



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200
SAN FRANCISCO, CA 94105

REGION IX
CALIFORNIA

JUN 03 2013

Dr. Kevin Skelly
Superintendent
Palo Alto Unified School District
25 Churchill Avenue
Palo Alto, California 94306-1099

(In reply, please refer to case number 09-13-6901.)

Dear Superintendent Skelly:

The Office for Civil Rights (OCR), the civil rights enforcement arm of the U.S. Department of Education (Department), implements Federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability, and age by educational institutions that receive Federal financial assistance. Specifically, OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in education programs or activities operated by a recipient of Federal financial assistance. The Palo Alto Unified School District (District) is a recipient of Federal financial assistance from the Department and is therefore subject to Title IX and the regulation.

I am writing to advise you that OCR is opening an investigation of the District's compliance with Title IX. Specifically, OCR will examine whether the District provides students at Palo Alto High School (High School) with a nondiscriminatory educational environment free of sexual harassment, and whether it responds promptly and effectively to complaints or other notice of sexual harassment of students. Pursuant to the regulation implementing Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, at 34 C.F.R. § 100.7(c), OCR will make a prompt investigation whenever a compliance review, report, complaint, or any other information indicates a possible failure to comply with the regulation. This requirement is incorporated by reference in the Title IX regulation at 34 C.F.R. § 106.71. OCR has received information that the High School has not provided a prompt and equitable response to notice of peer sexual harassment, including peer harassment related to sexual assault.

Please note that opening an investigation in no way implies that OCR has made a determination with regard to its merits. During the investigation, OCR is a neutral fact finder, collecting and analyzing relevant evidence from the recipient, and other sources as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the report of discrimination in accordance with the provisions of Article III of OCR's *Case Processing Manual*.

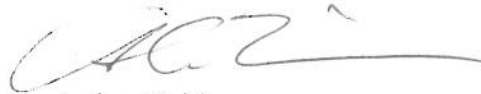
Please read the enclosed document entitled "OCR Complaint Processing Procedures" which includes information about:

- OCR's complaint evaluation and resolution procedures;
- regulatory prohibitions against retaliation, intimidation and harassment of persons who file complaints with OCR or participate in an OCR investigation; and
- application of the Freedom of Information Act and Privacy Act to OCR investigations.

Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Upon receipt of this letter, please notify OCR of the name, address, telephone number and email of the person who will serve as the District's contact person during this investigation. OCR would like to speak to this individual as soon as possible. If you have questions, please contact the following OCR attorneys: Anamaria Loya at (415) 486- 5404 or anamaria.loya@ed.gov, or Kendra Fox-Davis at (415) 486-5418 or kendra.foxdavis@ed.gov.

Sincerely,



Arthur Zeidman
Regional Director

Enclosure