

To All Present and Future Alhambra High School (AHS) Female Students and Potential Students Who Participate, Seek To Participate, and/or Are Deterred From Participating in Athletics at AHS:

THIS NOTICE AFFECTS YOUR RIGHTS – PLEASE READ IT CAREFULLY.

A settlement has been reached in a class action lawsuit against the Alhambra Unified School District, District Board members and employees (“District Defendants”) and the City of Alhambra (“City”), *Cruz v. Alhambra School District*, No. CV 04-1460.

The lawsuit was filed in federal district court, Central District of California, and alleges sex discrimination under Title IX of the Education Amendments of 1972, the federal and state Constitutions, and other laws. The lawsuit seeks injunctive and declaratory relief. The District Defendants and the City deny liability.

By December 21, 2005, the judge gave preliminary approval to the settlement. A hearing on the fairness of the settlement will be held at the United States District Court on January 31, 2006, at 10:00 a.m., Courtroom 880, Roybal Building, 255 E. Temple Street, Los Angeles. **As a Class Member, you have the right to attend and be heard at this hearing.** The settlement will not become binding until the court gives final approval.

If the settlement is satisfactory, you may do nothing and be bound by it. If you object to the settlement, you may send written objections or appear at the hearing. You may retain counsel. Send objections to: Clerk of the Court; Central District of California; 312 N. Spring Street, Room G-8; Los Angeles, CA 90012. Objections should specify *Cruz v. Alhambra School District*, No. CV 04-1460 DT, and must be postmarked or file-stamped by the Court no later than **January 24, 2006**. The Court may exclude objectors from the class.

Counsel for the plaintiffs are The Legal Aid Society-Employment Law Center and California Women’s Law Center. You may contact Class Counsel for more information about the settlement: Elizabeth Kristen; The Legal Aid Society-Employment Law Center; 600 Harrison Street, Suite 120; San Francisco, CA 94107; (415) 864-8848; (415) 593-0091 (TDD); ekristen@las-elc.org. Complete copies of the settlement papers are available for review at the Office of the Clerk of the United States District Court in Los Angeles.

SUMMARY OF PROPOSED SETTLEMENT AGREEMENT.

Equal Participation Opportunities.

From February 1, 2005 to February 1, 2011, AUSD will ensure that athletic opportunities for girls at AHS meet one of the following: (1) The percentage of all athletic opportunities for girls are within 2% of their share of enrollment; or (2) The athletic interests and abilities of girls at AHS are fully and effectively met, with teams fielded whenever there is sufficient interest, ability, and competition; or (3) From February 1, 2009 through February 1, 2011, AUSD may comply by demonstrating a continuing practice of program expansion, as defined in the settlement.

AUSD will add a freshman-sophomore softball team and an additional girls’ basketball team, and will determine whether there is demand for additional girls’ sports teams.

Two New Softball Fields.

By February 1, 2008, AUSD will build two softball fields at Moor Field. The new fields will have the same amenities and maintenance as the baseball fields at Moor Field. The City will contribute \$500,000.00. Until the new softball fields are ready, AUSD will provide at Third Street: a batting cage, pitching machine; working water fountains; rehabilitation of the benches and bleachers; seeding and leveling; portable restroom; and maintenance.

Equal Access to Facilities and Competition.

All girl’s athletic teams at AHS will have an equal opportunity as the boys to practice and compete on available athletic facilities. AHS will ensure that teams vacate practice and weight rooms by the end of their scheduled time or be penalized. The girls’ teams will play an equal number of games as the boys’ teams.

When the girls' and boys' teams need the same facility, then practice and game schedules will be rotated so that the girls have equal access to preferred facilities and times. The "Large Gym" is the preferred facility for basketball. Friday is the preferred day, and 7:00 p.m. is the preferred time, for basketball games.

The smaller of the two locker rooms off the Large Gym will be dedicated to girls. By December 2008, AUSD will construct at AHS a new team locker room and a gated team area for girls, and three co-ed weight rooms. AUSD will ensure that awards, funding for banquets, and publicity provided by AHS are equitable.

Equal Access to Qualified Coaches.

Female athletes at AHS will enjoy the same opportunities as the boys for coaching and conditioning, including the benefits of the instructional Sixth Period. Coaches of girls' teams will be of an equal quality to coaches of boys' teams. AHS will evaluate coaches to ensure equality, and will take steps to recruit staff coaches.

Equitable Expenditures.

Expenditures made on interscholastic athletics must be equitable. Gender equity in expenditures means: (1) the money spent on "Athletics-Boys," as defined in the settlement, did not exceed the money spent on "Athletic-Girls," as defined in the settlement, or (2) the money spent on "Athletics-Girls" was equitable to the money spent on "Athletics-Boys" because the girls received the same level, quality, and quantity of necessary uniforms, protective gear, equipment, and supplies as did the boys, and any difference in the money spent was due to the needs of particular sports.

Fundraising and Trust Fund Accounts.

The ASB General Athletics Trust Account will be created for expenditures necessary to an athletic team, athletic awards and banquets, and seed money for athletic fundraisers. Twenty-three (23) individual athletic trust fund accounts will be created for athletic fundraising, one for each sport fielded at AHS. Any other athletic trust fund account that exists to support interscholastic athletics in any fashion shall be closed.

All monies raised for interscholastic athletics at AHS will be allocated as follows: One third of the funds raised shall be deposited into the ASB General Athletics Trust Account, and two thirds shall be deposited into the ASB Individual Athletic Trust Fund Account that corresponds to the team or teams that conducted the fundraising. AHS will distribute a list of all athletic fundraisers conducted in the last three years. Any team that wishes to lead a particular fundraiser will be given an equal opportunity to do so.

Miscellaneous.

The settlement imposes periodic training and reporting requirements. A grievance procedure, as detailed in the settlement, will be established to address any complaint that AUSD has violated the settlement or related laws.

The Class Members will release claims against any defendant for injunctive, equitable, or declaratory relief that are the subject of, included within, and/or arise from this lawsuit, and will execute a general release, waiving rights under Cal. Civ. Code § 1542, as to such claims for injunctive, equitable, or declaratory relief.

The Court will determine fees and costs for Class Counsel. In addition, AUSD is responsible for fees and costs up to \$18,000 per year for monitoring.

The Court will maintain jurisdiction over the settlement and AUSD until February 1, 2011. The Court's jurisdiction over the City will terminate 30 days after the city deposits \$500,000.00 into a trust account.