

**TITLE:** Title IX Policy/Nondiscrimination Complaint  
Procedures (Including for Sex Discrimination and  
Sexual Harassment)

**NUMBER:** BUL-2521.5

**ISSUER:** Devora Navera Reed  
General Counsel  
Office of the General Counsel

**DATE:** August 26, 2024

**ROUTING**  
All Employees

**POLICY:** The Los Angeles Unified School District (District) is committed to providing a learning and working environment in which all individuals are treated with respect and dignity. Each student and employee has a right to learn and work in an environment that is free from unlawful discrimination, including on the basis of sex. No District student or employee shall be excluded from participation in, be denied the benefits of, or be subject to discrimination on the basis of actual or perceived gender/sex or sex stereotypes (including gender identity, gender expression, marital status, parenting, pregnancy, childbirth, breastfeeding, false pregnancy, termination of pregnancy and pregnancy related medical conditions), sexual orientation or a person’s association with a person or group with one or more of these actual or perceived characteristics in any District educational program or activity or to which it provides significant assistance. Sexual harassment of or by employees, students, third parties, or persons doing business that takes place or is affiliated with the District, is a form of sex discrimination in that it constitutes differential treatment on the basis of actual or perceived sex, sexual orientation or gender. As such, any act of sexual harassment is a violation of law, as well as District policy and is prohibited. The District considers sexual harassment to be a serious offense, which can result in disciplinary action against the offending employee or student, including suspension or expulsion of the offending student in Grades 4-12. While suspension or expulsion as a disciplinary consequence for sexual harassment shall not apply to students enrolled in Kindergarten and Grades 13 under state law, other disciplinary actions or interventions may be taken as appropriate. Students

or employees of the District who believe that they have been a target of sexual harassment may bring the problem to the attention of the site administrator or site Title IX/Bullying Complaint Manager. All complaints will be promptly investigated in a way that respects the privacy of all parties. The District will take appropriate actions reasonably calculated to eliminate the harassment, prevent its recurrence, and remedy its effects. The District prohibits retaliatory behavior against anyone who files a sexual harassment complaint, makes a report on an individual's behalf, or participates in the complaint investigation process. This policy applies to student-related Title IX complaint procedures. For Title IX-related matters concerning persons who are not students (e.g., employees, contractors, or community members), refer to Bulletin 6612.1 or contact the Equal Opportunity Section at (213) 241-7685.

**MAJOR****CHANGES:**

This Bulletin replaces BUL-2521.4: Title IX Policy/Complaint Procedures dated September 25, 2023. This policy revision includes updates required for compliance with the revised Title IX regulations released by the U.S. Department of Education on April 19, 2024. The final regulations are effective on August 1, 2024, and apply to complaints of sex discrimination regarding alleged conduct that occurs on or after that date. Any Title IX complaint for incidents before August 1, 2024, will be addressed under the procedures outlined under the Title IX regulations established in 2020 as outlined in District Policy Bulletin 2521.4.

**GUIDELINES:****I. BACKGROUND**

Title IX of the Education Amendments of 1972 states, "No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." California Education Code (E.C.) § 200 *et seq.*, affords all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in § 422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state. California's public schools have an affirmative obligation to combat racism, sexism, and other forms of

bias, and a responsibility to provide equal educational opportunity. California law clarifies that gender means actual or perceived sex, and includes a person's gender identity and gender expression or gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. State law elaborates that a pupil shall be permitted to participate in sexsegregated school programs and activities, including athletic teams and competitions, and use facilities consistent with the pupil's gender identity, irrespective of the gender listed on the pupil's records.

California Education Code §212.5 and Title 5 of the California Code of Regulations, §4916, define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting under any of the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

Federal regulations provide definitions of sexual harassment and mandated grievance procedures for addressing allegations specific to sexual harassment. Under the regulations for Title IX of the Education Amendments of 1972, conduct on the basis of sex that satisfies one or more of the following may constitute sex discrimination or sexual harassment and other harassment on the basis of sex, and will be addressed according to the protections afforded in this policy:

- An employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Sexual assault – an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation [See Attachment F for policy definitions related to sexual assault];
- Dating violence – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, the frequency of interaction between the persons involved in the relationship;
- Domestic violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
- Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Title IX applies to all sex discrimination occurring under the District's education program or activity in the United States, including conduct subject to the District's disciplinary authority and conduct that occurred outside the District's education program or activity or outside the United States if the conduct is alleged to be contributing to a hostile educational environment under the District's education program or activity.

Both law and District policy require that all educational programs and activities be conducted without discrimination based on legally protected characteristics.

## II. DEFINITIONS

See Attachment F for policy definitions.

## III. EQUAL TREATMENT OF STUDENTS ON THE BASIS OF ACTUAL OR PERCEIVED SEX IN EDUCATIONAL PROGRAMS AND ACTIVITIES

While the District does not discriminate based on all protected characteristics per the annually issued memorandum *Nondiscrimination Required Notices and Ordering of Student Brochures*, state law assures equal treatment of students in educational programs and activities and specifies that equity on the basis of actual or perceived sex, sexual orientation, gender, gender identity or gender expression shall be practiced in the following ways:

### A. Programs and Activities

1. Students have the right to equal learning opportunities in their school.
2. Students may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or other forms of discrimination based on actual or perceived sex, sexual orientation, gender, gender identity or gender expression, disability, nationality, race or ethnicity, immigration status, religion, or association with anyone with one or more of these characteristics in any program or activity.
3. Students shall be permitted to participate in sex-segregated school programs and activities and use facilities consistent with the student's gender identity, irrespective of the gender listed on the student's record.

### B. Course Accessibility and Instruction

Students may not be required to take or be denied enrollment in a course because of actual or perceived sex, sexual orientation, gender, gender identity or gender expression.

- a. Instruction in all courses and classes must be coeducational, unless otherwise specified under law.

- b. Elementary and secondary units of instruction, which deal exclusively with human sexuality, may be conducted in separate sessions for boys and girls in accordance with their gender identity.
- c. Student grouping by vocal range and quality is allowed in a chorus or choruses.
- d. Students have the right to be evaluated and graded without regard to actual or perceived sex, sexual orientation, gender, gender identity or gender expression.
- e. Instructional materials and textbooks shall not contain any matter reflecting adversely upon persons because of actual or perceived sex, sexual orientation, gender, gender identity or gender expression, except if such passages are for historical reference.
- f. Instructional materials and textbooks shall accurately portray the cultural, racial, gender, and sexual diversity of our society.
- g. When developing the master program in secondary schools, consideration must be given to the naming and scheduling of classes as to promote sex/gender integration, especially in non-traditional course offerings.
- h. In general, the law does not allow for sex segregation in educational programs except under limited conditions. Education Code section 232.2, consistent with Title IX regulations, allows the District to maintain existing singlesex instructional settings, wherein students may participate on the basis of their gender.

**C. Counseling**

- 1. Students shall be provided counseling and guidance that is not discriminatory.
- 2. No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category. In addition, counselors shall affirmatively explore with students the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex

**D. Physical Education**

1. All physical education classes, instruction and testing must be coeducational.
2. Regulations state that schools must not provide any course or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation by its students on such basis, including physical education classes.
3. Student grouping by ability is allowed. However, any grouping of students during physical education activities should be ongoing, flexible, and modified per unit activity and may not have a discriminatory impact. Students are to be assessed by objective standards of individual performance without regard to sex.
4. See BUL-1826.0 *Sex Equity in Physical Education Programs* for detailed information regarding physical education.

**E. Athletics**

Compared programs must be equivalent, that is equal, or equal in effect. Identical benefit, opportunities, or treatment are not required, provided the overall effect of any differences is negligible. Overall, the athletic interests and abilities of male and female students must be equally and effectively accommodated. See Attachments K and L for further considerations in ensuring an equitable athletics program.

1. Schools shall offer all students equal opportunities to play sports.
2. Equipment and supplies, game and practice schedules, budgets, coaching, travel allowances, facilities, recruitment, publicity, support services and tutoring offered to teams shall provide comparable and equitable athletic opportunities for members of both sexes.
3. Students shall be permitted to participate in sex-segregated athletic teams and competitions consistent with their gender identity in accordance with California Interscholastic Federation guidelines.

**F. Sexual Harassment Response**

Sexual harassment of or by school employees or students is a form of sex and gender discrimination and is prohibited. School personnel must respond promptly to allegations of sexual harassment.

1. Employees must notify the designated site level Title IX/Bullying Complaint Manager when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX.

Sections V, VIII and IX of this policy outline specific responsibilities of stakeholders and grievance procedures.

**G. Pregnant and Parenting Students**

1. No student or applicant for enrollment will be subject to discrimination on the basis of current, potential, or past pregnancy, parental, family, or marital status. This includes pregnancy related conditions at any stage of pregnancy such as childbirth, lactation status, false pregnancy, termination of pregnancy or recovery from pregnancy. Students or their representative may file a Title IX complaint if there are allegations of discrimination.
2. Pregnant and parenting students, regardless of their marital status, have the same rights as other students to remain in their current educational program or to attend any District school or program for which they would otherwise qualify and to do so in an environment free of discrimination or harassment.
3. Pregnant and parenting students must have full access to the same programs and activities for which they would otherwise qualify, including, but not limited to, graduation, awards, ceremonies, field trips, student clubs, after-school activities, and any other school-related programs/activities. As such, students cannot be expelled, suspended, or otherwise excluded from, or required to participate in, school programs/activities solely on the basis of their pregnancy-related conditions or parental/marital status.
4. District schools and programs shall make reasonable accommodations or modifications to facilitate the equal access and full participation of pregnant, lactating, breastfeeding and parenting students and employees.

Reasonable modifications may include, but are not limited to, breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access; voluntary leaves of absences deemed medically necessary, voluntary access to separate and comparable portion of a District's program offerings; or other changes to policies, practices, or procedures. When school staff are made aware of a student's pregnancy or related conditions, they must provide the student with the school site Title IX Complaint Manager's contact information, and inform the student that the school site Title IX Complaint Manager is obligated to ensure students are afforded rights pertaining to pregnancy or related conditions.

5. Upon being notified by a student or an individual with a legal right to act on behalf of the student about a student's pregnancy or pregnancy related condition, the Title IX Complainant Managers will provide the individual information on the District's Nondiscrimination policy.

See District policy BUL-2060.2: *Pregnant and Parenting Students Educational Rights* for detailed information regarding pregnant and parenting students.

#### **H. Extra-Curricular Activities, Programs, and Clubs**

1. Participation in all extra-curricular activities, programs, and student clubs shall be available to all students without regard to actual or perceived sex, sexual orientation, gender, gender identity or gender expression.
2. All student clubs are to have equal access to facilities and a fair opportunity to meet.
3. No extra-curricular activity, program, or club is to be labeled or scheduled with the result of the separation of students based on

actual or perceived sex, sexual orientation, gender, gender identity or gender expression. Participation in student clubs will follow guidelines for student body activities and student club bylaws.

**I. Fundraising**

Board Rule 1721 states, "It is the intent of the Board that no donation shall provide a substantial advantage in educational benefits to a school if such benefits cannot be balanced in all schools." When fundraising for programs and activities in a school, ensure equity across the school. Where booster clubs provide benefits and services to athletes of one sex that are greater than what the District is providing to athletes of the other sex, the District shall take action to ensure that the benefits and services are equivalent for both sexes. See Attah for further considerations around ensuring equity in fundraising.

**IV. CERTAIN PROGRAMS AND ACTIVITIES ARE EXCLUDED**

Title IX and the California Education Code do not apply to the following:

1. YMCA, YWCA, Boy Scouts, Girl Scouts, Camp Fire Girls and voluntary youth service organizations.
2. Father-son and mother-daughter activities, provided that comparable activities are offered for students of the other sex. Care must be taken that such activities accommodate for students and their various family configurations.
3. Scholarships based upon a combination of factors where participation is limited to individuals of one sex, if the activity complies with other nondiscriminatory provisions of the law and District policy.

**V. RESPONSIBILITY FOR POLICY IMPLEMENTATION****A. School Principals or Site Administrators shall:**

1. Identify the administrators or designees responsible to serve as the site's Title IX/Bullying Complaint Managers and establish a systematic process to oversee the site-based response to complaints of discrimination, harassment, and retaliation in a safe and private manner. The District's Title IX Coordinator centrally coordinates provision of relevant

investigators and Title IX decisionmakers and provides training and resources for site-based Title IX/Bullying Complaint Managers as well.

- a. The role of the Title IX/Bullying Complaint Manager is to oversee the prompt and equitable response to any complaints of harassment, discrimination, and retaliation, including sexual harassment or sex discrimination under state and federal law, as well as to provide or coordinate supportive measures, information, and options to the parties regarding sexual harassment, sex discrimination or retaliation. The Title IX/Bullying Complaint Manager also has responsibilities regarding addressing complaints of bullying and hazing as articulated in District policy BUL-5212.3 *Bullying and Hazing Policy (Student-to-Student)*.
  - b. School sites must identify at least two Title IX/Bullying Complaint Managers so complainants can choose the person with whom they feel most comfortable discussing their concerns. A Title IX complaint can be filed orally or in writing.
  - c. Provisions must be made to facilitate the ability of nonverbal or limited-English speaking complainants to access the Title IX/Bullying Complaint Managers and file a complaint.
2. Inform staff, students, parents, volunteers, coaches or activity leaders of District policy requiring the promotion of mutual respect, tolerance and acceptance, as well as District policy regarding nondiscrimination and sexual harassment prevention and information about reporting and complaint procedures.
  3. Distribute the District's *Title IX Protections (Attachments G, G-1)* handout attached to this policy to every student at the beginning of each school year. The District provides elementary and secondary student-friendly brochures (Attachments I, I-1, J, J-1) regarding Title IX to communicate this information in an age appropriate manner.
  4. Present the District's policy on nondiscrimination and sexual harassment prevention in age-appropriate language as part of any orientation for new students at the beginning of each

semester or summer session as applicable. This presentation shall include information concerning what is sex discrimination or sexual harassment and how to report or file a discrimination or sexual harassment complaint.

5. Provide training to certificated and classified staff regarding the District's nondiscrimination and sexual harassment prevention policies and communicate to staff their individual responsibilities to promptly respond, intervene and report such behavior.
6. Certify in the Administrator Certification On-Line System that the location has complied with the mandates of this policy. See the *Administrator Certification On-Line System* memorandum issued annually by the Division of District Operations.
7. Refer to the Office of Student Civil Rights and Region area any complaint that names the principal as a respondent or any complaint that alleges school-wide discriminatory practices.

**B. Title IX/Bullying Complaint Managers shall:**

1. Post the English and Spanish *Title IX/Bullying Complaint Manager* posters Attachments (C, C-1) in school administrative offices, including student government meeting rooms or other prominent locations accessible to students where notices are regularly posted regarding rules, regulations, procedures or standards of conduct.
2. Employ this policy at the site, in consultation with the principal or designee, to provide a comprehensive system through which allegations of harassment, discrimination and retaliation can safely and easily be reported, complaints filed, and the ensuing investigations, interventions (e.g., supportive measures, remedies) and monitoring documented comprehensively using appropriate District forms and electronic protocols. Complainants should be assisted in reporting or filing complaints if unable to do so due to age, disability or other reasons.
3. Respond quickly to any complaints and take action to address the behavior, as well as provide supportive measures, information and options regarding discrimination, harassment,

and retaliation, regardless of whether a formal complaint is filed.

4. Intervene immediately to witnessed events and take action to resolve them.
5. Track, using District student information and incident reporting systems, the site's response to complaints to analyze and identify any patterns or systemic problems revealed in order that they may be addressed.
6. Promptly refer any complaints involving an adult as perpetrator to the site administrator.

**C. Employees shall:**

1. Share responsibility for modeling appropriate behavior and creating an environment where students and staff know that harassment, discrimination and retaliation are inappropriate and will not be tolerated.
2. Educate students about appropriate interactions and social norms.
3. Cultivate positive relationships with students per the District's *Code of Conduct with Students*.
4. Support the District's efforts to recognize and prevent harassment, discrimination, retaliation, and take steps to intervene immediately and safely when such incidents occur.
5. Promptly report incidents to the site administrator or Title IX/Bullying Complaint Manager.
6. Encourage anyone alleging to be a target of, a witness to, or to have information about harassment, discrimination, retaliation to report it to the designated administrator or Title IX/Bullying Complaint Manager.
7. Cooperate in complaint investigations.
8. Guard against actions that would be considered retaliatory against anyone who has filed or is participating in a complaint investigation.

**D. Students shall be informed that:**

1. They are to act respectfully towards everyone and should consider how others may perceive or be affected by their actions and words.

2. They are to help create a safe school environment by not engaging in or contributing to harassment, discrimination or retaliation. Student resources, such as brochures, posters and videos can be found on District websites for [Relations](#), [Diversity and Equity](#), [Office of Student Civil Rights](#), and attached to this policy.
3. They are to report incidents to an elementary or secondary school employee, the designated administrator, or Title IX/Bullying Complaint Manager in cases when they may be the witness or target.
4. They are never to engage in retaliatory behavior or ask, encourage, or consent to anyone retaliating on their behalf.

## VI. NOTIFICATION – DISSEMINATION – POSTING

### A. Employees

The *Nondiscrimination Statement (Attachment A, A-1)* and *Sexual Harassment Prevention Policy (Attachments B, B-1)* shall be provided to all District employees and unions annually at the beginning of each school year.

### B. Students

1. All required District nondiscrimination policy statements are included in the *Parent Student Handbook*, which all schools are required to distribute to all students annually and at the time of initial enrollment.
2. The District's written policy on nondiscrimination and sexual harassment prevention shall be presented in age-appropriate language as part of any orientation program conducted for new students at the beginning of each semester and summer session as applicable. This presentation shall include information concerning what discrimination or harassment is and how to report or file a complaint. Attached to this policy are a summary of protections and student-friendly brochures regarding Title IX to assist in informing students of their rights in an age-appropriate manner.

### C. Parents/Guardians and Third Parties

The *Parent Student Handbook* is to be used to provide notification of the District's *Nondiscrimination Statement* and

*Sexual Harassment Prevention Policy* to parents, guardians, and third parties.

### **Notification – Posting**

1. The District’s English and Spanish *Nondiscrimination Statement* and *Sexual Harassment Prevention Policy* posters must be posted in all schools and offices, including staff lounges and student government meeting rooms, in the main administration building, or other prominent locations where notices are regularly posted regarding rules, regulations, procedures or standards of conduct. The *Sexual Harassment Prevention Policy* must additionally be posted in a prominent and conspicuous location in each bathroom and locker room at a school.
2. The *Nondiscrimination Statement* and *Sexual Harassment Prevention Policy* posters can be accessed in Armenian, Chinese, Farsi, Korean, Polish, Russian or Tagalog, from the Office of Student Civil Rights website to duplicate then in the quantity necessary to meet the specific needs of the individual school’s student population.
3. The *Title IX/Bullying Complaint Manager* posters attached to this policy are to identify those site-based administrators or designees designated to oversee discrimination, harassment or retaliation complaints. They are to be posted in school administrative offices, including student government meeting rooms or other prominent locations accessible to students where notices are regularly posted regarding rules, regulations, procedures, or standards of conduct. Suggested other prominent locations may include classrooms, cafeterias and student bulletin boards.

### **Notification – Publication**

The District’s *Nondiscrimination Statement* and *Sexual Harassment Prevention Policy* poster summaries attached to this bulletin shall be included in school or District publications (e.g., student planners, student handbooks or staff handbooks) that set forth the school’s or District’s comprehensive rules, regulations, procedures and standards of conduct.

**Notification – Internet**

Schools shall post the following in a prominent and conspicuous location on their websites:

1. Names of the Title IX Complaint Managers for that school, including phone numbers and email addresses.
2. This website link, [Title IX and Nondiscrimination](#), which provides information regarding the rights of a pupil and the public and the responsibilities of the District under Title IX.
3. Those reporting or complaining about discrimination, harassment, or retaliation can also contact the District's Title IX Coordinator; contact information, including the website address, is noted at the end of this policy.

**VII. CONFIDENTIALITY AND NON-RETALIATION**

Complaints shall be handled in a confidential manner to respect the privacy of all parties to the fullest extent possible under the law. The District must keep confidential the identity of any individual who has made a report or complaint, respondent, and witness, except as may be permitted by the Family Education Rights and Privacy Act, required by other law, or to carry out the purposes of the Title IX regulations. Parties are protected from retaliation. The District prohibits retaliation in any form against anyone who reports or files a complaint of suspected harassment or discrimination or participates in the complaint investigation process. Specifically, no District personnel or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this law. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances, for the purpose of interfering with any right secured by title IX constitutes retaliation. The exercise of free speech under this law does not constitute retaliation. If the District charges an individual with making a materially false statement in bad faith, that does not constitute

retaliation. A determination regarding responsibility alone at the conclusion of an investigation will not be sufficient to conclude that any party made a materially false statement in bad faith. The District will not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred. Retaliation is grounds for a separate complaint. Incidents of retaliation may be reported to the Title IX/Bullying Complaint Manager, a site administrator or to the District Title IX Coordinator for appropriate investigation and follow-up. These confidentiality and non-retaliation requirements extend to all parties involved.

#### **VIII. DUAL RESPONSIBILITIES IN REPORTING SUSPECTED CHILD ABUSE AND RESPONDING TO STUDENT SEXUAL HARASSMENT COMPLAINTS**

- A. Child abuse reporting procedures, sexual harassment policies and procedures, and disciplinary policies and procedures must be effected in a coordinated manner as follows:
1. If it is suspected that conduct could constitute both child abuse and sexual harassment, the child abuse report should be filed immediately as required by District procedures outlined in BUL1347: *Child Abuse and Neglect Reporting Requirements*.
  2. Separate and apart from filing a suspected child abuse report, immediate steps should be taken to protect any alleged targets of child abuse and/or sexual harassment.
  3. If conduct could constitute both child abuse and sexual harassment, school administrators are responsible for implementing this policy and the steps outlined herein.
  4. School administrators should communicate with the local law enforcement agency as to whether the District's investigation would compromise the local law enforcement agency's criminal investigation. Administrators should clarify when they can proceed with an administrative investigation. Once released to handle the issue administratively, administrators should promptly respond. A determination of child abuse or sexual harassment involves very different standards and outcomes. Suspected child abuse investigations involve

addressing possible criminal conduct. Making a report of suspected child abuse does not relieve the District of its responsibility to take administrative action under relevant harassment and discrimination law and regulations.

5. For allegations of sexual misconduct involving employees as perpetrators, administrators should also consult with the Region Administrator of Operations or division head to coordinate next steps in addressing immediate safety under District policy.

## **IX. COMPLAINT PROCEDURES FOR HARASSMENT, DISCRIMINATION OR RETALIATION**

When a complaint or a report of discrimination, harassment or retaliation is received, it shall be given immediate attention. Schools/sites that have actual knowledge of possible discrimination or harassment must promptly respond to determine what occurred and take appropriate steps to provide supportive measures, to ensure parties are afforded their rights and appropriate grievance procedures, eliminate any immediate safety concern, and prevent recurrence.

Complainants may access appropriate channels for site level support or formal complaint venues as described below. Prompt site-level responses are encouraged for expedient resolutions. However, immediately direct a formal complaint to the Region or relevant Division Head and the Office of Student Civil Rights if the complainant names a principal as a respondent or the complaint alleges school-wide discriminatory practices. Otherwise, refer to *BUL-6612: Non-Discrimination and Anti-Harassment (Including Sexual Harassment) Policy and Complaint Procedure* for additional protections regarding employee-to-employee related harassment, discrimination or retaliation complaints.

Below are the guidelines for investigating and responding to complaints under state law and the District's Uniform Complaint Procedures (Sections A-D), and for formal sexual harassment complaints that fall under Title IX (Section E).

**A. Site Level Response:**

Any written or oral report of harassment, discrimination or retaliation must be addressed. Under state law, a reasonable effort must be made to investigate and address allegations submitted anonymously if the report contains sufficient information to identify parties involved.

The following guidelines are recommended for sites to investigate and resolve complaints that do not fall under or rise to the level of sexual harassment for a Title IX complaint, but may fall under state nondiscrimination law generally:

1. Assure the parties that the District takes the allegations seriously, will not tolerate such treatment, and has strong policies against it.
2. Inform the parties of applicable confidentiality and nonretaliation guidelines.
3. Assure the parties supportive measures will be provided in addition to any measures taken to effectively address any alleged discriminatory, harassing or retaliatory behavior, to include providing additional monitoring of the safety of parties and any specific steps to eliminate the conduct. Make parties aware of the range of available supportive measures (Attachments F, G, G-1) and the right to report a crime to law enforcement regardless of whether a complaint is filed. In general, provide supportive measures to the parties in an equitable manner. Staff must not disclose information about supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measures or restore or preserve a party's access to the education program or activity.
4. Provide the names of school or District personnel who can help if the situation continues or escalates.
5. Provide all parties, including parents and guardians, with the District's *Nondiscrimination Statement* and/or *Sexual Harassment Prevention Policy* poster summaries or *Title IX Protections* handout, as applicable. The *Sexual Harassment Prevention Policy Acknowledgement* form (Attachment H) can be used to document the sexual harassment prevention policy has been reviewed and/or explained and is understood by all parties.

6. Harassment: Apart from providing supportive measures and/or investigating complaints generally as outlined here, when determining whether to investigate sexual harassment complaints at the site level, carefully consider all available information and relevant sexual harassment definitions in determining whether the conduct described, if true, would violate the District's sexual harassment policy of under either Title IX regulations or state law. Different grievance procedures are available depending on whether Title IX is invoked. For the grievance procedures specific to sexual harassment under Title IX regulations, please see Section E below. Otherwise, refer to the site-level response and Uniform Complaint Procedures outlined here.

Discrimination: When investigating discrimination complaints, carefully consider all available information in determining whether the conduct described in the complaint violates the District's nondiscrimination policy. The following three questions should be asked:

- a. Was the individual treated differently in a way that interfered with or limited the ability of the student to participate in or benefit from a District program or activity?
- b. Was the different treatment based on actual or perceived sex, sexual orientation, gender, gender identity or gender expression [or other protected characteristic under nondiscrimination law]?
- c. Did the context or circumstances of the incident(s) provide a legitimate and non-discriminatory basis for the different treatment pursuant to District policy?

When, based on the evidence obtained as part of the investigation, the answers to questions "a" and "b" are "yes" and the answer to "c" is "no," the incident/situation may be considered discrimination. However, conduct that does not rise to the level of discrimination may still be considered inappropriate behavior and may require that corrective actions be taken pursuant to other District policies.

7. Obtain specific information relevant to the complaint such as where, when, and the frequency with which any incidents occurred, as well as the identities of all involved or affected parties.
8. Interview the complainant, respondents, any witnesses, or other affected parties identified by complainant or a respondent and provide assurances regarding confidentiality and non-retaliation.
9. If appropriate, request that parties provide written statements. If parties are unable to provide written statements, District personnel will provide assistance. It is recommended that transcribed statements be done in the presence of a District witness. Additionally, preserve any evidence and documentation provided by the parties, such as emails, screenshots, pictures and physical evidence.
10. Take appropriate administrative steps to respond to the allegations, including acting to end the conduct, monitoring to ensure it does not reoccur and addressing any hostile environment. Provide supportive measures whether or not a formal complaint is filed and throughout any grievance procedure. Supportive measures and remedies (defined in Attachment F) are to be memorialized using the District's electronic tools for documenting supportive measures, discipline, and counseling. Use the District's electronic tool, known as the Incident System Tracking Accountability Report (ISTAR), to document incidents, investigations, and resolutions. See District policy BUL5269 *Incident System Tracking Accountability Report (ISTAR)*.
11. An emergency removal of an accused may be justified if, after an individualized safety and risk assessment, it is determined that a threat to physical health and safety of an individual arises from allegations of sexual misconduct. Emergency removals are for non-punitive purposes and the respondent must be provided with notice and an opportunity to challenge the decision immediately following the removal. This provision must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990. Consult with Crisis

Counseling & Intervention Services, School Mental Health and/or Student Discipline and Expulsion Support in these instances.

12. Refer to District discipline-related policies for further guidance regarding supportive measures, interventions, and remedies available.
13. Under Title IX, the parties may voluntarily agree in writing to an informal resolution after a complaint has been filed, except for when an employee is accused of misconduct with a student, or in situations where the alleged conduct would present a future risk or harm to others. Informal resolutions shall not be attempted to resolve allegations that an employee sexually harassed a student. Before initiation of an informal resolution process, the District must provide to the parties notice that explains:
  - I. The allegations;
  - II. The requirements of the informal resolution process;
  - III. That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the recipient's grievance procedures;
  - IV. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
  - V. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties and that restrictions may include but are not limited to restrictions on contact or restrictions on the respondent's participation in one or more District programs or activities or attendance at specific events;
  - VI. Which records will be maintained and could be shared;
  - VII. That if the District initiates or resumes the grievance procedures, the District and complainant and respondent must not access, consider, disclose, or otherwise use information, including records, obtained solely through the informal resolution process as part of the investigation or determination of the outcome of the complaint; and

- VIII. When applicable, if the District resumes the grievance procedures, the informal resolution facilitator could serve as a witness for purposes other than providing information solely obtained through the informal resolution process.
- The facilitator for the informal resolution process must not be the same person as the investigator or the decision maker in the recipient's grievance procedures. Any person designated by a recipient to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
14. Inform parties, including parents/guardians or duly authorized representatives in general terms that the District protects the privacy and confidentiality of individuals regarding the outcomes of the complaint and whether supportive measures, disciplinary actions or remedies have been or will be taken to resolve the complaint within parameters of the law and regulations. Confidentiality laws prohibit sharing information about a child's educational records, disciplinary actions, counseling or other sensitive information to persons other than that child's legal parents/guardians and authorized staff within the parameters provided under the Family Education Rights and Privacy Act or within given exceptions provided for under Title IX regulations. For assistance in providing written communication to parents/guardians of students of the school's administrative measures, see *Sample Letter to Parents (Attachments E or E-1)*. Explain any appeal processes available to the parties.
15. Monitor with parties that the misconduct has ceased. For example, arrange for a designated staff person to check-in with parties after one week and again after two weeks to evaluate whether supportive measures provided to the parties have been effective. Update incident records to reflect whether the matter has resolved. If the conduct has not ceased, additional actions and monitoring will be required.
16. Records related to harassment, discrimination and retaliation investigations, including sexual harassment investigations and determinations, supportive measures or informal resolutions offered, related disciplinary actions and remedies imposed, as well as any appeals and outcomes must be safeguarded.

Supportive measures, disciplinary actions and remedies for students are documented in the student information system. Otherwise, retain investigation-related records in a separate school file in a central location as opposed to a student's cumulative record. Update any related investigation or incident records. Access to these records is restricted to those individuals with a legitimate need for such access. These records must be kept for seven years from the school year in which the complaint was filed. Duplicate copies should also be filed in each respondent student's individual disciplinary file.

**B. Formal Complaint of Discrimination, Harassment, Retaliation and/or Appeal of Site Informal Decision under the District's Uniform Complaint Procedures (UCP):**

1. In addition to or instead of filing a complaint at a site, individuals have the right to file a formal written complaint with the Office of Student Civil Rights within six months of the last occurrence or when knowledge of the complaint was first obtained depending on which comes first. A complainant unable to make a written complaint will be assisted by District personnel.
2. The written complaint/appeal may be filed using the UCP complaint form or simply by filing a written complaint statement.
3. The complaint shall contain the following information:
  - a. The specific facts about the complaint which may be helpful to the complaint investigator including, but not limited to the following: the nature of the complaint, names of those involved, witnesses, and dates/places of occurrences;
  - b. The specific relief being sought; and
  - c. Other relevant or supportive documentation or information the complainant believes will provide assistance in understanding the complaint.
4. The formal complaint should be made to the District's Title IX Coordinator in the Office of Student Civil Rights at 333 South Beaudry Avenue, 18<sup>th</sup> Floor, Los Angeles, California 90017 for appropriate investigation and response. If the complaint constitutes sexual harassment under Title IX, the complaint will instead be addressed under the Title IX grievance procedure outlined in the *Title IX Protections* handout.

**C. Formal Complaint/Appeal Process under Uniform Complaint Procedures**

The Office of Student Civil Rights will follow steps outlined below and in the UCP policy in response to a formal written discrimination, harassment or retaliation complaint generally or appeal of a site decision:

1. Provide the complainant with a written acknowledgement of the complaint within 10 days which:
  - a. Advises and assures the complainant that confidentiality of the facts will be observed to the maximum extent possible.
  - b. Advises and assures the complainant that the District prohibits retaliation against anyone who files a complaint or participates in a complaint investigation.
  - c. States that the complaint investigation/resolution process will be completed within 60 days of receipt of the complaint.
  - d. Advises the complainant to call or send any additional information or documentation relevant to the complaint.
  - e. Informs the complainant that a written report of findings and conclusions, listing any corrective action taken will be provided at the conclusion of the investigation.
2. Conduct an impartial investigation and work to resolve the matter.
3. Provide a written report of findings and conclusions to the complainant and the respondent within 60 days of receipt of the complaint/appeal that also contains the following:
  - a. The assurance that the District prohibits retaliation in any form for filing a complaint/appeal, reporting instances of noncompliance, discrimination, harassment, intimidation and/or bullying or for participation in the complaint-filing or investigation process. These nonretaliation requirements extend to all parties involved.
  - b. A statement advising the complainant of the option to appeal the Office of Student Civil Rights' decision to the California Department of Education within 30 days of the date of the Office of Student Civil Rights' investigation report.

**D. Further Options Regarding Appealing Complaints Addressed Under the UCP (Non-Title IX defined Sexual Harassment Complaints):**

A complainant may appeal the Office of Student Civil Rights' findings to the California Department of Education – Education Equity Office within 30 days of the date of the District's investigation report. Such appeals must specify reasons for appealing the decision, include a copy of the original complaint and District decision and be addressed to: California Department of Education, Education Equity Office, 1430 N Street, Sacramento, California 95814.

#### **E. Complaint Investigation Process for Sexual Harassment Under Title IX Regulations:**

1. The investigation of a Title IX sexual harassment complaint: Provide a complainant with the *Title IX Protections (Attachments G, G-1)* identifying the District's Title IX Coordinator and explaining the specific grievance process and any additional protections, along with the *Title IX Complaint Form (Attachments D, D-1)* or the link, <https://forms.gle/EvXbyAqCN986gBuZ8>, to file a complaint in instances where sex-based conduct reported may constitute sexual harassment as defined in relation to Title IX:
  - An employee, agent, or other person authorized by the District to provide an aid, benefit or service in the District's program or activity explicitly or impliedly conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
  - Unwelcome sex-based conduct that is sufficiently severe or pervasive, that, based on the totality of the circumstances and evaluated subjectively and objectively, denies or limits a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment) ;
  - Sexual assault, dating violence, domestic violence or stalking as defined under the Clery Act or Violence Against Women Act [See Attachment F for related policy definitions].

It is important to note that conduct that does not meet the impact criteria under Title IX, may violate other state laws or District policies regarding student misconduct, be inappropriate and require an immediate response in the form of supportive measures and remedies to prevent its recurrence and address its

effects. Parties may appeal concerns related to implementation of supportive measures to an impartial staff member (e.g., Region Administrator of Operations), Document any resolutions of such in relevant electronic systems. In cases where conduct does not constitute sexual harassment under Title IX, proceed with the site-level investigation or formal complaint procedures under the District's Uniform Complaint Procedures as outlined in Section B. Once a Title IX complaint is filed with the Office of Student Civil Rights/District Title IX Coordinator requesting an investigation, an investigator will be assigned. The burden is on the District – not the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. The parties will be treated equitably, including in the provision of supportive measures and remedies. They will receive notice of the specifics of the allegations as known, and as any arise during the investigation. In situations where additional allegations are brought forth that were not included in the initial notice, the District will provide an updated notice with the additional allegations to the parties. Persons involved in a Title IX complaint investigation may have an advisor of their choice, which could include an attorney. The investigator will be unbiased and free from conflicts of interest and will objectively review the complaint, will consider any relevant inculpatory and exculpatory evidence not otherwise impermissible, and any information from witnesses, expert witnesses and the parties. If the investigator conducts interviews, the parties will be provided time to prepare and will receive notice of the time/date/location/participants/purpose for the interviews. The parties will have an equal opportunity to review the evidence gathered over a period of 10 days and will have opportunities to ask for additional relevant questions to be considered and to provide more evidence before the investigation summary is provided to the parties at the same time. The District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Information protected by a legal privilege will not be used in the investigation unless the party holding the privilege waives it. If a complainant or respondent is an elementary or secondary student with a

disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under Section 504, if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973, throughout the recipient's implementation of grievance procedures.

2. The final determination of a Title IX sexual harassment complaint: Anyone accused of sex discrimination or sexual harassment under Title IX will be presumed innocent at the beginning of the investigation; the District will review the evidence provided by all parties and will make a final determination of responsibility after the investigation using a preponderance of the evidence standard of proof. The decision maker may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. In the event credibility is in question, the decision maker may request the investigator conduct follow up inquiries with the parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant. The final determination will be provided to the parties at the same time with appeal rights provided. It will explain if any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, any disciplinary sanctions that will be imposed on the respondent, any remedies available (See Attachment F for policy definition of remedies) to the complainant to restore or preserve equal access. Overall, the investigation and final determination will be generally no longer than 60 days, unless good cause arises to extend the timeline such as the unavailability of a party/advisor/witness, law enforcement activity, or the need for language assistance or accommodation of disabilities. If so, a written explanation will be provided.
3. Dismissals of Title IX sexual harassment complaints:  
The District may dismiss a complaint of sex discrimination if:

- The District is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the District's education program or activity and is not employed by the District;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, and the District determines that without the complainant's withdrawn allegations, the alleged conduct that remains, if any, would not constitute sex discrimination under Title IX even if proven; or
- The District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the District will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the District will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing

When a complaint is dismissed, the District will, at a minimum:

- Notify the parties that a dismissal may be appealed and provide the opportunity to appeal to the parties.
  - Offer supportive measures to the complainant as appropriate;
  - If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
  - Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the District's education program or activity.
  - If warranted, the conduct may be addressed separately as provided in this or other District policies.
4. Appeals of a dismissal or final determination of a Title IX sexual harassment complaint: The District will notify the complainant

that a dismissal may be appealed within 30 days of the District's final determination and will provide the complainant with an opportunity to provide a rationale for the appeal of the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent that the dismissal may be appealed.

Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, the District will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
  - Implement appeal procedures equally for the parties;
  - Ensure that the decision maker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
  - Ensure that the decision maker for the appeal has been trained consistent with the Title IX regulations;
  - Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
  - Notify the parties of the result of the appeal and the rationale for the result.
5. Constitutional protections under Title IX sexual harassment grievance procedures: The District will not restrict any rights that

are protected from government action under the United States Constitution. More protections are outlined in *Title IX Protections*.

**F. Civil Remedies**

Pursuant to the California Education Code § 262.3, persons who have filed a complaint should also be advised that civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to them under California or federal discrimination, harassment, intimidation and/or bullying laws.

**AUTHORITY:** This is the policy of the Superintendent. The following legal standards are applied:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
Title IX Regulations, Title 34, Code of Regulations, Part 106  
California Education Code, § 200, § 201, § 220, § 221.5, § 221.7, § 221.8, §§ 222-224,  
§ 230, § 262.3, § 46010.1, § 48205, § 49602, §51222, § 51241  
California Family Code, § 6924, and § 6925  
California Penal Code, § 11166  
Title 5, California Code of Regulations, §§ 4600-4687, § 4900, et seq.  
“Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v)  
“Dating violence” as defined in 34 U.S.C. 12291(a)(10)  
“Domestic violence” as defined in 34 U.S.C. 12291(a)(8)  
“Stalking” as defined in 34 U.S.C. 12291(a)(30)  
FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99

**RELATED  
RESOURCES:**

- [Administrator Certification On-Line System](#), Memorandum issued annually by the Office of the Superintendent
- [Board Resolution, To Enforce the Respectful Treatment of All Persons](#)
- [Bullying and Hazing Policy \(Student-to-Student and Student-to-Adult\)](#), BUL5212, Division of District Operations
- [Child Abuse and Neglect Reporting Requirements](#), BUL-1347, Office of the General Counsel
- [Code of Conduct with Students – Distribution and Dissemination Requirement](#), BUL-5167, Office of the Superintendent

- [Discipline Foundation Policy: School-Wide Positive Behavior Intervention and Support](#), BUL-6231, Office of the Superintendent
- [Expulsion of Students – Policy and Procedures](#), BUL-6050, Office of the Superintendent
- [Guidelines for Student Suspension](#), BUL-5655.3, Office of the Superintendent
- [Incident System Tracking Accountability Report \(ISTAR\)](#), BUL-5269, Office of the Superintendent
- [Lactation Accommodations for Employees](#), BUL-6689, Office of the General Counsel
- [Nondiscrimination Required Notices and Ordering of Student Brochures](#), Memorandum issued annually by Office of the General Counsel
- [Parent Student Handbook](#), Memorandum issued annually by the Office of the Superintendent
- [Pregnant and Parenting Students Educational Rights](#), BUL-2060, Student Health and Human Services and Office of the General Counsel
- [Protocols and Procedures to Report, Reassign and Investigate Allegations of Employee Misconduct](#), BUL-044381, Human Resources Division
- [Hate-Motivated Incidents and Crimes – Response and Reporting](#), BUL2047, Office of the General Counsel
- [Clarification of Sex Equity in Physical Education Programs](#), BUL-1826, Instructional Services
- [Sex-Specific and All-Gender Single and Multiple-User Restrooms](#), REF6799, Office of the General Counsel
- [Non-Discrimination and Anti-harassment \(Including Sexual Harassment\) Policy and Complaint Procedure](#), BUL-6612, Office of the General Counsel
- [Gender Identity and Students – Ensuring Equity and Nondiscrimination](#), BUL-6224, Office of the General Counsel
- [Uniform Complaint Procedures \(UCP\)](#), BUL-5159, Office of the General Counsel

**ATTACHMENTS:** Attachment A: Nondiscrimination Statement (English)  
Attachment A-1: Nondiscrimination Statement (Spanish)  
Attachment B: Sexual Harassment Prevention Policy (English)

Attachment B-1: Sexual Harassment Prevention Policy (Spanish)  
Attachment C: Title IX/Bullying Complaint Manager Poster (English)  
Attachment C-1: Title IX/Bullying Complaint Manager Poster (Spanish)  
Attachment D: Title IX Complaint Form (English)  
Attachment D-1: Title IX Complaint Form (Spanish)  
Attachment E: Sample letter to Parents (English)  
Attachment E-1: Sample Letter to Parents (Spanish)  
Attachment F: Policy Definitions  
Attachment G: Title IX Protections (English)  
Attachment G-1: Title IX Protections (Spanish)  
Attachment H: Sexual Harassment Prevention Policy Acknowledgement  
Attachment I: Title IX and Nondiscrimination, Students: Know Your Rights  
(English)  
Attachment I-1: Title IX and Nondiscrimination, Students: Know Your  
Rights (Spanish)  
Attachment J: Respect Each Other: Help Stop Bullying or Harassment  
(English)  
Attachment J-1: Respect Each Other: Help Stop Bullying or Harassment  
(Spanish)  
Attachment K: Athletics Information Sheet  
Attachment L: Guidelines, Title IX, and Athletic Financial Assistance

**ASSISTANCE:** For further information or assistance:

Office of Student Civil Rights (Student-Related Matters) (213) 241-7682;  
<https://www.lausd.org/oscr>

Binh Nguyen, Director  
District Title IX & Section 504 Coordinator  
[EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net)

Equal Opportunity Section (Employee-Related) (213) 241-7649;  
<https://www.lausd.org/eos>

Human Relations, Diversity and Equity (213) 241-8719;  
<https://www.lausd.org/human-relations>

MyPLN Web-Based Trainings

- Title IX Complaint Manager Training
- Nondiscrimination On the Basis of Sex in Education Training

Region Offices

- Region Administrator of Operations or Operations Coordinator
- Region Title IX Designee

Office of the General Counsel (213) 241-7600

Student Discipline and Expulsion Support Unit (213) 202-7555

# LOS ANGELES UNIFIED SCHOOL DISTRICT

# **NONDISCRIMINATION STATEMENT**

The Los Angeles Unified School District is committed to providing a working and learning environment free from discrimination, harassment, intimidation, abusive conduct, or bullying. The District prohibits discrimination, harassment, intimidation, abusive conduct or bullying based on actual or perceived race or ethnicity, gender/sex (including gender identity, gender expression, pregnancy, childbirth, breastfeeding/lactation status and related medical conditions), sexual orientation, religion, color, national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code), ancestry, immigration status, physical or mental disability (including clinical depression and bipolar disorder, HIV/AIDS, hepatitis, epilepsy, seizure disorder, diabetes, multiple sclerosis, and heart disease), medical condition (cancer-related and genetic characteristics), military and veteran status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation (unless union related), or a person's association with a person or group with one or more of these actual or perceived characteristics, affiliation with the Boy Scouts of America and other designated youth groups, or any other basis protected by federal, state or local law, ordinance, or regulation, in employment and any program or activity it conducts or to which it provides significant assistance.

Discrimination is different treatment based on a protected characteristic in the context of an educational program, work, or activity without a legitimate, nondiscriminatory reason that interferes with or limits the individual's ability to participate in or benefit from the services, activities, or privileges provided by the District or includes an adverse employment action.

Hostile environment harassment occurs when a target is subjected to unwelcome conduct based on a protected characteristic, which is both subjectively offensive to the target and would be offensive to a reasonable person of the protected characteristics under similar circumstances and is sufficiently severe, persistent, or pervasive to interfere with or limit an individual's ability to work effectively or to participate in or benefit from the services, activities or opportunities offered by the District. Harassment may take many forms, including but not limited to verbal remarks and name-calling, graphic and written statements, or any conduct that may be threatening or humiliating. Harassment based on any of the above-protected categories is a form of unlawful discrimination and will not be tolerated by the District and can result in disciplinary action against the offending student or employee.

Upon witnessing an act of discrimination, harassment, intimidation, abusive conduct, or bullying based on actual or perceived protected characteristics, school personnel are required to take immediate steps to intervene when it is safe to do so. Once a school/office has express notice or reason to know of such conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred and take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created and prevent the conduct from occurring again. These steps should be taken regardless of whether an individual makes a complaint or asks the school/office to take action. Complainants are protected from retaliation. The District prohibits retaliation against any person who files a complaint or an appeal, reports instances of noncompliance, discrimination, harassment, intimidation, abusive conduct, or bullying, or who participates in the complaint filing or investigation process. This nondiscrimination policy applies to all acts related to school activity or school attendance within any school/office under the jurisdiction of the Superintendent of the Los Angeles Unified School District.

**For inquiries or complaints related to discrimination, harassment, intimidation, or bullying of students based on actual or perceived protected characteristics, contact your school's administrator, the Title IX/Bullying Complaint Manager, or:**

**Binh Nguyen, District Section 504 & Title IX Coordinator/Educational Equity Officer**  
**Office of Student Civil Rights; (213) 241-7682; [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net)**  
**Kenneth Arrington, Title II/ADA Compliance Administrator**  
**Office of ADA Compliance; (213) 241-4530; [ADA-info@lausd.net](mailto:ADA-info@lausd.net)**  
**[U.S. Department of Education's Office for Civil Rights](https://www2.ed.gov/about/offices/list/ocr/index.html)**  
**Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>; Call: 1-800-USA-LEARN**

**For inquiries or complaints related to employee-to-employee, student-to-employee, or work/employment-related discrimination, harassment, abusive conduct, or intimidation, contact your school administrator or:**

**Equal Opportunity Section: (213) 241-7685**

**Los Angeles Unified School District**  
**333 South Beaudry Avenue**  
**Los Angeles, CA 90017**

## DISTRITO ESCOLAR UNIFICADO DE LOS ÁNGELES

# DECLARACIÓN QUE PROHÍBE LA DISCRIMINACIÓN

El LAUSD está comprometido a ofrecer un entorno laboral y de aprendizaje libre de discriminación, acoso, intimidación, conducta abusiva u hostigamiento (bullying). El Distrito prohíbe la discriminación, el acoso, la intimidación, la conducta abusiva o el hostigamiento (bullying) basados en las siguientes características reales o percibidas de raza o etnia, género/sexo (incluyendo la identidad de género, expresión de género, embarazo, parto, estado de lactancia natural o artificial y estado de salud relacionado), orientación sexual, religión, color, origen nacional (incluyendo restricciones en el uso del lenguaje y la posesión de una licencia de conducir emitida bajo el Código de Vehículos), ascendencia, estatus migratorio, discapacidad física o mental (incluyendo depresión clínica y trastorno bipolar, VIH/SIDA, hepatitis, epilepsia, trastorno convulsivo, diabetes, esclerosis múltiple y enfermedad cardíaca), afección médica (características genéticas y relacionadas con el cáncer), estado militar y de veterano, estado civil, estado de pareja doméstica registrada, edad (40 años o más), información genética, creencias o afiliación políticas (a menos que esté relacionado con un sindicato), o la asociación de una persona con otra persona o grupo con una o más de estas características reales o percibidas, la afiliación con los Boy Scouts of America y otros grupos juveniles específicos, o cualquier otra base protegida por ley, ordenanza o regulación federal, estatal o local, en el empleo y en cualquier programa o actividad que realice o en el cual preste asistencia significativa.

La discriminación constituye el trato diferente con base en las características protegidas dentro del contexto de un programa, trabajo o actividad educativos sin una razón legítima y que carezca de discriminación, y que interfiera o limite la habilidad del individuo de participar o de aprovechar los servicios, las actividades, o los privilegios que el Distrito proporcione o que incluya una acción adversa en materia de empleo.

El acoso en un entorno hostil se produce cuando una persona específica es sometida a una conducta no deseada, que es subjetivamente ofensiva con base en una de las características protegidas, y que sería razonablemente ofensiva para cualquier persona con las características protegidas en circunstancias similares, y que es lo suficientemente grave, persistente, o generalizada como para interferir o limitar la capacidad del individuo para trabajar o participar efectivamente o para beneficiarse de los servicios, actividades u oportunidades que ofrece el Distrito. El acoso se manifiesta de muchas maneras, por ejemplo pero sin limitarse a los comentarios o insultos, las declaraciones gráficas y escritas o la conducta amenazante o humillante. El acoso basado en cualquiera de las categorías protegidas anteriormente mencionadas es una forma de discriminación ilegal y no será tolerado por el Distrito, y puede resultar en una acción disciplinaria contra el estudiante o empleado infractor.

Tras presenciar un acto de discriminación, acoso, intimidación u hostigamiento (bullying) con base en características reales o percibidas de una de las categorías protegidas (enumeradas en la sección anterior), es necesario que el personal escolar tome medidas inmediatas para intervenir cuando sea seguro hacerlo. Una vez que una escuela / oficina reciba expresamente un aviso de conductas de discriminación, acoso, intimidación u hostigamiento (bullying), cometidas por empleados, alumnos o terceros, deberá tomar inmediatamente los pasos necesarios para investigar o determinar de otra manera qué ocurrió y tomar pasos efectivos de forma oportuna y razonable para dar fin a la conducta; eliminar los entornos hostiles, si se han creado estos mismos, y prevenir que la conducta vuelva a ocurrir. Estos pasos deberán tomarse aunque el individuo no presente una queja ni pida al personal de la escuela / oficina que tome una acción. Los demandantes están protegidos contra represalias. El Distrito prohíbe las represalias contra cualquier persona que presente una queja o apelación, informe casos de incumplimiento, discriminación, acoso, intimidación, conducta abusiva, o bullying, o que participe en el proceso de presentación o investigación de quejas. Esta política que prohíbe la discriminación se aplica a todo acto relacionado con cualquier actividad escolar o asistencia y participación en cualquier escuela / oficina que opere bajo auspicios de la superintendencia del Distrito Escolar Unificado de Los Ángeles.

**Para consultas o quejas relacionadas con discriminación, acoso, intimidación o hostigamiento (bullying) de los estudiantes con base en las características protegidas, reales o percibidas, comuníquese con el administrador de su escuela, el Encargado de Quejas del Título IX o:**

**Binh Nguyen, Coordinador/Funcionario de Equidad Educativa del Distrito bajo la Sección 504 y el Título IX  
Oficina de Derechos Civiles de los Estudiantes; (213) 241-7682; [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net)**

**Kenneth Arrington, Administrador de Cumplimiento del Título II/ADA  
Oficina de Cumplimiento de la ADA; (213) 241-4530; [ADA-info@lausd.net](mailto:ADA-info@lausd.net)**

**[Oficina de Derechos Civiles del Departamento de Educación](#)**

**Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>; Llame al: 1-800-USA-LEARN**

**Para consultas o quejas relacionadas con discriminación, acoso, conducta abusiva, o intimidación de empleado a empleado, de estudiante a empleado o relacionadas con el trabajo o el empleo, póngase en contacto con el administrador de la escuela o:**

**División de Igualdad de Oportunidades: (213) 241-7685**

**Distrito Escolar Unificado de Los Ángeles  
333 South Beaudry Avenue  
Los Angeles, CA 90017**

## LOS ANGELES UNIFIED SCHOOL DISTRICT SEXUAL HARASSMENT PREVENTION POLICY

The District is committed to providing a working and learning environment free from sexual harassment. The District prohibits sexual harassment of or by employees, students, or persons doing business with or for the District based on actual or perceived sex, sexual orientation, gender, gender identity, gender expression, pregnancy, childbirth, breastfeeding/lactating status, and any related medical conditions. Failure to follow this policy is a violation of state and federal law.

Under California law, sexual harassment is any unwelcome conduct based on sex, including sexual advances, requests for sexual favors, and any other verbal, visual, or physical conduct of a sexual nature or based on sex made by someone from or in the work or educational setting, under any of the following conditions:

- Submission to the conduct is directly or indirectly made as a condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions or for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.
- The conduct has the purpose or effect of having a negative impact on the individual's work or academic performance or of creating an intimidating, hostile, or offensive work or educational environment.

Under regulations for Title IX of the Education Amendments of 1972, conduct based on sex that satisfies one or more of the following may constitute sexual harassment:

- An employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe or pervasive, and is subjectively and objectively offensive that it limits or denies a person equal access to the District's education program or activity;
- Sexual assault, dating violence, domestic violence, or stalking as defined under the Clery Act or Violence Against Women Act.

Upon witnessing discrimination, harassment, intimidation, abusive conduct, or bullying based on the above, personnel are required to take immediate steps to intervene when safe to do so. Reporting the conduct to an administrator or Title IX/Bullying Complaint Manager can be an appropriate intervention. Once a school/office has been notified of the conduct and a complaint has been filed, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate, support the investigation or otherwise determine what occurred and take prompt and effective reasonable steps to end the conduct, eliminate a hostile environment if one has been created, and prevent it from reoccurring. Supportive measures will be provided regardless of whether an individual makes a complaint or asks the school/office to take action. This policy applies to all acts related to school activity or school attendance under the Los Angeles Unified School District Superintendent's jurisdiction.

Any District students or employees who believe they have been a victim of sexual harassment or who have witnessed such an act should report it to an administrator or Title IX/Bullying Complaint Manager so appropriate action may be taken to resolve it. The District prohibits retaliation against anyone who files a sexual harassment complaint or participates in the investigation process. Complaints must be promptly and fairly investigated in a way that respects the privacy of the parties concerned to the fullest extent possible.

Your school/office administrator or Title IX/Bullying Complaint Manager(s): \_\_\_\_\_;  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_.

For policies/procedures related to sexual harassment of or by students and how to file a complaint, contact: the Office of Student Civil Rights, Binh Nguyen – LAUSD Section 504/Title IX Coordinator, (213) 241-7682.

For employee-to-employee, student-to-employee, or work/employment-related discrimination, harassment, intimidation or abusive conduct, contact: Equal Opportunity Section (213) 241-7685.

District office locations: Los Angeles Unified School District - 333 South Beaudry Avenue, Los Angeles, CA 90017

## LOS ANGELES UNIFIED SCHOOL DISTRICT SEXUAL HARASSMENT PREVENTION POLICY

Your school works to give you an education that is safe and without sexual harassment. Sexual harassment is behavior you don't like that is directed at you because you are a girl or a boy. It can make you feel unsafe or scared and keeps you from learning. It can be someone's bad words, something you see, physical behavior, or touching private body parts (like parts covered by a swimsuit). Examples may be:

- ▶ Unwanted hugs, kisses, grabbing, or touching
- ▶ Standing too close or stopping someone from moving
- ▶ Showing or sending inappropriate or nasty pictures of a sexual nature that make others feel bad or uncomfortable
- ▶ Treating someone differently just because they are a girl or boy

It is against school rules and the law for people to do this. If it's safe for you, you can ask the person to stop doing these bad things to you or other kids. You can help friends share problems like this with an adult they trust. You can report it to the principal, a teacher, or someone who handles complaints like this. The school will take action immediately to find out what happened, make it stop, and keep it from happening again. No one is allowed to punish you for making a report or talking to an adult about what happened. The school will share information with people who can help fix it. This is true for all school activities in your school district.

People who can help you:

Your principal: \_\_\_\_\_  
Complaint Manager (Title IX/Bullying): \_\_\_\_\_  
Call: \_\_\_\_\_  
Email: \_\_\_\_\_

For more information about this and how to make a report, you can call or write to the Office of Student Civil Rights or Binh Nguyen – LAUSD Section 504/Title IX Coordinator at (213) 241-7682; [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net).

Schools can ask for help for staff by calling or writing to the Equal Opportunity Section at (213) 241-7685.

Both offices are at the Los Angeles Unified School District main building, and the address is 333 South Beaudry Avenue, Los Angeles, CA 90017

## POLÍTICA DE PREVENCIÓN DEL ACOSO SEXUAL DEL DISTRITO ESCOLAR UNIFICADO DE LOS ÁNGELES

El Distrito se compromete a proporcionar un ambiente de trabajo y aprendizaje libre del acoso sexual. El Distrito prohíbe el acoso sexual de los empleados o por los empleados, los estudiantes o las personas que hagan negocios con Distrito o para el Distrito, basado en el sexo real o percibido, la orientación sexual, el género, la identidad de género, la expresión de género, el embarazo, parto, o estado de lactancia natural o artificial, y cualquier condición médica relacionada. El incumplimiento de esta norma constituye un quebranto a la ley estatal y federal.

Bajo la ley de California, el acoso sexual es cualquier conducta no deseada basada en el sexo, incluyendo avances sexuales, solicitudes de favores sexuales, y cualquier otra conducta verbal, visual, o sexual. o conducta física de naturaleza sexual o basada en el sexo hecha por alguien del entorno laboral o educativo, o en el entorno laboral o educativo, bajo cualquiera de las siguientes condiciones:

- Someterse a la conducta se entiende directa o implícitamente como una condición para el empleo del individuo o de su clasificación o avance académico.
- Someterse o rechazar tal conducta afectaría las decisiones que se tomen sobre el individuo en lo referente a: prestaciones y servicios, clases de honor, programas o actividades disponibles en la institución educativa o a través de la misma.
- La conducta tiene el propósito de afectar negativamente la labor o el rendimiento académico del individuo o de crear un entorno laboral o educativo intimidatorio, hostil u ofensivo.

Bajo las regulaciones del Título IX por las Enmiendas de Educación de 1972, puede constituir acoso sexual la conducta basada en el sexo que satisface uno o más de los siguientes:

- Un empleado que condiciona la prestación de una ayuda, beneficio o servicio del Distrito a la participación de un individuo en una conducta sexual no deseada;
- Conducta no deseada que cualquier persona razonable pueda determinar que es tan grave, generalizada y objetivamente ofensiva que niega efectivamente a una persona el mismo acceso al programa o actividad educativa del Distrito;
- Agresión sexual, violencia en el noviazgo, violencia doméstica o acoso según se define bajo la Ley Clery o la Ley de Violencia contra la Mujer.

Al ser testigo de discriminación, acoso, intimidación, conducta abusiva o bullying basado en lo anterior, el personal debe tomar medidas inmediatas para intervenir cuando sea seguro hacerlo. Reportar la conducta a un administrador o al Encargado de Quejas de Título IX / Bullying puede constituir una intervención apropiada. Una vez que una escuela / oficina ha sido notificada de la conducta y se ha presentado una queja, ya sea por parte de empleados, estudiantes, o de terceros, se deberían tomar medidas inmediatas y apropiadas para investigar, apoyar la investigación o de otra manera determinar lo que ocurrió y tomar acción razonable rápida y efectiva para poner fin a la conducta, eliminar un ambiente hostil si se ha creado uno, y evitar que vuelva a ocurrir. Se proporcionarán medidas de apoyo independientemente de si una persona presenta una queja o pide a la escuela / oficina que tome una acción. Esta política se aplica a todos los actos relacionados con las actividades escolares o la asistencia escolar bajo la jurisdicción del Superintendente del Distrito Escolar Unificado de Los Ángeles.

Cualquier estudiante o empleado del Distrito que crea que ha sido víctima de acoso sexual o que ha presenciado tal acto debería reportarlo a un administrador o al Encargado de Quejas de Título IX / Bullying para que se tomen las medidas apropiadas para resolverlo. El Distrito prohíbe las represalias en contra de un individuo que haya presentado una queja de acoso sexual o que participe en el proceso de investigación. Las quejas se deben investigar de manera inmediata y justa de manera que se respete la privacidad de las partes interesadas en la mayor medida de lo posible.

Administrador de su escuela / oficina o el Encargado de Quejas de Título IX/Bullying: \_\_\_\_\_ ;  
Teléfono: \_\_\_\_\_ Correo electrónico: \_\_\_\_\_

Para las políticas/procedimientos relacionados con el acoso sexual de estudiantes o por parte de estudiantes, y cómo presentar una queja, póngase en contacto con: Oficina de Derechos Civiles de los Estudiantes, Binh Nguyen-LAUSD Coordinador de Sección 504 / Título IX, (213) 241-7682.

Para conductas de discriminación, acoso, intimidación o conducta abusiva entre empleados, de estudiantes y empleados o relacionadas con el trabajo o el empleo, póngase en contacto con: División de Igualdad de Oportunidades (213) 241-7685.

Ubicaciones de las oficinas del Distrito: Distrito Escolar Unificado de Los Ángeles - 333 South Beaudry Avenue, Los Angeles, CA 90017

## **POLÍTICA DE PREVENCIÓN DEL ACOSO SEXUAL DEL DISTRITO ESCOLAR UNIFICADO DE LOS ÁNGELES**

Su escuela trabaja para proporcionarles una educación que sea segura y sin acoso sexual. El acoso sexual son los comportamientos que no te gustan y que se dirigen a ti porque eres una niña o un niño. Puede hacerte sentir inseguridad o miedo y te impide aprender. Pueden ser las malas palabras de alguien, algo que ves, comportamiento físico o tocar partes privadas del cuerpo (como las partes cubiertas por un traje de baño). Algunos ejemplos pueden ser:

- ▶ Abrazos, besos, manoseos o caricias no deseados.
- ▶ Ubicarse demasiado cerca o impedir que alguien se mueva
- ▶ Mostrar o enviar imágenes inapropiadas o desagradables de naturaleza sexual que hacen sentir mal o incómoda a la otra persona.
- ▶ Tratar a alguien de manera diferente solo porque es una niña o un niño

Está en contra de las reglas de la escuela y la ley que la gente haga esto. Si es seguro para ti, puedes pedirle a la persona que te está haciendo estas cosas malas a ti o a otros niños que deje de hacerlo. Puedes ayudar a tus amigos a compartir problemas como este con un adulto en quien confíen. Puedes reportarlo al director, a un maestro o a alguien que se ocupe de quejas como esta. La escuela tomará acción de inmediato para averiguar lo que sucedió, hacer que se detenga el comportamiento y evitar que vuelva a suceder. A nadie se le permite castigarte por hacer un reporte o por hablar con un adulto sobre lo que sucedió. La escuela compartirá información con personas que te pueden ayudar a solucionarlo. Esto es cierto en todas las actividades escolares en tu distrito escolar.

Personas que pueden ayudarte:

El director/la directora de tu escuela: \_\_\_\_\_  
 Encargado de Quejas (Título IX / Bullying): \_\_\_\_\_  
 Llama: \_\_\_\_\_  
 Correo electrónico: \_\_\_\_\_

Para obtener más información sobre esto y cómo hacer un reporte, puedes llamar o escribir a la Oficina de Derechos Civiles de los Estudiantes, o a Binh Nguyen-LAUSD Coordinador de Sección 504 / Título IX al (213) 241-7682; [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net).

Las escuelas pueden pedir ayuda para el personal llamando o escribiendo a la División de Igualdad de Oportunidades al (213) 241-7685.

Ambas oficinas están en el edificio principal del Distrito Escolar Unificado de Los Ángeles, y la dirección es 333 South Beaudry Avenue, Los Ángeles, CA 90017

**THE TITLE IX/BULLYING  
COMPLAINT MANAGERS  
FOR OUR SCHOOL ARE:**

---

ROOM # / PHONE # / EMAIL

---

ROOM # / PHONE # / EMAIL

---

ROOM # / PHONE # / EMAIL

**Report discrimination, harassment,  
intimidation, and bullying to anyone listed  
here or any school administrator.**

**THEY CAN HELP!**

# **LOS ENCARGADOS DE LAS QUEJAS DEL TÍTULO IX / BULLYING DE NUESTRA ESCUELA SON:**

---

NÚMERO DE SALÓN /  
NÚMERO DE TELÉFONO /  
CORREO ELECTRÓNICO

---

NÚMERO DE SALÓN /  
NÚMERO DE TELÉFONO /  
CORREO ELECTRÓNICO

---

NÚMERO DE SALÓN /  
NÚMERO DE TELÉFONO /  
CORREO ELECTRÓNICO

**Reporta discriminación, acoso, intimidación y  
bullying a cualquiera de las personas indicadas  
aquí o a cualquiera de los administradores de la  
escuela.**

**¡ELLOS PUEDEN AYUDAR!**

**SECTION I. PERSON FILING COMPLAINT:**

<b>Person Filing Complaint:</b>	<input type="checkbox"/> Employee <input type="checkbox"/> Parent <input type="checkbox"/> Student <input type="checkbox"/> Duly Authorized Representative <input type="checkbox"/> Title IX Coordinator					
	<b>Full Name:</b>					
<b>Address:</b>				<b>City:</b>		
<b>State:</b>		<b>Zip:</b>		<b>Telephone:</b>		<b>Alternate Telephone:</b>

**SECTION II. ALLEGED VICTIM INFORMATION:**

<b>Full Name:</b>		<b>Category:</b>		<input type="checkbox"/> Student <input type="checkbox"/> Employee <input type="checkbox"/> Other (i.e., parent or community who experienced TIX issue in our programs)		
<b>Student Date of Birth (if applicable):</b>				<b>Address:</b>		<b>Telephone:</b>
<b>Employee Number (if applicable):</b>				<b>School Name or Work Location:</b>		<b>Local District:</b>

**SECTION III. COMPLAINT DETAILS:**

<b>Date of Incident(s):</b>						
<b>Location of Incident(s):</b>						
<b>Frequency of Incident(s):</b>						
<b>Full Name(s) of Person(s) Accused:</b>						
<b>Role/Relationship(s) of Accused Person(s) to Student:</b>		<input type="checkbox"/> Student(s) <input type="checkbox"/> Employee(s) <input type="checkbox"/> Third Party				
<b>How Did You Learn of the Alleged Misconduct?</b>						
<b>Name of Program or Activity:</b>						
<b>Full Name(s) of Witnesses:</b>						
<b>A.</b>	<b>Was the conduct severe (i.e., describe the nature of what was said or done)?</b>					
<b>B.</b>	<b>Was the conduct pervasive (i.e., how many times did the conduct occur; how many other people were involved)?</b>					

C.	Was the conduct subjectively or objectively offensive or in other words would a similarly situated individual of similar characteristics (i.e., age, developmental level, protected characteristics, such as race/ethnicity, sex, etc.) find the conduct offensive?
D.	Did the conduct effectively limit or deny the complainant equal access to participate in or benefit from LAUSD's education programs or activities?

**SECTION IV: REPORTING AND FOLLOW-UP ACTIONS:**

A.	Has your complaint been discussed with any LAUSD personnel? If yes, who did you speak with and what was the outcome?
B.	Have you received any supportive measures? (e.g., modification of schedule, contact restrictions, deadline extensions, counseling, etc.)
C.	Are you open to resolving the complaint through informal resolution, such as mediation or restorative justice? (Only for matters that do not involve sexual violence). Please explain.

**SECTION V: COMPLAINANT ACKNOWLEDGMENT:**

By signing (in writing or electronically) and dating this form, I acknowledge that I am filing a Title IX complaint and am requesting to initiate the grievance procedure under Title IX. I was provided with written grievance procedures ([via this link](#)) and a prompt and fair investigation into the conduct will begin. Note: All parties may voluntarily agree to an informal resolution at any time throughout the grievance process.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SUBMIT THIS FORM TO:**

Los Angeles Unified School District  
Office of Student Civil Rights  
333 South Beaudry Avenue, 18<sup>th</sup> Floor  
Los Angeles, CA 90017  
Fax: (213) 241-3312  
Email: [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net)

**SECCIÓN I. PERSONA QUE PRESENTA LA QUEJA:**

<b>Persona Que Presenta La Queja:</b>	<input type="checkbox"/> Empleado <input type="checkbox"/> Padre de Familia <input type="checkbox"/> Estudiante <input type="checkbox"/> Representante debidamente autorizado <input type="checkbox"/> Coordinador del Título IX						
<b>Nombre Completo:</b>							
<b>Dirección:</b>				<b>Ciudad:</b>			
<b>Estado:</b>		<b>Código Postal:</b>		<b>Teléfono:</b>		<b>Teléfono Alternativo:</b>	

**SECCIÓN II. INFORMACION SOBRE PRESUNTAS VICTIMAS:**

<b>Nombre Completo:</b>		<b>Categoría:</b>	<input type="checkbox"/> Estudiante <input type="checkbox"/> Empleado <input type="checkbox"/> Otro (es decir, padre de familia o comunidad que experiencia Título IX queja en el programa)			
<b>Fecha De Nacimiento Del Estudiante (si es aplicable):</b>		<b>Dirección:</b>			<b>Teléfono:</b>	
<b>Número De Empleado (si es aplicable):</b>		<b>Nombre De Escuela o Ubicación De Trabajo:</b>			<b>Distrito Local:</b>	

**SECCIÓN III. DETALLES DE LA QUEJA:**

<b>Fecha Del Incidente(s):</b>					
<b>Ubicación Del Incidente(s):</b>					
<b>Frecuencia Del Incidente(s):</b>					
<b>Nombre Completo(s) De Las Personas Acusadas:</b>					
<b>Rol/Relacion De Las Personas Acusadas Con El Estudiante:</b>	<input type="checkbox"/> Estudiante(s) <input type="checkbox"/> Empleado(s) <input type="checkbox"/> Tercera Persona				
<b>¿Cómo Se Enteró De La Supuesta Mala Conducta?</b>					
<b>Nombre Del Programa o Actividad:</b>					
<b>Nombre Completo De Los Testigos:</b>					
<b>A.</b>	<b>¿Fue La Conducta Severa (es decir., describir lo que se dijo o hizo)?</b>				
<b>B.</b>	<b>¿Fue la conducta generalizada? (es decir, cuántas veces ocurrió la conducta; cuántas otras personas estuvieron involucradas)?</b>				

C.	¿Fue la conducta objetivamente ofensiva o, en otras palabras, un individuo en una situación similar de características similares (es decir, edad, nivel de desarrollo, características protegidas, como raza/etnia, sexo, etc.) encontraría la conducta ofensiva?
D.	¿La conducta negó efectivamente al demandante acceso igual al programa o actividad educativa del LAUSD?

**SÉCCION IV: Acciones De Denuncia y Seguimiento:**

A.	¿Su queja ha sido platicada con algún miembro del personal del LAUSD? En caso afirmativo, ¿Con quién habló y cuál fue el resultado?
B.	¿Ha recibido alguna medida de apoyo? Es decir, modificación de horario, restricciones de contacto, extensiones de plazos, consejería, etc.)
C.	¿Está dispuesto a resolver la queja mediante una resolución informal, como la mediación o la justicia restaurativa ? Por favor explicar.

**SÉCCION V: RECONOCIMIENTO DEL QUEJANTE :**

Al firmar (por escrito o electrónicamente) y fechar este formulario, reconozco que estoy presentando una queja de Título IX y solicito iniciar el procedimiento de quejas bajo el Título IX. Se me proporcionaron procedimientos de quejas por escrito ([a través de este enlace](#)) y se iniciará una investigación rápida y justa sobre la conducta. Nota: Todas las personas involucradas pueden acordar voluntariamente una resolución informal en cualquier momento durante este proceso de quejas.

Firma: \_\_\_\_\_ Fecha: \_\_\_\_\_

**Envíe Este Formulario A:**

Los Angeles Unified School District  
Office of Student Civil Rights  
333 South Beaudry Avenue, 18<sup>th</sup> Floor  
Los Angeles, CA 90017  
Fax: (213) 241-3312  
Email: [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net)

# Sample Follow-Up Letter to Parents Regarding Actions Taken to Address Conduct

Attachment E

## ENGLISH PUT ON SCHOOL LETTERHEAD

[Insert Date here]

Parent(s)/Guardian(s) Names

[Insert Address]

RE: Student's Name, Grade, Date of Birth

Dear Parent/Guardian,

It is our goal at \_\_\_\_\_ School to provide a safe school learning environment for every student. In keeping with this goal, I wish to keep you informed of actions taken to address misconduct under District policy.

The supportive measures listed below were taken in an effort to address the reported situation that involved your child, and I hope no other problems of this kind will occur in the future. Please know we are working with all parties who may have been involved in this incident. Confidentiality requirements prevent us from sharing information specific to other parties. This letter reflects actions that were taken with your child:

- Contacted/Conferenced with parents in order to discuss the reported incident.
- Counseled the parties and stressed the seriousness and consequences of the actions.
- Directed that the inappropriate conduct to be stopped immediately.
- Advised all parties that any retaliatory behavior against any person connected with the situation will not be tolerated.
- Alerted relevant school staff of the reported incident and actions taken.
- Arranged with the classroom teacher to have the students separated in the classroom setting.
- Completed individual student safety plans.
- Assigned school staff to continue to monitor the situation.
- Initiated the appropriate grievance process, if warranted, in order to determine additional remedies.

District policy prohibits acts of retaliation against persons involved in complaint investigations. If you become aware of other incidents, please advise the school administration promptly. If you are dissatisfied with the actions taken, you may elevate your concerns by contacting the Region Operations Coordinator at: (phone) \_\_\_\_\_ or (email) \_\_\_\_\_. Any such written complaint must be filed within six months of the reported situation.

Please feel free to call me at ( ) \_\_\_\_\_ if you would like to discuss this matter further.

Sincerely,

\_\_\_\_\_  
Principal

c: \_\_\_\_\_, Superintendent, Region \_\_\_\_\_  
\_\_\_\_\_, Administrator of Operations, Region \_\_\_\_  
\_\_\_\_\_, Operations Coordinator, Region \_\_\_\_

# Sample Follow-Up Letter to Parents Regarding Actions Taken to Address Conduct

Attachment E-1

## **SPANISH** PUT ON SCHOOL LETTERHEAD

Fecha: \_\_\_\_\_

Parent/Guardian Name  
Address  
City, CA Zip code

RE: Student's name, grade, Date of Birth (DOB)

Estimado(s) Sr./Sra. \_\_\_\_\_,

Es nuestra meta en la escuela \_\_\_\_\_ ofrecerle a cada estudiante un ambiente de aprendizaje seguro. Para cumplir con dicha meta deseo mantenerlo informado sobre las medidas que se tomaron con respecto a una situación que se le hizo notar al personal de la escuela, en la cual su hijo/a fue sujeto a cierta mala conducta o comportamiento bajo la política del Distrito.

Las medidas de apoyo enumeradas a continuación se tomaron en un esfuerzo por abordar la situación reportada que involucró a su hijo(a), y espero que no ocurran otros problemas de este tipo en el futuro. Por favor sepa que estamos trabajando con todas las personas que fueron involucradas en este incidente. Los requisitos de confidencialidad no nos permiten compartir las acciones tomadas con otras personas. Esta carta refleja las acciones que se tomaron con su hijo(a):

- Contacto/conferencia con los padres, para conversar del incidente reportado.
- Aconsejado las personas involucradas y he estresado la gravedad y consecuencias de las acciones.
- Dirigió que se detuviera inmediatamente la conducta inapropiada.
- Aconsejó a todas las personas involucradas que no se tolerará ningún comportamiento de represalia contra ninguna persona relacionada con la situación.
- Se alertó al personal escolar relevante sobre el incidente reportado y las acciones tomadas.
- Se arregló con el maestro del salón de clases que se separen los estudiantes en el salón de clases.
- Un plan de seguridad estudiantil individual se ha formulado.
- Miembros del personal de la escuela han sido asignados para que continúen supervisando la situación.
- Se inició el proceso de quejas apropiado, si se justifica, para determinar remedios adicionales.

La política del Distrito prohíbe los actos de represalia contra las personas involucradas en las investigaciones de quejas. Si otros incidentes ocurriesen, favor de notificar a la administración de la escuela lo más pronto posible. Si no se siente satisfecho con las medidas tomadas por la escuela, tiene el derecho de presentar una denuncia con el Coordinador de Operaciones del Región al (teléfono) \_\_\_\_\_ o (correo electrónico) \_\_\_\_\_. Dicha denuncia deberá presentarse por escrito dentro de un plazo máximo de seis meses a partir de la fecha en la que ocurrió el incidente sobre el cual se nos informó.

Si desea conversar conmigo sobre este asunto por favor sienta la libertad de llamarme al \_\_\_\_\_.

Atentamente,

Director/a

c: \_\_\_\_\_, Superintendente, Región \_\_\_\_\_  
\_\_\_\_\_, Administrador De Operaciones, Región \_\_\_\_\_  
\_\_\_\_\_, Coordinador De Operaciones, Región \_\_\_\_\_

POLICY DEFINITIONS

- **Actual Knowledge**: Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a recipient's Title IX Coordinator or any official of the recipient who has the authority to institute corrective measures on behalf of the recipient, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the recipient with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has the authority to institute corrective measures on behalf of the recipient. "Notice" as used in this paragraph includes but is not limited to, a report of sexual harassment to the Title IX Coordinator.
- **Appeal**: A written request to review the complaint.
- **Complainant**: Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, including:
  - A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
  - A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its implementing regulations and who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.
- **Complaint**: An oral or written request to the Title IX Coordinator that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX or Education Code § 220.
- **Complaint Procedure**: The District's internal procedure to process complaints.
- **Days**: Calendar days unless otherwise specified.
- **Disciplinary Sanctions**: Consequences imposed on a respondent following a determination under Title IX that the respondent violated the recipient's prohibition on sex discrimination.
- **District**: Any operating unit or program of the District.
- **Gender**: A person's actual or perceived sex and includes a person's perceived identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth.
- **Gender Identity**: An individual's internal, deeply rooted identification as female, male or a non-binary understanding of gender, regardless of one's assigned sex at birth. All people have a gender identity.
- **Gender Expression**: A person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. Students who adopt a presentation that varies from the stereotypic gender expectations sometimes may describe themselves as gender nonconforming, gender queer or gender fluid.
- **Party**: A complainant or respondent.
- **Pregnancy or related conditions**: Pregnancy, childbirth, termination of pregnancy, or lactation; medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- **Relevant**: Related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.
- **Remedies**: Measures provided, as appropriate, to a complainant or any other person the District identifies as having had their equal access to the education program or activity limited or denied by sex discrimination.

These measures are provided to restore or preserve that person's access to the education program or activity after a recipient determines that sex discrimination occurred. Remedies are designed to restore or preserve equal access to the District's education programs or activities. Remedies may include supportive measures; however, they need not be non-disciplinary or non-punitive and need not avoid burdening the respondent or accused. Besides supportive measures, remedies may include the provision of: parent/student conference(s); recovery time think sheets; behavior contracts; reflective behavior journaling; social emotional learning programs; warnings; detention; and formal discipline, such as suspension and expulsion.

- **Respondent**: An individual alleged to have committed acts in violation of this policy, sometimes referred to as "accused." Under Title IX, respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- **Retaliation**: Intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.
- **Parenting Students**: Students who are the biological mother or biological father of a child, regardless of their marital status.
- **Pregnancy**: Pregnancy at any stage, including childbirth, breastfeeding, pregnancy-related medical condition, false pregnancy, termination of pregnancy, or recovery therefrom.
- **Protected Categories**: California Education Code and Penal Code identify protected categories that, though stipulated independently, are not mutually exclusive. Sexual harassment can violate both the Penal Code and Education Code:
  - California Education Code §220 - Applicability to Educational Institutions - No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in §422.55 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid.
  - California Education Code §200 - State Policy; Declaration of Purpose as it Relates to Protected Categories - It is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in §422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state.
  - California Penal Code §422.55 - Hate Crime and Victim Characteristics or Protected Classes Indicated - For the purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply: "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: disability; gender; nationality; race or ethnicity; religion; sexual orientation; and association with a person or group with one of more of these actual or perceived characteristics.
- **Sex**: The biological condition or quality of being female or male.
- **Sexual Orientation**: A person's emotional and/or sexual attraction to another person based on the gender of the other person. Common terms used to describe sexual orientation include, but are not limited to, lesbian, gay, heterosexual, and bisexual. Sexual orientation and gender identity are different.

• **Sex-Based Harassment:** *Sex-based harassment* is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- (1) *Quid pro quo harassment.* An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- (2) *Hostile environment harassment.* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
  - (i) The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
  - (ii) The type, frequency, and duration of the conduct;
  - (iii) The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - (iv) The location of the conduct and the context in which the conduct occurred; and
  - (v) Other sex-based harassment in the recipient's education program or activity; or
- (3) *Specific offenses.*
  - (i) Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. These particular acts are considered severe enough that only one such incident may be considered sexual harassment. The following is a list of conduct that may constitute sexual assault:
    - A. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
    - B. **Forcible Rape**—(Except Statutory Rape which is later included) The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.
    - C. **Forcible Sodomy**—Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
    - D. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
    - E. **Forcible Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
    - F. **Sex Offenses, Nonforcible**—(Except Prostitution Offenses) Unlawful, nonforcible sexual intercourse.
    - G. **Incest**—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- H. **Statutory Rape**—Nonforcible sexual intercourse with a person who is under the statutory age of consent.
- (ii) Dating violence meaning violence committed by a person:
- A. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - (1) The length of the relationship;
    - (2) The type of relationship; and
    - (3) The frequency of interaction between the persons involved in the relationship;
- (iii) Domestic violence meaning felony or misdemeanor crimes committed by a person who:
- A. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
  - B. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
  - C. Shares a child in common with the victim; or
  - D. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
- (iv) Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- A. Fear for the person’s safety or the safety of others; or
  - B. Suffer substantial emotional distress.
- **Supportive Measures:** Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The recipient must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
  - **Target:** An individual alleged to have experienced acts in violation of this policy.
  - **Title IX:** Title IX of the Education Amendments of 1972.
  - **Title IX/Bullying Complaint Manager:** An administrator and/or designee with duties delegated by the District’s Title IX Coordinator responsible for overseeing the response to complaints of sex discrimination, sexual harassment, intimidation, bullying, and/or hazing, including coordination of provision of supportive measures.
  - **Transgender:** A person whose gender identity differs from the gender assigned at birth and whose gender expression consistently varies from stereotypical expectations and norms. A transgender person desires to live persistently by a gender that differs from that which was assigned at birth. Each transgender person has a unique process in which they go from living and identifying as one gender to another. Gender transition can occur at any age. It begins internally and then expands to external expression. This can include social, medical and/or legal transition.

## Title IX Protections

### Who can report?

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the District investigate and make a determination about alleged discrimination under Title IX:

- A “Complainant” includes:
  - a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
  - a person other than a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the District’s education program or activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- The District’s Title IX Coordinator.

Reports can be made in person, by mail, telephone, or by emailing the Title IX Coordinator and can be made at any time using the contact information here. If a report is made, the District will inform the alleged target of the complaint process and the support available. School and work sites have designated personnel, Title IX Designees or Title IX/Bullying Complaint Managers, to receive reports of Title IX violations and to assist.

### District Title IX Coordinator:

Binh Nguyen, Director-Office of Student Civil Rights  
333 South Beaudry Avenue, 18<sup>th</sup> floor, Los Angeles, California 90017

Phone: 213.241.7682; Fax: 213.241.3312; Email: [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net); Website: <https://www.lausd.org/oscr>

### What is sex discrimination or sexual harassment under Title IX?

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- An employee, agent, or other person authorized by the District conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct (typically referred to as “quid pro quo” sexual harassment);
- Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity (often referred to as “hostile environment” sexual harassment);
- Sexual assault (including forcible or nonforcible sex offenses under the uniform crime reporting system of the Federal Bureau of Investigation), dating violence, domestic violence, and stalking.

### How to file a formal complaint:

A target of sex discrimination or sexual harassment, their representative (a parent/caregiver, duly authorized individual), or the Title IX Coordinator can file a formal written and signed complaint to request a Title IX investigation. A site Title IX/Bullying Complaint Manager can assist. Formal complaints can be filed using this link: <https://forms.gle/EvXbyAqCN986gBuZ8>.

### Support is available:

Supportive measures are individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to: (1) Restore or preserve that party’s access to the recipient’s education program or activity, including measures that are designed to protect the safety of the parties or the recipient’s educational environment; or (2) Provide support during the recipient’s grievance procedures, or during the informal resolution process. Supportive measures will be made available to involved parties in an equitable manner once the District knows about sex discrimination or sexual harassment regardless of whether a formal complaint investigation is requested under Title IX. Supportive measures can be referrals for Student Support Progress Teams; options to avoid contact, or mutual restrictions on contact between parties, such as changes to seating/classes/student groupings/work locations, leaves of absence, safety plans, safe paths of travel, increased monitoring of certain areas of campus to prevent reoccurrence and other similar measures; training and educational materials; academic supports, extensions of deadlines or other course-related adjustments, and modifications of work or class schedules; counseling, health/mental health supports, and restorative justice. If, after an individualized safety and risk analysis, it is determined there is an immediate threat to the physical health or safety of an individual arising from the allegations, removal of the accused may be justified. A written notice will be provided with an opportunity to challenge the decision. The District may place an employee respondent on administrative leave during the pendency of the grievance process. Removals may not change rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Education Act.

### Informal resolutions can happen:

The parties may voluntarily agree in writing to an informal resolution (mediation, restorative justice) after the formal complaint is filed, except for when an employee is accused of misconduct involving a student. Any party may withdraw from informal resolution and resume the grievance process. A record of the informal resolution will be kept and can be shared.

### **What is the Title IX Grievance Process?**

**Notice of allegations:** Upon initiation of the recipient's grievance procedures, the District will provide notice of the allegations to the parties whose identities are known and include sufficient information available at the time to allow the parties to respond to the allegations. If the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that is not included in the initial notice, the District will provide notice of the additional allegations to the parties whose identities are known.

**The investigation:** A neutral investigator will be assigned once a formal Title IX complaint is filed requesting an investigation. The parties will be treated equitably, including in the provision of supportive measures and remedies. They will receive notice of the specifics (e.g., when, where, who, and conduct in question) of the allegations as known and any that arise during the investigation. Persons involved in a Title IX complaint investigation have the right to an advisor of their choice, which could include an attorney. The investigator will be unbiased and free from conflicts of interest and objectively review the complaint, evidence, and information from witnesses, expert witnesses, and the parties. If the investigator conducts interviews, the parties will be provided time to prepare and will receive notice of the time/date/location/participants/purpose of the interviews. The parties will have an equal opportunity to review the evidence gathered over a period of 10 days and will have opportunities to ask for additional relevant questions to be considered and to provide more evidence before the investigation summary is provided to the parties at the same time. Information protected by legal privilege will not be used in the investigation unless the party holding the privilege waives it.

**The final determination:** Anyone accused of sex discrimination or sexual harassment will be presumed innocent at the beginning of the investigation; the District will review the evidence provided by all parties and will make a determination of responsibility after the investigation using a preponderance of the evidence standard of proof or "more likely than not" that it occurred. The final determination will be provided to the parties simultaneously with appeal rights provided. It will explain whether any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, any disciplinary sanctions that will be imposed on the respondent, any remedies available to the complainant to restore or preserve equal access. Overall, the investigation and final determination will generally be no longer than 60 days unless good cause arises to extend the timeline, such as the unavailability of a party/advisor/witness, law enforcement activity, or the need for language assistance or accommodation of disabilities. If so, a written explanation will be provided.

### **Remedies may be available:**

Remedies are designed to restore or preserve equal access to the District's education programs or activities. Besides the supportive measures previously discussed, remedies may include parent/student conferences; recovery time think sheets; behavior contracts; reflective behavior journaling; social-emotional learning programs; warnings; detention; and formal discipline, including, but not limited to, suspension or expulsion for students or suspension or dismissal for employees.

### **A complaint can be dismissed:**

The complainant may voluntarily withdraw any or all allegations in a complaint filed under Title IX. The District may dismiss a Title IX complaint if the District is unable to identify the respondent after taking reasonable steps to do so; the respondent is not participating in the District's programs or activities and is not employed by the District; or the alleged incident does not constitute sexual harassment as defined under Title IX. The District will inform parties in writing at the same time. If warranted, the conduct may be addressed separately as provided in other District policies, such as the [Uniform Complaint Procedures](#).

### **A dismissal or final determination can be appealed:**

Appeals are available after a complaint dismissal or a final determination. Appeals can be made on the following bases: procedural irregularity that would change the outcome; new evidence that would change the outcome and that was not reasonably available when the determination of whether sex-based harassment occurred or dismissal was made; and the Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome. Appeal requests must be made within 30 days of the District's final determination and include the rationale for the appeal. Parties will be allowed to submit a written statement in support of or against the final determination. The decision-maker will issue the final decision simultaneously to each party. If the complaint does not constitute sexual harassment as defined under Title IX, there may be other complaint processes available at the school site and/or under the District's Uniform Complaint Procedures. District discipline policies and the Office of Student Civil Rights website have additional information.

### **Constitutional protections exist:**

The District will not restrict any rights protected from government action under the United States Constitution.

### **There are protections from retaliation:**

No employee or other person may intimidate, threaten, coerce, or discriminate against any individual to interfere with any right or privilege under Title IX or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation

or proceeding under this law or regulations. Free speech does not constitute retaliation; charging someone with making a materially false statement does not constitute retaliation. A complaint can be filed for retaliation.

**The Title IX law:**

<https://www.govinfo.gov/content/pkg/FR-2024-04-29/pdf/2024-07915.pdf>

## Protecciones Del Título IX

**¿Quién Puede Denunciar?** Cualquier persona puede reportar una discriminación sexual o acoso sexual al Coordinador del Título IX, el Designado de Título IX de un sitio, Designado, alguien con autoridad para tomar medidas correctivas, o a empleado de una escuela primaria o secundaria. La denuncia se pueden hacer en persona, por correo, por teléfono o enviando por un correo electrónico al Coordinador del Título IX y se puede hacer en cualquier momento utilizando la información de contacto proveída en este documento. Si se hace una denuncia, el Distrito informará a la supuesta persona del objetivo y del proceso de queja y los apoyos disponibles. La escuela y los lugares de trabajo tienen personal designado, Designados del Título IX o Administradores de Quejas de Título IX/Intimidación, para recibir informes de violaciones del Título IX y para ayudar.

**Coordinador Del Título IX Del Distrito:** Binh Nguyen, Director- Oficina de Cumplimiento de la Equidad Educativa  
333 South Beaudry Avenue, 18<sup>th</sup> floor, Los Angeles, California 90017

Phone: 213.241.7682; Fax: 213.241.3312; Email: [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net); Website: <https://www.lausd.org/oscr>

**¿Qué Es La Discriminación O El Acoso Sexual Bajo El Título IX?** El acoso sexual es una conducta basada en el sexo que satisface uno o más de los siguientes:

- Un empleado, agente u otra persona autorizada por el Distrito que condiciona la prestación de una ayuda, beneficio o servicio del Distrito a la participación de un individuo en una conducta sexual no deseada (generalmente denominada acoso sexual “quid pro quo”);
- Conducta no deseada basada en el sexo que, según la totalidad de las circunstancias, es subjetiva y objetivamente ofensiva y es tan grave o generalizada que limita o niega la capacidad de una persona para participar o beneficiarse del programa o actividad educativa del destinatario (a menudo denominada como acoso sexual en “ambiente hostil”);
- Agresión sexual (incluidos delitos sexuales forzados o no forzados según el sistema uniforme de denuncia de delitos de la Oficina Federal de Investigaciones), violencia en el noviazgo, violencia doméstica y acecho.

**Cómo Presentat Una Queja:** Una persona de el objetivo de discriminación sexual o acoso sexual, su representante (un padre/cuidador, individuo debidamente autorizado) o el Coordinador del Título IX pueden presentar una queja formal por escrito y firmada para solicitar una investigación del Título IX. Un administrador de quejas de Título IX/intimidación del sitio escolar puede ayudar. Las quejas formales se pueden presentar utilizando este enlace: <https://forms.gle/EvXbyAqCN986gBuZ8>.

**Apoyo Es Disponible:** A las personas involucradas, se pondrá a disposición medidas de apoyo de manera equitativa una vez que el Distrito tenga conocimiento de la discriminación sexual o el acoso sexual y sin importar si se solicita una investigación formal de la queja bajo el Título IX.

Las medidas de apoyo pueden ser: referencia a el Equipo De Apoyo Del Progreso Estudiantil; Opciones para evitar el contacto o restricciones mutuas de contacto entre las personas involucradas, tales como cambios en asientos /clases / agrupaciones estudiantiles/lugares de trabajo del estudiante, permisos de ausencia, planes de seguridad, caminos seguros de viajes, el aumento de la vigilancia en determinadas áreas del las instalaciones escolares para prevenir la recurrencia y otras medidas similares; entrenamiento y materiales educativos; apoyos académicos, extensiones de plazos u otros ajustes relacionados con los cursos y modificaciones de los horarios de trabajo o clases; consejería, apoyos de salud mental, y justicia restaurativa.

Si después de un análisis individualizado de seguridad y riesgo, se determina que existe una amenaza inmediata para la salud o seguridad física de un individuo como resultado de las acusaciones, la remoción del acusado puede estar justificada. Se proporcionará un aviso por escrito con la oportunidad de impugnar la decisión. El Distrito puede colocar a un empleado demandado en licencia administrativa mientras esté pendiente el proceso de quejas. La remoción no necesariamente cambia los derechos bajo los Individuos con Discapacidades, Sección 504 o de la Ley de Rehabilitación de 1973 o bajo El Acta para los Norteamericanos con Discapacidades.

**Pueden Occurrir Resoluciones Informales:** Las personas involucradas pueden voluntariamente acordar por escrito a una resolución informal (mediación, la justicia restaurativa) después de la queja formal se envió, a excepción de cuando un empleado es acusado de mala conducta relacionada con un estudiante. Cualquiera de las personas involucradas puede retirarse de el proceso de resolución nformal y reanudar el proceso de queja. Se mantendrá un registro de la resolución informal y se podrá compartir.

**Qué Es El Proceso De Quejas Del Título IX?** La investigación: Una vez que se presenta una queja formal de Título IX solicitando una investigación, se asignará un investigador. Las personas involucradas serán tratadas de manera equitativa, incluso durante la provisión de medidas de apoyo y reparación. Ellos recibirán notificación de los detalles (por ejemplo, cuándo, dónde, quién, conducta en cuestión ) de las alegaciones que se sabe, y como surjan durante la investigación. Las personas involucradas en una investigación de quejas de Título IX tienen derecho a un asesor de su elección, que podría incluir un abogado.

El investigador sera imparcial y libre de conflictos de intereses y objetivamente revisara la queja, la evidencia, y cualquier información de los testigos, testigos expertos y personas involucradas. Si el investigador realiza entrevistas, las personas involucradas tendrán tiempo para prepararse y recibirán un aviso de la hora/fecha/lugar/participantes/propósito de las entrevistas. Las personas involucradas tendrán una igual oportunidad de revisar la evidencia reunida durante un período de 10 días y tendrán la oportunidad de pedir preguntas adicionales pertinentes para ser considerada y para proporcionar más pruebas antes de que se proporcione el resumen de investigación a las personas involucradas. Una vez que se ha proporcionado el resumen de la investigación, las personas involucradas tienen otros 10 días para recomendar preguntas y pruebas relevantes adicionales para su consideración antes de que una persona neutral diferente tome una decisión. La información protegida por un privilegio legal no se utilizará en la investigación a menos que la persona que tiene el privilegio lo renuncie.

La determinación final: cualquier persona acusada de discriminación sexual o acoso sexual se presumirá inocente al comienzo de la investigación; el Distrito revisará la evidencia proporcionada por todas las partes y tomará una determinación de responsabilidad después de la investigación usando una preponderancia del estándar de prueba de prueba o “más probable que no” que ocurrió. La determinación final se proporcionará a las personas involucradas al mismo tiempo con los derechos de apelación proporcionados. Va a explicar las políticas que fueron violadas, los pasos y métodos tomados para investigar, los hallazgos de la investigación, las conclusiones sobre los hallazgos, la determinación final y las razones de la misma, las sanciones disciplinarias que se impondrán al demandado, cualquier recurso disponible para el denunciante para restaurar o preservar la igualdad de acceso. En general, la investigación y la determinación final generalmente no durará más de 60 días, a menos que surja una buena causa para extender el plazo, como la falta de disponibilidad de una parte/asesor/ testigo, actividad policial o la necesidad de asistencia con el idioma o adaptación de discapacidades. Si es así, se proporcionará una explicación por escrito.

**Remedios Disponibles:** Los remedios están diseñados para restaurar o preservar el acceso equitativo a los programas o actividades educativos del Distrito. Además de las medidas de soporte previamente discutidos, los remedios pueden incluir: conferencias de Padre/Estudiante; hojas de pensamiento de tiempo de recuperación; contratos de comportamiento; diario de comportamiento reflexivo; programas de aprendizaje socioemocional; advertencias; detención; disciplina formal, incluyendo pero no limitado a la suspensión, expulsión y la destitución.

**Una Queja Puede Ser Desestimada:** El denunciante puede retirar una queja presentada bajo el Título IX. Una queja del Título IX puede ser desestimada por el Distrito si el incidente no constituye acoso sexual como se define en el Título IX, no ocurrió en los Estados Unidos, si la persona(s) involucrada(s) no estaban participando o intentando participar en los programas o actividades educativas del Distrito, si el demandado ya no está inscrito o empleado por el Distrito, o si el Distrito no puede reunir pruebas suficientes para llegar a una determinación. El Distrito informará a las personas involucradas por escrito al mismo tiempo. Si se justifica, la conducta puede tratarse por separado según lo dispuesto en otras políticas del Distrito. Si la queja no constituye acoso sexual como se define en el Título IX, puede haber otros procesos de quejas disponibles en la escuela y bajo los Procedimientos Uniformes de Quejas del Distrito. Las políticas de disciplina de las escuelas y la página web de la Oficina de Cumplimiento de Equidad Educativa puede proporcionar información adicional sobre opciones disponibles.

**Se Puede Apelar Un Desestimado o Una Determinación Final:** Apelaciones están disponibles después de una denuncia desestimada o después de una determinación final se determinó. Se puede apelar debido a irregularidades de procedimiento en la investigación afectando el resultado, la nueva evidencia disponible, o debido parcialidad o un conflicto de intereses por parte del personal del Título IX que pudiera haber afectado el resultado. Las solicitudes de apelación deben realizarse dentro de los 30 días posteriores a la determinación final del Distrito e incluir la justificación de la apelación. Las personas involucradas tendrán oportunidad de presentar una declaración por escrito en apoyo o en contra de la determinación final. Un nuevo tomador de decision es emitirá la decisión final a las personas involucradas al mismo tiempo.

**Protecciones Constitucionales Existen:** El Distrito no restringirá ningún derecho que esté protegido de la acción del gobierno bajo la Constitución de los Estados Unidos.

**Protecciones Contra Las Represalias:** Ningún empleado u otra persona puede intimidar, amenazar, obligar o discriminar a ningún individuo con el propósito de interferir con cualquier derecho o privilegio bajo el Título IX, o porque el individuo hizo un informe o queja, testificó, asistió o participó o se negó a participar en una investigación o procedimiento bajo esta ley. La libertad de expresión no constituye represalia; usar a alguien de hacer una declaración materialmente falsa no constituye una represalia. Se puede presentar una queja como represalia.

**La Ley Del Título IX:** <https://www.govinfo.gov/content/pkg/FR-2024-04-29/pdf/2024-07915.pdf>

## SEXUAL HARASSMENT PREVENTION POLICY ACKNOWLEDGEMENT

The District is committed to providing a working and learning environment free from sexual harassment. The District prohibits sexual harassment of or by employees, students, or persons doing business with or for the District based on actual or perceived sex, sexual orientation, gender, gender identity, gender expression, pregnancy, childbirth, breastfeeding/lactating status, and any related medical conditions. Failure to follow this policy is a violation of state and federal law.

Under California law, sexual harassment is any unwelcome conduct based on sex, including sexual advances, requests for sexual favors, and any other verbal, visual, or physical conduct of a sexual nature or based on sex made by someone from or in the work or educational setting, under any of the following conditions:

- Submission to the conduct is directly or indirectly made as a condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions or for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.
- The conduct has the purpose or effect of having a negative impact on the individual's work or academic performance or of creating an intimidating, hostile, or offensive work or educational environment.

Under regulations for Title IX of the Education Amendments of 1972, conduct based on sex that satisfies one or more of the following may constitute sex discrimination or sexual harassment:

- An employee conditioning the provision of aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment).
- Sexual assault, dating violence, domestic violence, or stalking as defined under the Clery Act or Violence Against Women Act.

Upon witnessing discrimination, harassment, intimidation, abusive conduct, or bullying based on the above, personnel are required to take immediate steps to intervene when safe to do so. Reporting the conduct to an administrator or Title IX/Bullying Complaint Manager can be an appropriate intervention. Once a school/office has been notified of the conduct and a complaint has been filed, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate, support the investigation or otherwise determine what occurred and take prompt and effective reasonable steps to end the conduct, eliminate a hostile environment if one has been created, and prevent it from reoccurring. Supportive measures will be provided regardless of whether an individual makes a complaint or asks the school/office to take action. This policy applies to all acts related to school activity or school attendance under the Los Angeles Unified School District Superintendent's jurisdiction.

Any District students or employees who believe they have been a victim of sexual harassment or who have witnessed such an act should report it to an administrator or Title IX/Bullying Complaint Manager so appropriate action may be taken to resolve it. The District prohibits retaliation against anyone who files a sexual harassment complaint or participates in the investigation process. Complaints must be promptly and fairly investigated in a way that respects the privacy of the parties concerned to the fullest extent possible.

Your school/office administrator or Title IX/Bullying Complaint Manager(s): \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

For policies/procedures related to sexual harassment of or by students and how to file a complaint, contact: Office of Student Civil Rights, Binh Nguyen – LAUSD Section 504/Title IX Coordinator, (213) 241-7682.

For employee-to-employee, student-to-employee, or work/employment-related discrimination, harassment, intimidation, or abusive conduct, contact: Equal Opportunity Section (213) 241-7685.

District office locations: Los Angeles Unified School District - 333 South Beaudry Avenue, Los Angeles, CA 90017

**SEXUAL HARASSMENT PREVENTION POLICY ACKNOWLEDGEMENT**

Your school works to give you an education that is safe and without sexual harassment. Sexual harassment is behavior you don't like that is directed at you because you are a girl or a boy. It can make you feel unsafe or scared and keeps you from learning. It can be someone's bad words, something you see, physical behavior, or touching private body parts (like parts covered by a swimsuit). Examples may be:

- ▶ Unwanted hugs, kisses, grabbing, or touching
- ▶ Standing too close or stopping someone from moving
- ▶ Showing or sending inappropriate or nasty pictures of any kind that make others feel bad or uncomfortable
- ▶ Treating someone differently just because they are a girl or boy

It is against school rules and the law for people to do this. If it's safe for you, you can ask the person to stop doing these bad things to you or other kids. You can help friends share problems like this with an adult they trust. You can report it to the principal, a teacher, or someone who handles complaints like this. The school will take action immediately to find out what happened, make it stop, and keep it from happening again. No one is allowed to punish you for making a report or for talking to an adult about what happened. The school will share information with people who can help fix it. This is true for all school activities in your school district.

People who can help you:

Your principal: \_\_\_\_\_  
 Complaint Manager (Title IX/Bullying): \_\_\_\_\_  
 Call: \_\_\_\_\_  
 Email: \_\_\_\_\_

For more information about this and how to make a report, you can call or write to the Office of Student Civil Rights or Binh Nguyen – LAUSD Section 504/Title IX Coordinator at (213) 241-7682; [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net).

Schools can ask for help for staff by calling or writing to the Equal Opportunity Section at (213) 241-7685.

Both offices are at the Los Angeles Unified School District main building, and the address is 333 South Beaudry Avenue, Los Angeles, CA 90017

*I have reviewed this policy, which has been explained to me in my primary language, and I understand my rights and responsibilities under District policy, the law, and regulations. I understand that sexual harassment is prohibited.*

*He revisado esta política, o se me ha explicado en mi idioma principal, y entiendo mis derechos y responsabilidades según la política del Distrito, la ley y los reglamentos. Entiendo que el acoso sexual está prohibido.*

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

## COMPLAINT PROCESS

Any person may report sex discrimination, including sexual harassment; this would be true whether or not the reporter is the alleged victim. The report may be made to the District's Title IX Coordinator or to an elementary or secondary school employee, regardless of that employee's job description. Employees may be the ones reporting if they were witnesses to the harassment.

Complaints can be filed during business or non-business hours by mail, telephone, email; and/or by other means that result in the Title IX Coordinator receiving the report.

Once the Title IX Coordinator, Title IX Designee or other official with authority to take corrective action has received the report of sex discrimination, which includes sexual harassment, the District will both offer supportive measures to involved parties and will assist the complainant or the complainant's representative in understanding the grievance process in order to file a formal complaint of sexual harassment. The site personnel are essential in helping to coordinate the provision of supportive measures with the parties due to their more direct access to the parties.

Complaints will be kept as confidential as possible. Retaliation against someone who files a complaint or participates in a complaint investigation is not permitted.

## OFFICE OF STUDENT CIVIL RIGHTS

**Do you need more information or have additional questions about Title IX and Nondiscrimination?**

Speak with: Your school principal; the Title IX/Bullying Complaint Manager; the Region Operations Coordinator; or contact us:

Website: <https://www.lausd.org/oscr>

333 S. Beaudry Ave, 18th Floor  
Los Angeles, CA 90017

Email: [EquityCompliance@lausd.net](mailto:EquityCompliance@lausd.net)

Phone: (213) 241-7682  
Fax: (213) 241-3312

Binh Nguyen, Director  
District Title IX & Section 504 Coordinator

## OFFICE OF STUDENT CIVIL RIGHTS

# TITLE IX AND NONDISCRIMINATION

**STUDENTS:  
KNOW YOUR RIGHTS**



## **TITLE IX REFERS TO FEDERAL ANTI-DISCRIMINATION LAWS THAT ENSURE SEX-BASED EQUALITY IN EDUCATION**

- Students have the right to equal learning opportunities in their schools.
- Students and employees may not be excluded from participation in, be denied the benefits of, or be subjected to harassment or other forms of discrimination on the basis of sex in any program or activity.
- Students may not be required to take or may not be denied enrollment in a course because of their sex.
- Students have the right to be evaluated and graded without regard to their sex.
- Students must be provided counseling and guidance that is not discriminatory.
- Counselors may not urge students to enroll in particular classes or programs or activities based on sex.
- Schools must offer female and male students equal opportunities to play sports.
- Equipment and supplies, game and practice schedules, budgets, coaching travel allowances, facilities, publicity, support services and tutoring offered to teams are to be equivalent between male and female teams.
- Pregnant and parenting students have the same right as any other student to continue in their regular school and in any program for which they qualify.

## **SEXUAL HARASSMENT OF OR BY SCHOOL EMPLOYEES OR STUDENTS IS A FORM OF DISCRIMINATION AND IS THEREFORE PROHIBITED**

- Schools must respond to allegations of sexual harassment once they are reported.
- Sexual harassment is conduct on the basis of sex and satisfies one or more of the following: An employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct, typically referred to as "quid pro quo" sexual harassment; or, unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment); sexual harassment can also be very specific conduct outlined under the Clery Act or Violence Against Women Act — these particular acts are considered severe enough in that only one such incident may be considered sexual harassment, such as sexual assault, dating violence, domestic violence, and stalking.
- Other forms of behavior may be inappropriate and prohibited under other policies and have other recourses, such as the District's Uniform Complaint Procedures (UCP).

## **YOU CAN MAKE A DIFFERENCE**

- Do not harass. "I was only kidding," is not a defense for sexual harassment.
- Do not encourage harassment or stand by silently while someone else is being harassed. Having an audience encourages the harasser.
- Be respectful to everyone. Consider how your words and actions may be perceived by others.
- If you are harassed, tell the harasser to stop.
- If the harassment continues, report it.
- If friends or classmates confide in you that they have been sexually harassed, encourage them to report it.

## **HOW THE DISTRICT MUST RESPOND**

Once the District knows of sexual harassment or allegations of sexual harassment, as defined under Title IX, the District must respond promptly and treat complainants and respondents equitably by offering non-disciplinary, non-punitive, individualized supportive measures to the parties and by following a grievance process that complies with Title IX to determine responsibility before any disciplinary sanctions are imposed. Supportive measures may include referrals for Multi-Tiered System of Supports (MTSS) meetings; options to avoid contact or mutual restrictions on contact, such as seating and class changes, changing student groupings, changes in work locations, safety plans, increased security and monitoring of certain areas of campus to prevent reoccurrence; training and educational materials; academic supports, extensions of deadlines, health support, counseling, and Restorative Justice.

## OFICINA DE DERECHOS CIVILES DE LOS ESTUDIANTES

# EL TÍTULO IX Y LA NO DISCRIMINACIÓN

## ESTUDIANTES: CONOZCAN SUS DERECHOS



## OFICINA DE DERECHOS CIVILES DE LOS ESTUDIANTES

¿Necesitas más información o tienes preguntas adicionales sobre el Título IX y la No discriminación?

Habla con: el director de tu escuela, el Administrador de Título IX/Quejas por Intimidación; el Coordinador de Operaciones de la Región; o comunícate con nosotros:

Sitio web: <https://www.lausd.org/oscr>

333 S. Beaudry Ave, Piso 18  
Los Angeles, CA 90017

Correo electrónico:  
EquityCompliance@lausd.net

Teléfono: (213) 241-7682  
Fax: (213) 241-3312

Binh Nguyen, Director  
Coordinador del Título IX y la Sección 504

## PROCESO DE QUEJAS

Cualquier persona puede denunciar discriminación sexual, incluido el acoso sexual. Esto sería cierto independientemente de que quien hizo la denuncia sea o no sea la supuesta víctima. Se puede hacer la denuncia al Coordinador del Título IX del Distrito o a un empleado de la escuela primaria, secundaria o preparatoria, independientemente de la descripción del trabajo de ese empleado. Los empleados pueden ser quienes hagan la denuncia si fueron testigos del acoso.

Las quejas se pueden presentar durante o fuera del horario de trabajo por correo, teléfono, correo electrónico; y/o por otros medios que logren que el Coordinador del Título IX reciba la denuncia.

Una vez que el Coordinador del Título IX, la persona designada para el Título IX u otro funcionario con autoridad para tomar medidas correctivas, haya recibido la denuncia de discriminación sexual, que incluye el acoso sexual, el Distrito ofrecerá medidas de apoyo a las partes involucradas y ayudará al demandante o al representante del demandante a comprender el proceso de quejas para presentar una queja formal de acoso sexual. El personal del plantel es esencial para ayudar a coordinar las medidas de apoyo que se implementarán con las partes debido a su acceso más directo a las partes.

Las quejas se mantendrán lo más confidenciales posible. No se permiten represalias contra alguien que presente una queja o participe en una investigación de quejas.

## EL TÍTULO IX SE REFIERE A LAS LEYES FEDERALES CONTRA LA DISCRIMINACIÓN QUE GARANTIZAN LA IGUALDAD DE LOS SEXOS EN LA EDUCACIÓN

- Los estudiantes tienen derecho a la igualdad de oportunidades de aprendizaje en sus escuelas.
- A los estudiantes y empleados no se les puede excluir de participar, ni negarles beneficios, o ser víctimas de acoso u otros tipos de discriminación con base en su sexo en cualquiera de los programas o las actividades.
- No se les puede requerir a los estudiantes que tomen un curso o negarles la inscripción en un curso por su sexo.
- Los estudiantes tienen derecho a ser evaluados y calificados sin tener en cuenta su sexo.
- Los estudiantes deben recibir asesoramiento y orientación que no sean discriminatorios.
- Los consejeros no pueden instar a los estudiantes a inscribirse en clases o programas o actividades particulares por su sexo.
- Las escuelas deben ofrecer a los estudiantes femeninos y masculinos igualdad de oportunidades para practicar en deportes.
- El equipo y los suministros, los horarios de juego y práctica, los presupuestos, los viáticos para entrenadores, las instalaciones, la publicidad, los servicios de apoyo y la tutoría ofrecidos a los equipos deben ser equivalentes entre los equipos masculinos y femeninos.
- Las estudiantes embarazadas y con hijos tienen el mismo derecho que cualquier otra estudiante a continuar en su escuela regular y en cualquier programa para el cual califiquen.

## EL ACOSO SEXUAL DE O POR PARTE DE EMPLEADOS ESCOLARES O ESTUDIANTES ES UNA FORMA DE DISCRIMINACIÓN Y, POR LO TANTO, ESTÁ PROHIBIDO

- Las escuelas deben responder a las denuncias de acoso sexual una vez que se denuncian.
- El acoso sexual es una conducta basada en el sexo y satisface uno o más de los siguientes: Un empleado que condiciona la prestación de una ayuda, beneficio o servicio del Distrito a la participación de un individuo en una conducta sexual no deseada, generalmente denominada "quid pro" acoso sexual quo"; o, conducta no deseada basada en el sexo que, según la totalidad de las circunstancias, es subjetiva y objetivamente ofensiva y es tan grave o generalizada que limita o niega la capacidad de una persona para participar o beneficiarse del programa o actividad educativa del destinatario (es decir, crea un ambiente hostil); El acoso sexual también puede ser una conducta muy específica descrita en la Ley Clery o la Ley de Violencia contra las Mujeres; estos actos en particular se consideran lo suficientemente graves como para que solo un incidente de este tipo pueda considerarse acoso sexual, como agresión sexual, violencia en el noviazgo, violencia doméstica y acecho.
- Otras formas de comportamiento pueden ser inapropiadas y estar prohibidas bajo otras políticas y tener otros recursos, como el Procedimiento Uniforme de Presentación de Quejas del Distrito.

## TÚ PUEDES HACER LA DIFERENCIA

- No acoses. Decir "¡Sólo estaba bromeando!" no es una excusa para el acoso sexual.
- No fomentes el acoso ni te quedes en silencio mientras alguien más está siendo acosado. Tener un público alienta al acosador.
- Sé respetuoso con todos. Considera cómo otros podrían percibir tus palabras y tus acciones.
- Si te acosan, dile al acosador que pare.
- Si el acoso continúa, denúncialo.
- Si tus amigos o compañeros de clase te confían que los han acosado sexualmente, animalos a denunciarlo.

## CÓMO DEBE RESPONDER EL DISTRITO

Tan pronto el Distrito tiene conocimiento de acoso sexual o acusaciones de acoso, como las define el Título IX, el Distrito debe responder con prontitud y tratar a los demandantes y demandados de manera equitativa ofreciendo a las partes medidas de apoyo no disciplinarias, no punitivas e individualizadas, y siguiendo un proceso de quejas que cumpla con el Título IX para determinar la responsabilidad antes de que se impongan sanciones disciplinarias. Las medidas de apoyo pueden incluir referencias a reuniones del Sistema de Apoyo de Múltiples Niveles (MTSS); opciones para evitar el contacto o restricciones mutuas de contacto, como cambios de asientos y de clases, cambios de grupos de estudiantes, cambios en los lugares de trabajo, planes de seguridad, mayor seguridad y supervisión en ciertas áreas del plantel para evitar que vuelva a ocurrir; materiales de capacitación y educación; apoyos académicos, extensiones de plazos, apoyo de salud, consejería y Justicia Restaurativa.

## OFFICE OF STUDENT CIVIL RIGHTS

# HELP STOP BULLYING AND HARASSMENT



## Behaviors that are not okay:

- Unwanted hugs, kisses, grabbing or touching
- Invading personal space (standing too close or stopping someone from moving)
- Teasing or saying rumors and disrespectful jokes about others or making comments about other's bodies
- Treating someone differently because of their gender (a boy or girl) or what they like to wear
- Writing hurtful messages (notes, graffiti, texts, cyber)
- Showing or sending inappropriate or unkind pictures, posters, cartoons, or drawings that make others feel uncomfortable
- Making mean or rude body movements or gestures that embarrass or hurt people's feelings



## What is Harassment

Unwelcomed behavior that targets you and may make you feel:

- Unsafe
- Scared
- Uncomfortable
- Keeps you from learning

**Harassment is against school rules and the law!**

## Bullying and harassment is wrong!

- Teasing or making fun of other students is unkind
- Joining in when someone teases or bullies others is wrong
- Think about the words you use and how you would feel if someone said them to you
- Saying "I was only playing" is not a good reason to touch or bother others

## How can you stop harassment?



If others are bullying or harassing you, **tell them to stop**

If a friend tells you someone is bothering them, **try to help them tell someone**

If bullies don't stop bothering you or a friend, **tell an adult you trust**

## Who can help if someone is bothering you?

- Parents
- Principals
- Teachers
- School staff
- Trusted adults
- Title IX/Bullying Complaint Manager



## You can get help!

**It is your right to LEARN and FEEL SAFE at school!**

- It is against school rules and the law for people to bully or harass.
- Your school can help stop these type of behaviors and keep you safe.

## For more help, please call or write to:

**Office of Student Civil Rights**  
Los Angeles Unified School District  
333 S. Beaudry Ave., 18th Floor  
Los Angeles, CA 90017

Phone: (213) 241-7682  
Fax: (213) 241-3312

Email:  
EquityCompliance@lausd.net

Website:  
<https://lausd.org/OSCR>



# AYUDA A DETENER LA INTIMIDACIÓN Y EL ACOSO



## Comportamientos que no están bien:

- Abrazos no deseados, besos, agarrar o tocar
- Invadir el espacio personal (estar demasiado cerca o impedir que alguien se mueva)
- Burlarse o decir rumores y bromas irrespetuosas sobre otros o hacer comentarios sobre el cuerpo de los demás
- Tratar a alguien de manera diferente debido a su género (un niño o niña) o lo que le guste ponerse
- Escribir mensajes hirientes (notas, grafiti, textos, en línea)
- Mostrar o enviar imágenes, pósters, dibujos animados o dibujos inapropiados o desagradables que hagan que los demás se sientan incómodos
- Hacer movimientos corporales o gestos groseros o malos que avergüencen o dañen los sentimientos de las personas



## ¿Qué es el Acoso?

Comportamiento no deseado que va dirigido a ti y puede hacerte sentir:

- Inseguridad
- Temor
- Incomodidad
- Que te impide aprender

**¡El acoso es una conducta prohibida por las normas escolares y la ley!**

## ¡La intimidación (bullying) y el acoso están mal!

- Molestar deliberadamente o burlarse de otros estudiantes es desagradable
- Formar parte cuando alguien se burla o intimida a los demás está mal
- Piensa en las palabras que usas y cómo te sentirías si alguien te las dijera
- Decir "sólo estaba jugando" no es una buena razón para tocar o molestar a los demás

## ¿Cómo puedes detener el acoso?



Si otras personas te están intimidando o acosando, **diles que paren**

Si un amigo te dice que alguien le está molestando, **trata de ayudarlo a decirselo a alguien**

Si las personas no dejan de molestarte a ti o a un amigo, **dile a un adulto en el que confíes**

## ¿Quién puede ayudar si alguien te está molestando?

- Padres de familia
- Directores
- Maestros
- Personal Escolar
- Adultos de confianza
- Coordinador de Denuncias de Intimidación/Título IX



## ¡Puedes obtener ayuda!

**¡Tienes derecho a APRENDER y a SENTIR SEGURIDAD en la escuela!**

- Las reglas escolares y la ley prohíben que la gente intimide u hostigue.
- Tu escuela puede ayudar a detener este tipo de conductas y a mantener tu seguridad.

**Para obtener más ayuda, llama o escribe a la Oficina de derechos civiles de los estudiantes:**

**Office of Student Civil Rights**  
Los Angeles Unified School District  
333 S. Beaudry Ave., 18th Floor  
Los Angeles, CA 90017

Teléfono: (213) 241-7682  
Fax: (213) 241-3312

Correo electrónico:  
EquityCompliance@lausd.net

Sitio Web:  
<https://lausd.org/OSCR>



# LOS ANGELES UNIFIED SCHOOL DISTRICT OFFICE OF THE GENERAL COUNSEL

## IS YOUR ATHLETICS PROGRAM EQUITABLE FOR ALL?

Federal and State laws require that all schools provide equitable treatment for student athletes, as stipulated under Title IX regulations. Below is a non-exhaustive checklist of typical areas that should be considered regarding equity for males and females, in an effort to facilitate competitive athletic opportunities for all students.

### Scheduling

- Number of events
- Number of practices
- Scheduling of games
- Scheduling of practice
- Publicity/Announcements

### Budgeting

- Allocation of funds
- Transportation
- Coaching
- Concession opportunities
- Fundraising

### Equipment & Supplies

- Quality
- Amount
- Suitability
- Maintenance
- Replacement (uniform, safety equipment, etc.)
- Availability

### Facilities (Practice and Competition)

- Quality
- Availability
- Locker room
- Weight room
- Fields
- Maintenance
- Preparation

Title IX does not require that schools provide identical equipment or spend the same amount of money supporting comparable teams. For example, certain sports may require more funding and equipment due to various reasons (number of players, cost of equipment, required facilities). To ensure equity for all, any underrepresented team should be provided equal quality of equipment, practice/conditioning opportunities, and competitive play.

### Questions?

**Office of Student Civil Rights**  
**(213) 241-7682**  
**EquityCompliance@lausd.net**

## **Guidelines, Title IX and Athletic Financial Assistance**

Title IX of the Education Amendments of 1972 prohibits sex discrimination in education, including athletics. Whatever financial support is provided for athletics, whether through money or goods/services (for example, facilities improvements, new uniforms, better travel accommodations, better fundraising opportunities), the support will be viewed as benefits the school provides under Title IX. Below is a summary of key considerations for ensuring equity in athletic financial assistance.

**Donations:** District policy requires equity in donations. Board Rule 1721 states, “It is the intent of the Board that no donation shall provide a substantial advantage in educational benefits to a school if such benefits cannot be balanced in all schools.” Donations may be received from alumni, parents, booster clubs, neighborhood businesses, or other sources. School officials must ensure that all funds are equitably distributed and do not unduly benefit a particular sports team. Potential donors can be advised about Title IX and the overall goal to support the athletics program equitably. Requests for donated funds by sports teams must also be evaluated with equity in mind.

➤ For additional District guidelines regarding processing donations, see also *BUL 5895, Donations*.

**Fundraising:** Students must not be required to participate in fundraising to participate in athletics. Mandatory fundraising is considered an unauthorized student fee. Students may not be charged fees for extracurricular activities, including sports, unless authorized by statute. All athletics teams should have equitable opportunities to fundraise. Administrators over athletics and athletic directors need to ensure equity in opportunities by ensuring all coaches, including volunteer coaches and athletic assistants, have information about school fundraising guidelines.

Fundraisers **must** meet District guidelines.

- School administration must be able to monitor funds received and expenditures from donated funds. This includes itemized lists of funds received and expenditures. Like any school employee or volunteer, coaches must not privately gain from fundraisers.
- For more information, contact Interscholastic Athletics at <https://www.lausd.org/Page/15803>.
- For additional District guidelines regarding fundraisers and approved parent groups, see *BUL-1633, Policies Governing School Fund-Raising Activities of PTAs, PTOs, and Booster Clubs*
- For pupil fees concerns, contact the Office of Student Civil Rights at (213) 241-7682.

**Coaches:** Schools must ensure that coaching staff is comparable for each team in terms of number and experience, considering supervision needs for particular teams. Before beginning any coaching service, be sure **all** coaches have met **all** coaching requirements.

➤ For more information, see Interscholastic Athletics website, *Processing Athletic Assistants*: <https://www.lausd.org/Page/15806>

**Publicity and Scheduling:** Title IX requires equity in sports. This includes areas such as practice and game scheduling, and publicity. Administrators over athletics and athletic directors need to ensure equity in publicity (equal access to announcements, posting signs, signs on the marquee, and information on the school website) and scheduling (ensure a mix of day and night contests; ensure Friday nights are equitably distributed). Scheduling impacts ticket sales.

➤ For more information, see the Office of Student Civil Rights website, Title IX: <https://www.lausd.org/oscr>.