism). The survey will include notice to survey takers that they may file a complaint regarding harassment based on race, color, or national origin, as well as a link to the form approved pursuant to Section III. Survey topics will include:

1. the prevalence of such harassment;
2. employees', students', and parents' willingness to report such harassment;
3. whether employees, students, and parents have sufficient access to, and information about, the District's policies and procedures regarding such harassment, including how to report it;
4. employees', students', and parents' perceptions of the District's and schools' responses to reports of such harassment; and
5. employees', students', and parents' suggestions for reducing incidents of such harassment in the District and improving the District's response to reports of such harassment.

C. Analysis and Planning

Within 60 calendar days of conducting the annual surveys during monitoring of this Agreement, the District will:

1. analyze the results; and
2. use the results to develop an action plan, if necessary, which will be implemented to address the concerns identified (e.g., further revise policies and procedures, provide additional training, etc.).

D. Reporting

1. Within 120 calendar days of the District signing this Agreement, the District will submit to OCR for review and approval a plan for the SY 2024-25 survey. The plan will include proposals for:
 - a. survey opening and closing dates;
 - b. disseminating and publicizing the survey;
 - c. survey questions for employees, for students, and for parents;
 - d. the survey tool(s); and
 - e. the names(s) and title(s) of the individual(s) who will be charge of administering the survey.

The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the plan.

2. Within 90 calendar days of conducting the SY 2024-25 survey, the District will submit to OCR for review and approval the required analysis and, if necessary, the action plan. The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the action plan.

VII. Training for District Administrators and School Site Administrators, Faculty, and Staff

A. Training Content and Evaluation

1. Starting in SY 2024-25, and for such time as compliance with this Agreement is being monitored, within 30 calendar days of the start of each school year, the District will train all District administrators and School site administrators, faculty, and staff regarding:
 - a. the District's harassment policies and procedures addressing harassment based on race, color, and national origin (see Section II);
 - b. recognizing, reporting, and responding to harassment based on race, color, and national origin, including the use of Forms 1 and 2 (see Section IV); and
 - c. the District's recordkeeping policies and procedures (see Section IV).
2. The District will survey trainees about the training and use the feedback to improve future trainings.

B. Reporting

1. Within 60 calendar days of OCR notifying the District that no further reporting is required for Sections II-IV, the District will submit to OCR for review and approval:
 - a. draft training materials;

- b. the name(s), job title(s), and qualifications of one or more proposed individuals to provide the training;
- c. a description of the delivery method, which need not be the same delivery method for all classifications of employees;
- d. proposed date(s) for the SY 2024-25 training; and
- e. a draft trainee survey.

The District will promptly and fully address OCR’s feedback, if any, until the District receives OCR’s final approval of the aforementioned documents.

- 2. Within 30 calendar days of conducting the training for SY 2024-25, the District will submit to OCR:

- a. the date(s) of the training;
- b. confirmation that the approved trainer(s) used the approved training materials and delivery method;
- c. the names, job titles or positions, and school/assigned location of employees who did not complete the training and a plan to train each person within 30 calendar days;
- d. the trainee survey results; and
- e. the District’s proposed changes to the training for SY 2025-26 to account for survey feedback, trends in the District, and other factors.

The District will promptly and fully address OCR’s concerns, if any, about this reporting until the District receives notice from OCR that no further reporting is required.

VIII. Investigative Training for School Staff

A. Training Content and Evaluation

- 1. Starting in SY 2024-25, and for such time as compliance with this Agreement is being monitored, within 20 calendar days following the training set forth in Section VII, the District will train all School administrators, including the Principal and Assistant Principal(s), who are directly involved in processing, investigating, and/or resolving complaints and other reports of possible discrimination based on race, color, and national origin, including harassment based on shared ancestry and ethnic characteristics, regarding:
 - a. the District policies and procedures that focus specifically on the investigation of discrimination complaints, including instructions on how to conduct and document reliable and impartial investigations;
 - b. the availability of supportive or interim measures (including safety plans) while the District investigates the alleged discrimination;
 - c. how to determine whether harassment created a hostile environment; and
 - d. the types of remedial measures that may be appropriate, including measures taken to eliminate the hostile environment, prevent its recurrence, and remedy its effects (e.g., disciplining the offending student,

ensuring the offending student understands the seriousness of the offense, providing counseling to students, and holding an assembly).

2. The District will survey trainees about the training and use the feedback to improve future trainings.

B. Reporting

1. Within 60 calendar days of OCR notifying the District that no further reporting is required for Sections II-IV, the District will submit to OCR for review and approval:
 - a. draft training materials;
 - b. the name(s), job title(s), and qualifications of one or more proposed individuals to provide the training;
 - c. a description of the delivery method, which need not be the same delivery method for all classifications of employees;
 - d. proposed date(s) for the SY 2024-25 training; and
 - e. a draft trainee survey.

The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the aforementioned documents.

2. Within 30 calendar days of conducting the training for SY 2024-25, the District will submit to OCR:
 - a. the date(s) of the training;
 - b. confirmation that the approved trainer(s) used the approved training materials and delivery method;
 - c. the names, job titles or positions, and school/assigned location of employees who did not complete the training and a plan to train each person within 30 calendar days;
 - d. the trainee survey results; and
 - e. the District's proposed changes to the training for SY 2025-26 to account for survey feedback, trends in the District, and other factors.

The District will promptly and fully address OCR's concerns, if any, about this reporting until the District receives notice from OCR that no further reporting is required.

IX. Presentations to District Students and Parents

A. Content and Evaluation

1. The District will, annually, provide presentations with developmentally appropriate information to grades [redacted content] students at the School and their parents regarding:

- a. the District's obligations to provide a harassment-free environment on the basis of race, color, and national origin, including shared ancestry or ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity, and an explanation of the District's commitments under this Agreement;
 - b. the definition and examples of harassment based on race, color, and national origin, including harassment based on shared ancestry or ethnic characteristics, or citizenship or residency in a country with a dominant religion or distinct religious identity;
 - c. how to recognize and report harassment based on race, color, and national origin;
 - d. a summary of the District's policies and procedures regarding discrimination and harassment based on race, color, and national origin, including responsibilities of District and/or School employees in responding to harassment based on same;
 - e. the possible consequences for students who engage in harassment based on race, color, and national origin including, where applicable, progressive disciplinary steps;
 - f. steps students may take if they believe employees are not responding appropriately to harassment (e.g., contacting a District administrator, filing a complaint with OCR, etc.); and
 - g. protections from retaliation under Title VI and District policies and procedures.
2. The presentation to grades [redacted content] students can be provided at an assembly presentation or classroom presentations. The presentation to parents can be conducted at a parent meeting, at which attendance by parents is voluntary but will be encouraged. Notice of such meeting will be disseminated to parents no fewer than 15 calendar days before the meeting, via email or other regular method of communication used with parents. The presentations for students or parents may be incorporated into, or presented along with, other information for students or parents.
 3. The District will survey trainees about the training and use the feedback to improve future trainings.

B. Reporting

1. Within 60 calendar days of OCR notifying the District that no further reporting is required for Sections II-IV, the District will submit to OCR for review and approval:
 - a. draft training materials;
 - b. the name(s), job title(s), and qualifications of one or more proposed individuals to provide the trainings;
 - c. a description of the delivery method;
 - d. proposed dates for the SY 2024-25 trainings; and

- e. draft trainee surveys.

The District will promptly and fully address OCR's feedback, if any, until the District receives OCR's final approval of the aforementioned documents.

- 2. Within 30 calendar days of conducting the trainings for SY 2024-25, the District will submit to OCR:
 - a. the dates of the trainings;
 - b. confirmation that the approved trainer(s) used the approved training materials and delivery method;
 - c. the trainee survey results; and
 - d. the District's proposed changes to the training for SY 2025-26 to reflect survey feedback, trends in the District, and other factors.

The District will promptly and fully address OCR's concerns, if any, about this reporting until the District receives notice from OCR that no further reporting is required.

X. Audits for School Years 2024-25 and 2025-26

A. Audit

The District will report to OCR on reported student harassment based on race, color, and national origin during SYs 2024-25 and 2025-26.

B. Reporting

Within 30 calendar days of the end of SY 2024-25 and the end of SY 2025-26, the District will submit to OCR completed Forms 1 and 2 (see Section IV) for each report or complaint of harassment based on race, color, or national origin. If any reports or complaints do not have associated forms, the District will provide a written description of the report or complaint and the District's response to the report or complaint and an explanation for the lack of forms. The District will promptly and fully address OCR's concerns, if any, about the submissions until OCR notifies the District that no further reporting is required.

XI. General Terms and Principles

By signing the Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of the 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 the Agreement.

The District understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the District is in compliance with the Agreement's terms and the statute(s) and regulation(s) at issue in the case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the Agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

/s/

Sharon Ofek, Superintendent
Carmel Unified School District

July 25, 2025

Date