

TITLE:	Protocols and Procedures to Report, Reassign, and Investigate Allegations of Employee Misconduct	ROUTING All Employees All Offices
NUMBER:	BUL-044381.1 Andrés E. Chait Chief of School Operations Division of School Operations	All Divisions All Regions All Schools
	Devora Navera Reed General Counsel Office of the General Counsel	
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POLICY:	The Los Angeles Unified School District's top priority is a	safe and secure

POLICY: The Los Angeles Unified School District's top priority is a safe and secure learning and working environment for its students and employees. Whenever employees are accused of misconduct that compromises student, staff, or workplace safety, ethical behavior, or personal integrity, the District must investigate these claims in a manner that is prompt, thorough and fair. This policy reflects the requirements outlined in the Board Resolution, Protect Children and Safeguard Due Process, adopted on April 16, 2013.

This Policy Bulletin pertains to both Certificated and Classified employees. The purpose of this policy is to provide clear guidelines for administrators and supervisors regarding reporting procedures and notification requirements, the employee reassignment process, and investigation procedures for alleged incidents of employee misconduct.

For purposes of this bulletin, a **reassignment** is the provisional removal of an employee from their regularly assigned workplace for the safety of District students, staff, or the workplace (e.g., "temporary pull," "housing" an employee, change of worksite during investigations into allegations, issuing a "stay-away" notice, suspension pending dismissal).

Please refer to Attachment Q for an overview of the timeline and procedures set forth in this Policy Bulletin.

MAJORThis Policy Bulletin replaces Human Resources Division BUL-044381.0 of the
same subject issued on December 22, 2017. The document has been revised
to clarify and update reporting, reassignment, and investigation procedures.



Region Operations shall now assume responsibility for the reassignment and oversight of any subsequent investigation into allegations of alleged misconduct by District employees, including Division employees, that impact student safety. Region Operations shall maintain ongoing communication with respective Divisions throughout the process, as applicable.

Region Operations staff will now consult with the Student Safety Investigation Team (SSIT) Duty Investigator regarding allegations of employee misconduct that impact student safety to determine whether who should conduct the investigation based on the criteria established in **Attachment D**, **Case Referral Criteria**.

Regions/Divisions shall use Attachment A-1, *Chain of Custody Record for District Property*, to document the transfer of District-issued items from reassigned employees to site administrators/Division supervisors for non-SSIT cases. Attachment E, Preliminary Inquiry Template, and Attachment J, *Investigative Report for Non-SSIT Cases*, have been incorporated to standardize documentation of investigations conducted by Regions/Divisions when an employee has been formally reassigned and are required for use.

GUIDELINES: The following guidelines apply.

The District must provide safe classrooms, schools, and workplaces for its students and employees. When allegations of employee misconduct that threaten students, staff or workplace safety arise, District leaders must take appropriate and timely administrative action that may include reassigning an employee.

Some of the reasons that may require a reassignment of an employee are:

- Allegations of sexual misconduct
- Acts of school or workplace violence that threaten or result in serious injury
- Allegations, arrests, or filing of charges related to criminal acts
- The employee's presence in the workplace interferes with or undermines the integrity of an investigation, or otherwise causes disruption

See **Attachment F, Considerations for Reassignment of an Employee**, to review additional factors.

➡ Employees are not typically reassigned based on performance, competence, or judgment issues unrelated to safety. Contact Staff Relations at (213) 241-6056 for guidance on these matters.



See Attachment Q, *Timeline: Protocols and Procedures to Report, Reassign, and Investigate Allegations of Employee Misconduct*, for an overview of the processes set forth in this Policy Bulletin.

I. REPORTING PROCEDURES FOR ALLEGATIONS OF EMPLOYEE MISCONDUCT

Mandated Reporting of Suspected Child or Dependent Adult/Elder Abuse

Refer to BUL-1347.5, *Child Abuse and Neglect Reporting Requirements*, or BUL-2449.0, *Dependent Adult/Elder Abuse and Neglect Reporting Requirements*, for complete information about mandated reporting.

- A. District employees are mandated reporters of suspected child abuse or neglect. If an employee has a reasonable suspicion of child abuse or neglect, the employee must:
 - 1. Make a telephone report to local law enforcement (not School Police) or the Department of Children and Family Services (DCFS) as soon as practically possible.
 - 2. Submit the written Suspected Child Abuse Report (SCAR) to the same agency that took the call within 36 hours, regardless of the agency's response.
- B. District employees are also mandated reporters of dependent adult/elder abuse. Students aged 18 or older are considered dependent adults regardless of a disability that restricts their ability to carry out normal activities or to protect their rights.

If an employee has a reasonable suspicion of dependent adult/elder abuse, the employee must:

- 1. Make a telephone report to local law enforcement or Adult Protective Services (APS) as soon as practically possible.
- 2. Submit the written Report of Suspected Dependent Adult/Elder Abuse (Form SOC 341) to the same agency that took the call within two working days, regardless of the agency's response.
- C. Employees are strongly advised to make the report to local law enforcement if the suspected abuse:
 - Is perpetrated by a District employee or other school-related adult, including non-District contracted employees and volunteers; and/or



- 2. Involves moderate-to-severe physical, mental, sexual abuse or neglect, or a life-threatening situation.
- A. In cases where a report of suspected child or dependent adult/elder abuse by a District employee involving students was made to DCFS or APS for any reason, the administrator/Division supervisor shall:
 - 1. Contact the law enforcement agency in whose jurisdiction the school or worksite is located.
 - 2. Inform them of the report that was made to another agency. Do not file a second SCAR or SOC 341 report.
 - 3. Review the allegations with the officer and inquire as to whether the District is cleared to conduct an administrative investigation that will not interfere with any criminal investigation.
- E. If the mandated reporter is an administrator/Division supervisor, they shall inquire of law enforcement if the District is cleared to conduct an administrative investigation and will not interfere with any criminal investigation.
 - 1. The administrator/Division supervisor shall not engage in any investigative activities involving alleged misconduct by a District employee with students prior to contacting the Region Administrator of Operations/Division Head or their designee.
- F. The Division Head shall promptly notify the respective Region Administrator of Operations if a Division employee is alleged of misconduct and works with or in the presence of students.
- G. Divisions shall defer responsibility to Region Operations for the reassignment and investigation of Division employees alleged of misconduct with students (see Major Changes).

Reporting of Suspected Abuse or Other Misconduct by a District Employee or School-Related Adult to an Administrator/Supervisor

In addition to mandated reporting, employees must also report all suspected child or dependent adult/elder abuse or other misconduct by a District employee or school-related adult to a site administrator/Division supervisor as soon as possible.

A. Upon receiving information from the reporter, the site administrator/ Division supervisor shall immediately:



- 1. Remove the accused employee from the classroom or worksite whenever there is a risk to the safety of students, staff, or the workplace.
- 2. Take immediate steps to protect any alleged victims of child abuse, dependent adult/elder abuse, and/or sexual harassment.
- 3. Assure alleged victims that supportive measures will be provided (e.g., counseling, extension of deadlines or other course-related adjustment, modification of class schedules) in addition to any actions taken to address harmful, discriminatory, harassing or retaliatory behavior.
 - See BUL-2521.3, Title IX Policy/Nondiscrimination Complaint Procedures (Including for Sex Discrimination and Sexual Harassment), for more information and resources.
- B. Contact the respective law enforcement agency to confirm that the District is cleared to conduct an administrative investigation and will not interfere with any criminal investigation.
- C. Notify the Region Administrator of Operations/Division Head prior to initiating any investigative activities.
 - If the accused employee is a site administrator/Division supervisor, the reporter shall inform the Region Superintendent or Region Administrator of Operations/ Division Head.
 - 2. Divisions shall defer responsibility to Region Operations for all cases of alleged misconduct with students by Division employees.
- D. Create an ISTAR entry to include all known relevant information (see Section II).

Considerations for Reassignment of an Employee

The risk to the safety of students, staff, or the workplace shall be the primary consideration in determining the employee's placement pending the outcome of a preliminary inquiry or full investigation.

The Region Administrator of Operations/Division Head shall determine whether the employee will be:

- 1. Allowed to return to their assignment; or
- 2. Reassigned and directed to remain at home.



- a. If there are compelling reasons why an employee should not be directed to remain at home during reassignment, the Region Administrator of Operations/Division Head may consider an alternate location.
- b. The Region Administrator of Operations/Division Head shall contact the Division of School Operations designee for further direction.

See Attachment F, Considerations for Reassignment of an Employee, to review additional factors. Region Administrators of Operations/Division Heads may contact the Division of School Operations designee to discuss.

Alleged Misconduct by a Division Employee

- A. When alleged misconduct by a Division employee that impacts student safety is reported directly to the respective Division (e.g., alleged misconduct by a Building and Grounds Worker [BGW] is reported to the Facilities Division):
 - 1. The Division Head shall promptly notify the Administrator of Operations of the respective Region wherein the misconduct occurred.
 - 2. Region Operations shall assume responsibility for the reassignment of the employee and any subsequent investigation. Region Operations shall maintain ongoing communication with the respective Division.
- B. For allegations of employee misconduct unrelated to student safety, Divisions shall maintain responsibility for any reassignment, investigation, and/or issuance of discipline.

Ongoing Communication with Law Enforcement

Only local law enforcement (not School Police or DCFS) may determine whether the District is clear to initiate an administrative investigation when a District employee is suspected of child or dependent adult/elder abuse.

- A. If the law enforcement agency determines that the District must refrain from conducting an administrative investigation, the Student Safety Investigation Team (SSIT) shall become the sole liaison with law enforcement.
 - 1. Region and school administrators/Division supervisors shall defer all further communication with law enforcement to the SSIT.



- 2. The SSIT shall maintain contact with the law enforcement agency until the District is granted clearance to proceed with an administrative investigation.
- 3. The SSIT shall inform the Region/Division when law enforcement clears the District to investigate administratively.
- B. If law enforcement does not grant clearance for a District administrative investigation by the fifth day of an employee's preliminary reassignment, the Region Administrator of Operations/Division Head shall issue a formal reassignment.
- C. If a site administrator/Division supervisor receives notification directly from law enforcement of an employee under investigation for a criminal matter, the site administrator/Division supervisor shall immediately notify the Region Administrator of Operations/Division Head.

Consultation with the SSIT Duty Investigator for Allegations of Employee Misconduct Impacting Student Safety (Region Operations Only)

- A. Whenever allegations of employee misconduct with students are representative of those found in the red section of Attachment D, *Case Referral Criteria*:
 - 1. The Region Administrator of Operations or their designee shall contact the SSIT Duty Investigator immediately prior to initiating any investigative activities.
 - 2. The two parties shall discuss the allegations and all other available information to jointly determine whether Region Operations should conduct a preliminary inquiry or refer the case to the SSIT for investigation.
 - 3. If the two parties do not agree as to who should investigate, the Region Administrator of Operations and the SSIT Director shall discuss the matter.
- B. Region Operations may consult with the SSIT Duty Investigator regarding allegations similar to those described in the yellow or green sections of **Attachment D**, or any other situations not described in the case referral criteria.
- C. Region Operations may contact the SSIT Duty Investigator to request support and guidance when conducting a non-SSIT preliminary inquiry or full investigation.



II. ISTAR REPORTING PROCEDURES FOR INCIDENTS OF ALLEGED EMPLOYEE MISCONDUCT

All allegations of employee misconduct must be documented in ISTAR. Refer to BUL-5269.3, *Incident System Tracking Accountability Report*, for further guidance.

Administrators/Division supervisors shall:

- A. Include all relevant known information regarding the alleged misconduct in the incident summary.
 - 1. The incident description should provide essential information: Who did what to whom? When? Where? How many times/how often? Who else witnessed or heard? To which District employee was the incident first reported?
 - 2. Avoid vague language (e.g., Sam said he felt uncomfortable, Chris said, "The sub looked at me weird.").
 - Identify persons involved by names and titles in the incident description. Do not use initials, Student ID, or employee numbers in lieu of names. Use descriptors if persons are unknown.
- B. When telephone reports are made due to suspected child or dependent adult/elder abuse, include:
 - 1. The law enforcement agency to which the call was made.
 - 2. The officer's name and identification number.
 - 3. The officer's advisement:
 - a. Do not investigate officers will respond; or
 - b. The school/District is clear to conduct an administrative investigation (i.e., "handle administratively"); or
 - c. The school/District may investigate concurrently to law enforcement's investigation.
- C. Designate the appropriate incident type(s) and ensure that all data and information is accurate. Contact the Division of School Operations designee for assistance.
 - 1. Select the most applicable "Inappropriate Conduct" issue type for all ISTARs of alleged employee misconduct in addition to any other relevant issue types.
- D. Enter updates as more information becomes available, including:



- 1. The date on which the employee is initially reassigned.
- 2. The outcome of any consultation between Region Operations and the SSIT Duty Investigator.
- E. The Region Administrator of Operations/Division Head or their designee, in conjunction with the school and/or appropriate District offices, will monitor the incident and update the ISTAR until the employee is either formally reassigned or the matter is otherwise resolved.
 - In cases where the accused employee is a site administrator/ Division supervisor, the Region Administrator of Operations/ Division Head or their designee will generate and submit the ISTAR.

III. CTC REPORTING REQUIREMENTS

The California Education Code requires all school districts to report to the California Commission on Teacher Credentialing (CTC) whenever Certificated employees are:

- A. Alleged of engaging in sexual misconduct with students.
- B. Dismissed, non-reelected, or otherwise terminated based on the outcome of an investigation into alleged sexual misconduct with students.
- C. Suspended without pay for over 10 days for any reason.

The Office of Employee Relations shall comply with all legal mandates by making appropriate and timely reports to the CTC on behalf of LAUSD.

Representatives from the Division of School Operations, Office of the General Counsel, Office of Employee Relations and Staff Relations shall meet regularly to review ISTARs of reported allegations of sexual misconduct with students, along with any other known information.

Following these reviews, the Office of Employee Relations shall:

- 1. Report allegations of sexual misconduct by Certificated employees involving students to the CTC.
- 2. Inform the CTC regarding the outcome of cases investigated by Region Operations or the SSIT.

IV. PRELIMINARY REASSIGNMENT OF AN EMPLOYEE (Up to five [5] working days)



The decision to reassign an employee pending the outcome of a preliminary inquiry into allegations of misconduct typically rests with the Region Administrator of Operations/Division Head.

- When allegations are made against a school-based administrator, the Region Administrator of Operations shall consult with the Region Superintendent before making a reassignment decision.
- ⇒ In cases involving other non-school based administrators assigned to a Region office, the Region Superintendent shall make the reassignment decision.

Note: If after consulting with the SSIT Duty Investigator both parties have agreed that the SSIT will investigate (see Section I), the Region Operations should bypass the preliminary reassignment and issue a formal reassignment (see Section VI).

Region Operations should contact the Division of School Operations designee for cases of alleged misconduct involving students by nonpermanent Certificated or Classified employees or other school-related adults. These may include substitutes, non-District contracted employees, volunteers, etc.

Site Administrator/Division Supervisor Responsibilities

If a decision is made to issue a preliminary reassignment, the site administrator/Division supervisor shall:

- A. Inform the employee that their removal from the school or worksite is due to an allegation of misconduct.
- B. Issue Attachment A, *Directive to Report to Region/Division* to the employee.
 - 1. Use **Attachment A** as a script to provide information and issue directives.
 - 2. Obtain the employee's signature on the form.
 - 3. Submit a signed copy of **Attachment A** to Region Operations promptly following the meeting.
 - Attachment A shall be completed and provided to the school/worksite by the Region/Division.
- C. Prior to allowing the employee to leave the site, collect and secure the employee's District-issued:
 - 1. District-issued keys.



- 2. Electronic devices (e.g., computers, laptops, tablets, cameras, flash drives, external hard drives, cell phones).
 - ⇒ Obtain any user and password information the employee may have added for access to any District-issued device.
- 3. Any other items essential to performing the employee's regularly-assigned duties.
 - An administrator should accompany the employee to collect devices and other items from their classroom or work area if necessary.
 - Ensure that neither the employee nor any other individual attempts to view or recover evidence or data from any electronic devices issued to or accessed by the employee.
 - Desktop computers shall be unplugged from the power source without saving or shutting down the computer's operating system.
- D. Establish a chain-of-custody by documenting the transfer of keys, electronic devices, and any other items collected from the employee by the site administrator/Division supervisor using **Attachment A-1**, *Chain of Custody Record for District Property*.
 - ➡ Continue to document any subsequent transfer of items between other individuals on the same form.
- E. Store all District-issued electronic devices assigned to the employee in a secure location at the school or worksite.
 - ⇒ The Region Operations Coordinator/Division supervisor should secure electronic devices at the Region/Division Office if there are concerns about the items remaining at the school or worksite.
- F. Deactivate the employee's access to District/school databases except for LAUSD email through the One Access Portal. Information systems may include, but are not limited to: Schoology, MiSiS, Welligent, and ISTAR. Contact the Region's Counseling Coordinator (for Schoology and MiSiS) or Information Technology Services (ITS) for assistance in blocking access to all other information systems not appearing in the employee's One Access account. For ISTAR, access can be managed through the Principal's Portal or by contacting the Division of School Operations.



- 1. Employee access to LAUSD email shall continue to remain active.
- G. A forensic examination of District-issued devices will be completed by the SSIT for all investigations of alleged sexual misconduct with students and other types of misconduct when appropriate.
- H. Continue to report time for the employee during their preliminary reassignment to the Region/Division.
 - 1. <u>Certificated Employees</u>:
 - a. When requesting a substitute teacher using *SmartFind*, select "Reassignment" as the reason code.
 - b. Regions/Divisions shall inform the employee's school/worksite of the employee's attendance status. Time reporters at the school/worksite shall enter Miscellaneous (MS) time, unless informed otherwise.
 - The Region/Division shall be responsible for collecting and forwarding any approved benefit forms to the school/worksite.
 - c. Additional information regarding time reporting for reassigned Certificated employees is found in **Attachment G-1**, *Instructions for Time Reporting*.
 - d. Budget Services will reimburse the school for substitute days required during the preliminary reassignment of Certificated employees. Schools should complete Attachment G-2, *Reimbursement* of Substitute Funding for Preliminary Reassignment of Certificated Employee.
 - e. If the employee returns to work after the conclusion of the preliminary inquiry, the school/worksite will resume responsibility for time reporting.

2. <u>Classified Employees</u>:

- a. Time reporters shall enter Miscellaneous (MS) time for the duration of the employee's preliminary reassignment, except those not entitled to be paid during such reassignment.
- b. If the employee is formally reassigned, time reporters shall continue to enter MS time.



- c. Region Operations should contact the Division of School Operations designee regarding school reimbursement for Classified substitutes.
- 3. <u>Non-permanent Certificated or Classified Employees or Other</u> <u>School-Related Adults</u>:
 - a. Schools/worksites shall not report time for nonpermanent employees or other school-related adults that are removed from their assignments. Regions/Divisions should contact the Division of School Operations designee for guidance.

Region Administrator of Operations/Division Head Responsibilities

Reassignment of Employee from Regular Worksite to Region/Division to Remain at Home

- A. When a credible allegation of employee misconduct threatens students, staff, or workplace safety, the employee will be reassigned, in most cases to home.
 - If there are compelling reasons why an employee should not be directed to remain at home during reassignment, Region Administrator of Operations/Division Head may consider an alternate location.
 - 2. The Region Administrator of Operations/Division Head shall contact the Division of School Operations designee for further direction.

The Region Administrator of Operations/Division Head or their designee shall:

- A. Provide the school or worksite with Attachment A, Directive to Report to Region/Division complete with all pertinent information. The date for which the meeting is scheduled shall be considered the first day of the preliminary reassignment.
- B. Promptly submit a signed copy of the completed form to <u>HRIncidentReporting@lausd.net</u>. Include the ISTAR number in the body of the email and cc the Division of School Operations designee to ensure timely and accurate tracking.
- C. Confirm that the site administrator/Division supervisor has collected and secured all District-issued keys, electronic devices, and any other items essential to performing the employee's regularly assigned duties.



- D. Confirm that the site administrator/Division supervisor has established a chain-of-custody by documenting the transfer of the keys, electronic devices, and any other items from the accused employee to the site administrator/Division supervisor using Attachment A-1, Chain of Custody Record for District Property.
- E. Conduct an in-person intake meeting with the accused employee to provide information and directives regarding their reassignment from the school/worksite.
 - ⇒ The intake meeting may be conducted via a virtual meeting platform (e.g., Zoom) only with employees assigned to the Virtual Academy.

Note: For reassignments of Division employees alleged of misconduct with students, Region Operations and Division supervisors shall meet together with the employee.

- 1. Review Attachment B, *Preliminary Reassignment to Region or Division to Remain at Home* with the employee to provide immediate verbal and written direction regarding procedures for reporting while reassigned. Obtain the employee's signature on the form.
 - a. For employees not entitled to be paid if they are removed from their assignment, use Attachment B-1, *Removal from Assignment without Pay* instead. Contact the Division of School Operations designee for further direction.
- Provide the employee with both a verbal and written explanation of the reason(s) for the preliminary reassignment using Attachment C, Notice of Reason for Preliminary Reassignment Pending Investigation. Obtain the employee's signature on the form.
 - a. Refer to Attachment C-1, *Recommended Brief Incident Descriptions* to complete Attachment C by selecting the option that best provides a general description of the allegation(s).

Note: If law enforcement directs the Region/Division not to inform the employee of the allegation, the Region/Division shall state only that an investigation is being conducted due to alleged employee misconduct (refer to **Attachment C-1, Item A**).



Consult with the Division of School Operations designee as needed for assistance with completing **Attachment C**.

- 3. Advise the employee to avail themselves of their primary health benefits or other public resources should they wish to seek mental health or other support.
- 4. Give the employee a signed copy of:
 - a. Attachment B (or Attachment B-1, if applicable).
 - b. Attachment C.
- 5. Offer the employee a copy of this policy bulletin.
- F. Promptly following the intake meeting, submit electronic copies of both Attachment B (or B-1) and Attachment C to <u>HRIncidentReporting@lausd.net</u> and cc the Division of School Operations designee. The employee's signature will indicate acknowledgment of receipt.

Note: The timeline for the preliminary reassignment begins on the date the employee is directed to report to the Region/Division, even if the employee should request a leave of absence, call out due to illness or for any other reason, or fail to report to the Region/Division. None of these reasons will result in an extension of the five (5) day timeline to complete a preliminary inquiry (see Section V).

- G. Inform the school/worksite of the employee's attendance status throughout the preliminary reassignment.
 - 1. Provide any completed and approved benefit forms to the school/worksite.
- H. The Region/Division shall formally reassign the employee (see Section VI) if law enforcement has not cleared the District to conduct an administrative investigation by the fifth day of the employee's preliminary reassignment.

V. PRELIMINARY INQUIRY INTO ALLEGATIONS OF EMPLOYEE MISCONDUCT

A **preliminary inquiry** is the process of initial fact-finding to determine the plausibility, possibility, or probability of alleged incidents of misconduct having occurred. A preliminary inquiry is not as in-depth or lengthy as a full investigation.

A. The preliminary inquiry shall be completed within **five (5) working days** of the employee's preliminary reassignment.



- B. Should extenuating circumstances arise, Regions/Divisions may require additional time to complete the preliminary inquiry.
 - In such cases, the Region Administrator of Operations/ Division Head shall contact the Division of School Operations designee to discuss the additional time needed to complete the preliminary inquiry.

Allegations of Employee Misconduct Impacting Student Safety

Region Operations shall coordinate with site administrators to conduct a preliminary inquiry into allegations of employee misconduct involving students.

Note: If after initial consultation with the SSIT Duty Investigator both units agreed that the SSIT would conduct the investigation (see Section I), Region Operations shall not initiate a preliminary inquiry. Region Operations and school administrators shall cease any further investigative activities.

⇒ In cases where a Division employee is accused of misconduct with students, Region Operations shall assume responsibility for the case. Region Operations shall coordinate and maintain communication with the respective Division throughout the process (see Section I).

Conducting a Preliminary Inquiry

Regions/Divisions, in collaboration with site administrators/Division supervisors, shall use **Attachment E**, **Preliminary Inquiry Template**, in conjunction with **Attachment E-1**, **Guidance for Completing a Preliminary Inquiry Report**, to document the preliminary inquiry into alleged employee misconduct.

- A. For cases of alleged employee misconduct with students:
 - Confirm that a telephone report of suspected child abuse has been made to law enforcement or DCFS, if applicable (see Section I), and that the District has been cleared to conduct an administrative investigation.
 - In cases where the alleged victim is a dependent adult/elder, confirm that a telephone report of suspected dependent adult/elder abuse has been made to law enforcement or APS, if applicable (see Section I), and that the District has been cleared to conduct an administrative investigation.



- B. Confirm that an ISTAR has been submitted and includes all relevant information (see Attachment E of BUL-5269.3, *Incident System Tracking Accountability Report*).
- C. Continue to update and/or monitor that the site administrator/ Division supervisor updates the ISTAR until the time that the Region Administrator of Operations/Division Head decides that the employee will be formally reassigned or determines that the matter has been resolved.
- D. Interview the alleged victim(s) and witnesses that have direct knowledge of the alleged misconduct.
 - 1. Meet with interviewees individually in a location that offers privacy.
 - 2. It is best practice for two administrators to be present when interviewing students.
 - 3. Ensure each interviewee has been offered/has received medical and/or mental health support.
 - 4. Provide guidance to interviewees:
 - a. It is important that they be honest and forthcoming with the information they share.
 - b. It is acceptable to ask that a question be repeated or rephrased.
 - c. It is acceptable to respond "I don't know" if they do not have information with which to answer the question. Interviewees should not guess.
 - Interviewers should gauge if the interviewee might know something but is reticent to share for some other reason. Follow up regarding any concerns.
 - d. The interview should remain confidential. Interviewees should not discuss the matter with anyone except their parents/guardians (students).
 - 5. Take notes during the interview for future reference. Interviewers should document their line of questioning.
 - 6. Begin the interviews with an open-ended prompt (e.g., "Tell me what happened"?) even if you have been informed of the alleged incident.
 - 7. Continue with open-ended questions (e.g., "And then what happened?"), asking direct and specific questions as follow-up to obtain details when needed.



- Ask the interviewee to clarify vague language or slang/unfamiliar terms (e.g., "What did [the employee] do that made you feel uncomfortable?", or "I don't know what 'snitching' means. Please explain that to me.").
- 9. Remind the interviewee that the conversation is to remain confidential. Students may, however, discuss the matter with their parents/guardians.
- E. After each interview, obtain written statements from the alleged victim(s) and witnesses with direct knowledge of the alleged misconduct. Ensure that written statements include:
 - 1. Specific and detailed language (the writer should define or qualify vague terms or expressions).
 - 2. Information related to the alleged misconduct (e.g., Who did what to whom, when, where, how, how often? Who/who else witnessed the incident? What did the victim do/how did they respond? Who did they tell?).
 - 3. The printed full name and signature of the person writing the statement as well as the date on which the statement was written.
 - 3. No one other than the author should write on or otherwise modify the statement.
- F. Review the written statements before releasing the individuals. Be sure that each statement reflects what each alleged victim and/or witness said during the interview. If the statement provides information the interviewee did not share during the interview, follow up by asking them to tell you about it.
- G. For alleged victims and/or witnesses unable to write:
 - 1. An administrator should transcribe an oral statement from the interviewee verbatim.
 - 2. The transcriber should print their full name, sign, and date the written statement.
 - 3. If the alleged victim and/or any witnesses has a disability that impacts the interviewer's ability to communicate with them, secure the assistance of an administrator experienced to work with their disability.
 - Contact Region Operations as needed for identifying support personnel who may be able to assist with interviewing and/or obtaining written statements from



students and/or adult witnesses due to language, disability, or other challenges.

- H. Collect any evidence obtained from, or identified through, interviews of the alleged victim(s) or witnesses (e.g., screenshots, handwritten notes, gifts, or tokens).
 - Do not upload, download, save, send, receive, or disseminate in any manner images or videos that may constitute child pornography. Contact law enforcement immediately to report this matter.
- I. Review school/worksite employee files, email exchanges with the employee, and ISTARs for any documentation of allegations of prior misconduct by the employee, as well as any discipline issued. Make or print copies of any documents collected.
- J. Contact Staff Relations for information related to previous misconduct by the employee, including prior discipline issued, discipline served, and any other documented allegations of misconduct.
- K. The Region Administrator of Operations/Division Head and site administrators/Division supervisors shall discuss the findings of the preliminary inquiry and all information obtained **prior to** conducting an interview of the accused employee.
 - 1. If further investigation is required:
 - a. For cases of alleged employee misconduct with students, Operations shall follow up with the SSIT Duty Investigator to discuss and determine if further investigation is required.
 - i. If the SSIT will complete the full investigation,

Region Operations shall submit a formal request using **Attachment I**, **Request for Investigation**, to the consulting Duty Investigator and cease any further investigatory activities.

- ii. For cases of alleged employee misconduct with students where the SSIT will not investigate, Region Operations shall assume responsibility for completing the full investigation.
- b. Regions/Divisions shall document further investigation using Attachment J, *Investigative Report (Non-SSIT Cases)*, in conjunction with Attachment J-1,



Guidance for Completing an Investigative Report (Non-SSIT Cases).

- 2. If no further investigation is required:
 - a. The investigating unit may proceed to conduct an investigatory interview with the accused employee to conclude the preliminary inquiry.
- L. If the Region Administrator of Operations/Division Head decides to proceed with the employee interview:
 - 1. Schedule an interview with the employee.
 - 2. Inform the employee that they may have a representative of their choice present during the interview. The employee is responsible for securing representation.
 - 3. Ensure that a second administrator/supervisor is present during the interview.
 - 4. Take notes during the interview for future reference. Interviewers should document their line of questioning.

Completion of the Preliminary Inquiry

Once the preliminary inquiry has been completed, the Region Administrator of Operations/Division Head shall decide whether to:

- 1. Return the employee to the school or worksite; or
- 2. Proceed with a formal reassignment (see Section VI).
 - ⇒ In cases where the employee is an administrator, the Region Administrator of Operations shall consult with the Region Superintendent about whether the employee shall return to the school/worksite or be formally reassigned.

Decision to Return the Employee to Work

Region Administrator of Operations/Division Head Responsibilities

The Region Administrator of Operations/Division Head or their designee shall:

- A. Promptly conduct a Return to Worksite guidance meeting with the employee to discuss and issue applicable policies and procedures prior to their return to the school or worksite.
 - 1. Document meeting information and policies issued using Attachment M, *Employee Guidance for Returning to Worksite*.



 Promptly submit an electronic copy of Attachment M to <u>HRIncidentReporting@lausd.net</u> and cc the Division of School Operations designee.

Site Administrator/Division Supervisor Responsibilities

A. Work with Staff Relations to document assistance and guidance provided to the accused employee in a conference memo.

Note: A conference memo must be issued for purposes of documentation regardless of whether the findings of the Region/ Division's preliminary inquiry indicate that the allegations of misconduct were unsubstantiated or unfounded. Issuance of a conference memo is not considered discipline.

VI. FORMAL REASSIGNMENT OF AN EMPLOYEE (Beyond five [5] working days)

Reassignment of Employee from Regular Worksite to Region/Division to Remain at Home

- A. When a credible allegation of employee misconduct threatens students, staff, or workplace safety, the employee will be reassigned, in most cases to home.
 - If there are compelling reasons why an employee should not be directed to remain at home during reassignment, Region Administrator of Operations/Division Head may consider an alternate location.
 - 2. The Region Administrator of Operations/Division Head shall contact the Division of School Operations designee for further direction.

Region Administrator of Operations/Division Head Responsibilities

The Region Administrator of Operations/Division Head shall meet with the accused employee to issue a formal reassignment.

- A. Complete Attachment G, Formal Reassignment of Employee Notification to Human Resources and Attachment H, Formal Reassignment to Region/Division to Remain at Home in preparation for meeting with the employee.
- B. Conduct an in-person meeting with the employee to provide information and directives regarding their formal reassignment.



⇒ The intake meeting may be conducted via a virtual meeting platform (e.g., Zoom) only with employees assigned to the Virtual Academy.

During the meeting:

- Review Attachment H, Formal Reassignment to Region/ Division to Remain at Home to provide immediate verbal and written direction regarding procedures for reporting while formally reassigned. Obtain the employee's signature on the form to indicate acknowledgment of receipt.
- 2. Ensure that the employee was previously provided with both a verbal and written explanation of the reason(s) for the reassignment (see Section IV).
 - ⇒ Contact the Division of School Operations designee should the employee request a leave of absence, call out due to illness or for any other reason, fail to report to the Region/ Division, or any other reason that prevents the Region/ Division from conducting the formal reassignment meeting.
- C. Submit signed copies of both **Attachments G** and **H** to <u>HRIncidentReporting@lausd.net</u> and cc the Division of School Operations designee promptly after the meeting to ensure timely and accurate tracking.

The Division of School Operations designee shall:

- 1. Review **Attachments G** and **H** for consistency with the guidelines for reassignment.
- 2. Contact the Region Administrator of Operations/Division Head if the reassignment does not appear to meet the criteria described in this policy.

Time Reporting of Employees during Formal Reassignment

- A. Once Attachment G, Formal Reassignment of Employee Notification to Human Resources, is submitted, employee time will be reported as follows:
 - 1. <u>Certificated employees</u>: The Division of School Operations will assume responsibility for time reporting and time approval of formally reassigned Certificated employees.

The respective Region/Division shall be responsible for:



- a. Collecting completed and signed PDF or electronic timecards from each reassigned employee.
- b. Collecting any approved benefit forms from each reassigned employee.
- c. Submitting timecards and benefit forms to the designated Division of School Operations time reporter by 12:00 p.m. every Friday and on each month's respective payroll cut-off date to allow the time reporter to enter all information accurately and in a timely manner.
- 2. <u>Classified employees</u>: The school/worksite will continue to report time for permanent Classified employees (typically MS time).
 - a. Regions/Divisions shall inform the employee's school/ worksite of the employee's daily attendance status.
 - b. Time reporters at the school/worksite shall enter Miscellaneous (MS) time, unless informed otherwise.
 - c. The Region/Division shall be responsible for collecting and forwarding any appropriate benefit forms to the school/worksite time reporter.
 - d. The school/worksite shall not report the employee's time as vacation (VA) unless the employee makes a request to use accrued vacation time to their designated supervisor while reassigned and receives approval.
 - e. Region Operations should contact the Division of School Operations designee regarding reimbursement to schools for Classified substitutes.
- 3. <u>Non-permanent Certificated or Classified Employees or Other</u> <u>School-Related Adults</u>:
 - a. Schools/worksites shall not report time for employees or other school-related adults that are removed from their assignments and are not entitled to be paid during such reassignment. Regions/Divisions should contact the Division of School Operations designee for questions.

Additional information regarding time reporting is provided in **Attachment G-1**, *Instructions for Time Reporting*.



VII. FULL INVESTIGATIONS INTO ALLEGATIONS OF EMPLOYEE MISCONDUCT

Regions/Divisions shall use Attachment J, Investigative Report (Non-SSIT Cases) in conjunction with Attachment J-1, Guidance for Completing an Investigative Report (Non-SSIT Cases) to document the full investigation and findings.

- A. For cases of alleged employee misconduct with students:
 - If both the Duty Investigator and Region Operations have agreed that the SSIT will complete the investigation (see Section V):
 - Region Operations shall submit Attachment I, *Request for Investigation (Student Safety Investigation Team)* to the consulting Duty Investigator.
 - b. The Duty Investigator will complete the forensic and allegations sections of Attachment I and submit the form to <u>HRIncidentReporting@lausd.net</u> with a cc to the Division of School Operations designee.
 - c. The Division of School Operations designee shall forward a copy of the completed form to the Region Administrator of Operations and the Office of the General Counsel.
- B. For allegations that do not meet the SSIT's Case Referral Criteria (Attachment D), Region Operations shall collaborate with site administrators to complete the full investigation.
 - 1. Region Operations may contact the SSIT Duty Investigator for support and guidance in conducting the investigation.
 - Regions/Divisions should contact other District offices for support with investigations involving alleged employee misconduct unrelated to student safety (see Section VIII).

VIII. INVESTIGATIVE UNITS

Various investigative units within LAUSD support the District in a variety of matters involving employee and student misconduct.

- A. District Investigations
 - 1. <u>Regions/Divisions</u>: Investigate alleged employee misconduct by Certificated and Classified employees.



- a. Region Operations in collaboration with site administrators investigate allegations of employee misconduct, including those impacting student safety that do not meet the SSIT case referral criteria.
- Student Safety Investigation Team (SSIT): Investigates matters of employee misconduct that impact student safety. The SSIT will:
 - a. Investigate alleged sexual and non-sexual misconduct based on criteria set forth in Attachment D, Case Referral Criteria, that results in the formal reassignment of an employee. Investigations include forensic examinations of any District-issued electronic devices, if applicable.
 - b. Make every effort to complete all full investigations within 120 working days of the date the administrative investigation is cleared by law enforcement, in accordance with Board Resolution, *Protect Children and Safeguard Due Process*, April 16, 2013. It is the District's goal, however, to complete investigations within 90 working days should no complications arise.
 - c. Become the sole contact with law enforcement when the District is not granted clearance to conduct a District administrative investigation.
 - d. Regularly communicate updates on the status of the law enforcement investigations to the appropriate Region/Division and the Division of School Operations designee until the District is cleared to initiate an administrative investigation.
- 3. Other District Investigative Units
 - a. <u>Office of the Inspector General</u> (213) 241-7700: Investigates matters of fraud, waste, mismanagement, and wrongdoing.
 - b. <u>Human Resources Representatives</u> (213) 241-6056: Investigate alleged misconduct by Classified employees for matters unrelated to student safety.
 - c. <u>Equal Opportunity Section</u> (213) 241-7685: Addresses complaints by employees regarding employment discrimination, harassment, and retaliation.
 - d. <u>Educational Equity Compliance Office</u> (213) 241-7682: Addresses matters impacting students, whether Page 25 of 33 July 3, 2023

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student-to-student, student-to-adult or adult-to-student, involving discrimination in the learning environment (e.g., harassment/sexual harassment, intimidation and/or bullying, retaliation).

- e. <u>Other</u>: Under certain circumstances, outside contracted investigative firms may conduct investigations on behalf of the District.
- B. Law Enforcement Investigations

Law enforcement agencies investigate allegations of employee misconduct that may be considered criminal in nature.

 The SSIT will regularly communicate updates on the status of law enforcement investigations to the appropriate Region/Division and other applicable parties until the District is cleared to initiate an administrative investigation.

Note: For questions regarding law enforcement's access to students or employees, or personal information about students or employees, administrators/supervisors should contact the Office of the General Counsel at (213) 241-7600.

C. Other External Agency Investigations

In addition to law enforcement agencies, one or more other external agencies may also investigate matters of alleged misconduct by District employees. These include the Department of Children and Family Services (DCFS), Adult Protective Services (APS), the Department of Social Services (DSS), and the Commission on Teacher Credentialing (CTC).

Note: Investigations conducted and actions taken by law enforcement and other external agencies are separate and independent from any District administrative investigation.

IX. NOTIFICATION AND COMMUNICATION OF ALLEGED EMPLOYEE SEXUAL MISCONDUCT

Parent Notification Letter (72-hour letter) and Blackboard Connect

When allegations of sexual misconduct by a District employee with students are made, including those involving Division employees, the Region Superintendent may choose to inform parents/guardians of the impacted school(s) in writing and/or via Blackboard Connect. The



notification should be made within 72 hours of the District becoming aware of the alleged sexual misconduct.

- A. Prior to releasing any information to parents/guardians, the Region Superintendent, Region Administrator of Operations, or their designee shall:
 - 1. Consult with the SSIT Duty Investigator regarding law enforcement's position on whether releasing a written notification and/or a Blackboard Connect message would interfere with any criminal investigation.
 - a. The SSIT will contact the respective law enforcement agency and notify the Region of their response.
 - Consult with the Office of the General Counsel (Administrative and Education Legal Services Team), Office of Communications, and Division of School Operations regarding the release of a written notification and/or Blackboard Connect message.
- B. If law enforcement confirms that notifying parents/guardians will not compromise any law enforcement investigation, the Region Superintendent shall make the ultimate decision regarding providing written notification and/or a Blackboard Connect message to parents/guardians.

If the Region Superintendent decides parents/guardians should be notified, Region Operations shall:

- Update the respective ISTAR to reflect the Region Superintendent's decision regarding notification to parents/ guardians.
- 2. Work with the site administrator to draft the written notice using the appropriate letter template:

a. On-Going Law Enforcement Investigation Template (Attachment N)

Principals shall use the **Attachment N** template after the accused employee has been removed from the worksite if law enforcement is conducting a criminal investigation into the alleged sexual misconduct.

b. Law Enforcement Arrest of an Employee Template (Attachment O)



Principals shall use the **Attachment O** template if law enforcement has confirmed the arrest of an employee for alleged sexual misconduct.

c. District's Administrative Investigation – No Arrest by Law Enforcement Agencies Template (Attachment P)

Principals shall use the **Attachment P** template if law enforcement has cleared the District to conduct an administrative investigation.

- The Region/school shall not include the name of the employee unless approved by the Office of the General Counsel, Administrative and Education Legal Services, (213) 241-7600.
- 4. The letter template may be used as a script for recording the Blackboard Connect phone message.

Informational Meeting for Parents, Guardians and Community

The Region may conduct an informational meeting for parents/guardians and the community in consultation with the Office of the General Counsel (Administrative and Education Legal Services Team), the Office of Communications, and the Division of School Operations.

Communications to the Media

All communications to the media regarding incidents of alleged misconduct by a District employee will be coordinated through the Office of Communications in consultation with the Office of the General Counsel (Administrative and Education Legal Services Team) and the Division of School Operations.

All communications with the media will emphasize that the initial removal of an employee should not be interpreted as a substantiation of the allegation.

X. CONCLUSION OF INVESTIGATION AND NEXT STEPS FOR REGION/ DIVISION

Upon conclusion of its investigation, the investigating unit will submit a final investigative report to the Region Administrator of Operations/Division Head.

Region/Division Recommendation for Follow-up Action

Within **15 working days** of receiving the final investigative report, the Region Administrator of Operations/Division Head shall:



- A. Read the investigative report and review the findings, supporting evidence, and other relevant information.
- B. Arrange an opportunity for the site principal/Division supervisor to read the investigative report and offer their recommendation for follow-up action on page 3 of **Attachment L**.
 - ⇒ The report shall not be provided to the principal/supervisor in any format.
- C. Complete **Attachment L**, *Case Review Document Checklist*, and compile all applicable documents to be submitted along with the three pages of the form.
- D. Consider appropriate follow-up action based on the investigation findings and other relevant information to recommend that:
 - 1. The employee be returned to a worksite; or
 - 2. The employee be dismissed from District service.
- E. Submit Attachment L and all applicable documents to <u>HRIncidentReporting@ lausd.net</u> and cc the Division of School Operations designee.
- F. Notify the employee that the investigation, including forensic examination of any District-issued devices, has been completed:
 - <u>Certificated employees</u>: Meet with the employee to issue Attachment K, *Notification of Conclusion of Investigation*. Obtain the employee's signature on the form.
 - <u>Classified employees</u>: No meeting is held to inform the employee of the conclusion of the investigation. The Region Administrator of Operations/Division Head or their designee shall send Attachment K, *Notification of Conclusion of Investigation*, to the employee by email, certified mail, and regular U.S. mail. Bcc the Division of School Operations designee on the email.
- G. Submit a signed copy of **Attachment K** to <u>HRIncidentReporting@</u> <u>lausd.net</u> and cc the Division of School Operations designee.

Case Review

Upon receipt of **Attachment L** and accompanying documents, the Division of School Operations designee shall:

- 1. Review all documents for completeness;
- 2. Schedule a Case Review to include representatives from all relevant units; and

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3. Route the packet of materials to all applicable parties to prepare for the Case Review.

Recommendation to Return the Employee to a Worksite

If the outcome of the Case Review is to return the employee to a worksite, the Region Administrator of Operations/Division Head or their designee shall:

- A. Process the employee for return to a worksite in a timely manner, generally within five (5) working days of the Case Review.
- B. Conduct a Return to Worksite guidance meeting with the employee to review and issue all applicable policies and procedures prior to the employee reporting to a worksite.
 - 1. Document the meeting and policies issued using Attachment M, *Employee Guidance for Returning to Worksite*.
 - 2. Obtain the employee's signature on the form.
- C. Promptly after the meeting, submit a signed copy of **Attachment M** to <u>HRIncidentReporting @lausd.net</u> and cc the Division of School Operations designee.
 - The Region/Division shall contact the Division of School Operations designee should the employee request a leave of absence, call out due to illness or for any other reason, fail to report to the Region/Division, or any other reason that prevents the Region/Division from conducting the Return to Worksite guidance meeting.

Note: Consult with the Division of School Operations designee for employees whose matters may not require a case review.

Site Administrator/Division Supervisor Responsibilities

- 1. Work with Staff Relations regarding issuance of a conference memo and any associated discipline.
- 2. Schedule and hold a conference with the employee.
- 3. Complete and issue the conference memo.

Recommendation to Initiate Dismissal Proceedings

If the outcome of the Case Review is to dismiss the employee, Staff Relations shall support the Region/Division by:

1. Assisting with issuance of discipline.



- 2. Facilitating relevant appeals.
- 3. Conducting an Administrative Review (Skelly).
- 4. Forwarding case documents to the Office of the General Counsel (Certificated) or Employee Relations (Classified) for Board Action.

Investigations by Other District Investigative Units

Regions/Divisions may contact the Division of School Operations for updates (see Section VIII).

AUTHORITY: This is a policy of the General Superintendent. The following legal standards are applied in this policy. The citations and authorities provided are subject to change without notice and any future updates to District policies and resolutions in this Bulletin are applicable and approved.

California Education Code Sections 49001 and 49050

Penal Code Section 11164 et seq.

Title IX Regulations, Title 34, Code of Federal Regulations, Part 106.

Board Resolution Protect Children and Safeguard Due Process

Board Resolution Reaffirming the Respectful Treatment of All Persons

- BUL-1347.5, Child Abuse and Neglect Reporting Procedures
- BUL-2449.0, Dependent/Elder Adult Abuse and Neglect Reporting Requirements
- BUL-5167.1, Code of Conduct with Students Distribution and Dissemination Requirement Policy
- BUL-4748.0, Ethics Policies
- BUL-5269.3, Incident System Tracking Accountability Report (iSTAR)
- BUL-5747.2, Abolition of Corporal Punishment
- BUL-999.13, Responsible Use Policy (RUP) for District Computer and Network Systems
- BUL-5721.1, Student and Employee Security
- BUL-5688.2, Social Media Policy for Employees and Associated Persons

BUL-2521.3, Title IX Policy/Nondiscrimination Complaint Procedures (Including for Sex Discrimination and Sexual Harassment)

Personnel Commission Rules



ATTACHMENTS:

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Attachme	nt A -	Directive to Report to Region/Division
Attachme	nt A-1 ·	 Chain of Custody Record for District Property
Attachmer	nt B -	Preliminary Reassignment to Region/Division to Remain at Home or Report to Alternate Worksite
Attachmer	nt B-1 -	 Removal from Assignment without Pay
Attachme	nt C -	Notice of Reason for Preliminary Reassignment Pending Investigation
Attachme	nt C-1	- Recommended Brief Incident Descriptions
Attachme	nt D -	Case Referral Criteria (Student Safety Investigation Team)
Attachme	nt E -	Preliminary Inquiry Template
Attachme	nt E-1 ·	- Guidance for Completing a Preliminary Inquiry Report
Attachme	nt F -	Considerations for Reassignment of an Employee
Attachme	nt G -	Formal Reassignment of Employee – Notification to Human Resources
Attachme	nt G-1	- Instructions for Time Reporting
Attachme	nt G-2	- Reimbursement of Substitute Funding to School for Preliminary Reassignment of Certificated Employee
Attachme	nt H -	Formal Reassignment to Region/Division to Remain at Home or Report to Alternate Worksite
Attachme	nt I -	Request for Investigation (Student Safety Investigation Team)
Attachme	nt J -	Investigative Report (Non-SSIT Cases)
Attachme	nt J-1 -	Guidance for Completing an Investigative Report (Non-SSIT Cases)
Attachme	nt K -	Notification of Conclusion of Investigation
Attachme	nt L -	Case Review Document Checklist
Attachme	nt M -	Employee Guidance for Returning to Worksite
Attachme	nt N -	Letter Template for Principals: On-Going Law Enforcement Investigation Dealing with Sexual Misconduct of an Employee
Attachme	nt O -	Letter Template for Principals: Law Enforcement's Arrest of an Employee Dealing with Sexual Misconduct
Attachmer	nt P -	Letter Template for Principals: District's Administrative Investigation Dealing with Sexual Misconduct of an Employee – No Arrest by Law Enforcement Agencies



Attachment Q - Timeline: Protocols and Procedures to Report, Reassign and Investigate Allegations of Employee Misconduct

- **ASSISTANCE:** For assistance or further information please contact the following offices:
 - Division of School Operations Designee (213) 241-7925: Reassignment process or paperwork, ISTAR incident type, employee classification, extension of timeline for preliminary reassignment.
 - SSIT Duty Investigator (213) 241-7073: Region/Division-level staff <u>only</u> may contact the SSIT Duty Investigator to discuss allegations of employee misconduct that impacts student safety, consult regarding case referrals, obtain information regarding the status of law enforcement holds and criminal investigations, and request investigative guidance and support for non-SSIT cases.
 - Office of the General Counsel, Administrative and Education Legal Services Team (213) 241-7600: Legal questions.
 - Equal Opportunity Section (213) 241-7685: Workplace discrimination, harassment, and/or retaliation.
 - Educational Equity Compliance Office (213) 241-7682: Title IX policy and grievance procedure.
 - Staff Relations Field Directors or Human Resources Representatives: Employee discipline matters.
 - Certificated Employees: (213) 241-6056
 - School-based Classified Employees: (213) 241-6056

(except Facilities/M&O or Food Services employees)

- Facilities/M&O: (213) 241-0312
- Food Services: (213) 241-2993
- Transportation: (213) 580-2970
- Central Offices: (213) 241-6056
- Information Technology: (213) 241-2687
- Procurement Services: (562) 654-9302
- Finance: (213) 241-7890

INTEROFFICE CORRESPONDENCE Los Angeles Unified School District [Region/Division]

DIRECTIVE TO REPORT TO REGION/DIVISION

- TO:[Employee name], [Employee number]DATE: [MM/DD/YYYY][Position title]
- **FROM:** [Name of Administrator of Operations/Division Head] [Position title]

SUBJECT: REASSIGNMENT OF DISTRICT EMPLOYEE

I have directed that you be reassigned from your current worksite due to an allegation(s) of misconduct. An investigation into the allegation(s) has commenced. You are directed to attend a meeting regarding this matter as follows:

Date: [MM/DD/YYY]

Time: [HH:MM a.m./p.m.]

Meeting Format: [In person, (Zoom for Virtual Academy employees only)]

Details: [Location address or meeting link]

Your supervisor during your reassignment:

[Name of Region Administrator/Division supervisor], [Position title]

Your designated supervisor will provide additional information regarding your reassignment at the meeting.

You are to adhere to the following directives:

- Do not interfere with the investigation being conducted by law enforcement and/or the Los Angeles Unified School District.
- Do not enter the premises of [school/work location], or any other District school or facility, for any reason without prior written administrative directive or approval from the Region Administrator of Operations or Division Head.
- Do not harass, intimidate, and/or retaliate against students, staff or parents associated with [school/work location], or any other District school or facility.
- Do not contact students or parents of [name of school], or any other school, except for those who are members of your family or household.
- Do not disrupt any District employee or other school-related adult during their working hours.

- Do not access any District or school databases or non-public District websites except for District email without the specific approval of your designated administrator/supervisor while reassigned.
- Monitor your LAUSD email account daily. Read and respond to emails from your designated administrator/supervisor promptly.

If you have any questions, please contact [Name of Region Administrator or Division supervisor] at [phone number].

Failure to follow administrative directives may lead to disciplinary action such as, but not limited, to the issuance of a Notice of Unsatisfactory Act, Notice of Suspension, up to and including dismissal from the Los Angeles Unified School District.

Acknowledgment of receipt: Reassignment and directives issued by:

Employee's signature

Administrator/Supervisor's signature

c: <u>HRIncidentReporting@lausd.net</u> (Please include ISTAR# in body of email)



ATTACHMENT A-1

CHAIN OF CUSTODY RECORD FOR DISTRICT PROPERTY

DATE SCHOOL/DISTRICT FACILITY EMPLOYEE NAME

REGION/DIVISION EMPLOYEE NUMBER

<u>KEYS</u>

Review school/worksite records to confirm that all keys issued to the employee are collected (e.g., building/office/classroom, restroom, gate, gym). Specify what the key opens (e.g., file cabinet, desk, closet).

Key number(s)	What does key lock/unlock?	Where is the item/door located?	Additional details
1.			
2.			
3.			

TECHNOLOGY

Review school/worksite records to confirm that all electronic devices issued to or regularly accessed by the employee are collected (e.g., desktop computer, laptop, tablet, cell phone).

Item Type	Brand	Model	Serial Number/ LAUSD Asset Tag Number
1.			
2.			
3.			

<u>OTHER</u>

Review school/worksite records to confirm that all other items required to perform the employee's regularly-assigned duties are collected. Specify the items and any identifying information on a separate page.

- a. Items may include grade books, teacher's manuals, job-related logs/ledgers/records.
- b. Retrieve student records that may prove pertinent to the case (e.g., teacher files for individual students)

CHAIN OF CUSTODY

Every individual who receives or releases the items listed above must complete an entry to document the acquisition and transfer of District property issued to the employee.

Items Released By		Items Received By	
Date:	Name:	Name:	
Time:	Signature:	Signature:	
Date:	Name:	Name:	
Time:	Signature:	Signature:	
Date:	Name:	Name:	
Time:	Signature:	Signature:	

Attach pages if needed to list additional items or transfer information if needed and check here.

- TO:
 [Employee name], [Employee number]
 DATE:
 [MM/DD/YYYY]

 [Position title]
 DATE:
 [MM/DD/YYYY]
- **FROM**: [Name of Administrator of Operations/Division Head] [Position title]

SUBJECT: PRELIMINARY REASSIGNMENT TO [REGION OR DIVISION NAME] TO REMAIN AT HOME

This memo is to summarize the conference held with you on [date] regarding your preliminary reassignment from your current worksite to [Region/Division] effective [date]. During the conference, you were informed that an investigation has been opened into allegations concerning events or conduct in which you may have been involved.

While this investigation is taking place and unless and until otherwise directed or reassigned, you are to remain at [home] in paid status during your reassignment to [Region/Division].

I am providing you with the following information and procedural directives:

- 1. [Region administrator/Division supervisor's name], [position title], shall serve as your designated administrator/supervisor during your reassignment.
- 2. You have been relieved of duty from:
 - a. Your regular work assignment.
 - b. Any additional District assignments, either paid or unpaid, at your current site or any other location, including but not limited to:
 - i. Summer school, intervention/enrichment programs
 - ii. Coaching, club sponsorships, special projects
 - iii. Volunteering, chaperoning
 - iv. Paid professional development or training
- 3. Your work assignment includes all dates of your regular calendar basis during the following hours:
 - a. Workday [XX:XX] a.m. to [XX:XX] p.m.
 - b. Break [XX:XX] a.m. to [XX:XX] a.m.
 - c. Lunch [XX:XX] [a.m./p.m.] to [XX:XX] p.m.
- 4. Do not interfere with the investigation being conducted by law enforcement and/or the District.

- 5. Do not harass, intimidate, or retaliate against students, staff, or parents at [school/office/Division].
- 6. Do not contact students of [school from which reassigned] or any other students of any other school, at any time, except those who are members of your immediate family or household.
- 7. Do not disrupt any District employee or other school-related adult during their working time.
- 8. Report your attendance twice daily each workday.
 - a. Call your designated time reporter [designated time reporter], [position title], at the start and end of each workday at [phone number].
 - b. Fill in the corresponding fields for each day you report to work on the timecard provided to you.
 - i. <u>Certificated employees</u>: Enter initials at the start and end of each workday.
 - ii. <u>Classified employees</u>: Enter accurate times at the start and end of each workday and designated lunch break.
 - c. Submit an accurate and complete timecard and any related benefit forms each Friday by the end of your workday to your designated time reporter. Failure to do so will prevent you from being paid accurately and/or on time.
- 9. If you will be absent and unavailable due to illness, qualifying personal necessity, or other paid or unpaid leave of absence, you are to contact your designated time reporter promptly to report the start date of your absence, the reason, and your anticipated return date.
 - a. Complete the appropriate benefit form that reflects the reason for your absence.
 - b. Promptly submit benefit forms to [designated time reporter] at [email address].
- 10. Do not to enter the premises of [school/worksite from which reassigned] or any other District location during or outside of assigned work hours without prior written administrative direction or approval from your designated administrator/ supervisor. This includes volunteering or attending special events.
- 11. Remain at home during your assigned working hours.
- 12. Be responsive and readily available to assist District administrators or other designated investigators with the investigation upon request, except during the designated break and lunch times.
- 13. While directed to remain at home, you may be assigned work by [Region

administrator/Division supervisor].

- 14. Do not perform any services for the District or students related to the assignment from which you are reassigned or in any other capacity.
- 15. Do not represent to anyone that you are performing any services for the District or students related to the assignment from which you are reassigned or in any other capacity.
- 16. Do not perform any work, duties or services for any non-District individual or organization during paid work hours, including benefit illness and non-illness absences and vacation time.
- 17. Do not access any District/worksite databases or websites, except for District email, without the specific approval of your designated administrator/supervisor.
- 18. You may voluntarily participate in or be assigned to complete District-sponsored online in-service classes during your assigned work hours through My Professional Learning Network (MyPLN) at <u>http://achieve.lausd.net/mypln.</u> Sign in using your single sign-on (SSO). Select applicable courses from the course catalog.
- 19. [Insert any additional directives particular to the location and/or to the reassigned employee].

Failure to comply with the above guidelines and administrative directives may lead to disciplinary action such as, but not limited to, a Notice of Unsatisfactory Act(s), Notice of Unsatisfactory Service, suspension without pay, up to and including dismissal from the Los Angeles Unified School District.

Should you have any questions regarding your reassignment or the investigation, please contact your designated administrator/supervisor, [Region administrator/District supervisor's name].

Phone: [phone number]

Email: [email address]

Acknowledgment of receipt: Reassignment and directives issued by:

Employee's signature

Designated administrator/supervisor's signature

c: <u>HRIncidentReporting@lausd.net</u>

- TO:
 [Employee name], [Employee number]
 DATE: [MM/DD/YYY]

 [Position title]
 DATE: [MM/DD/YYY]
- **FROM**: [Name of Administrator of Operations/Division Head] [Position title]

SUBJECT: REMOVAL FROM ASSIGNMENT WITHOUT PAY

This memo is to summarize the conference held with you on [MM/DD/YYYY] regarding an ongoing investigation of allegations concerning events or conduct in which you may have been involved.

While this investigation is taking place and unless and until otherwise directed, you are hereby removed from your assignment at [school/worksite] without pay.

I am providing you with the following information and procedural directives:

- 1. [Region administrator/Division supervisor's name], [position title], shall serve as your designated administrator/supervisor during your removal period.
- 2. You are not to report to:
 - a. Your regular work assignment.
 - b. Any additional assignments, either paid or unpaid, at your current site or any other District location, including but not limited to:
 - i. Summer school, intervention/enrichment programs
 - ii. Coaching, club sponsorships, special projects
 - iii. Volunteering, chaperoning
- 4. Do not interfere with the investigation being conducted by law enforcement and/or the District.
- 5. Do not harass, intimidate, or retaliate against students, staff, or parents at [school/office/Division].
- 6. Do not contact students of [school from which removed] or any other students of any other school at any time, except those who are members of your immediate family or household.
- 8. Do not disrupt any District employee or other school-related adult during their working time.

- 9. Do not to enter the premises of [school from which removed] or any other District location at any time without prior written administrative direction or approval from your designated supervisor. This includes volunteering or attending special events.
- 10. Be responsive and readily available to assist District administrators or other designated investigators with the investigation upon request.
- 11. Do not perform any services for the District or students related to the assignment from which you have been removed or in any other capacity.
- 12. Do not represent to anyone that you are performing any services for the District or students related to the assignment from which you have been removed or in any other capacity.
- 13. [Insert any additional directives particular to the location and/or to the employee removed].

Failure to comply with the above guidelines and administrative directives may lead to disciplinary action such as, but not limited to, a Notice of Unsatisfactory Act(s), Notice of Unsatisfactory Service, suspension without pay, up to and including dismissal from the Los Angeles Unified School District.

Should you have any questions regarding your removal or the investigation, please contact your designated supervisor, [Region administrator/Division supervisor].

Phone: [phone number]

Email: [email address]

Acknowledgment of receipt:	Removal from assignment and directives issued by:
	by:

Employee's signature

Designated administrator/supervisor's signature

c: <u>HRIncidentReporting@lausd.net</u>

- TO:
 [Employee name], [Employee number]
 DATE:
 [MM/DD/YYYY]

 [Position title]
 DATE:
 [MM/DD/YYYY]
- **FROM**: [Name of Administrator of Operations/Division Head] [Position title]

SUBJECT: NOTICE OF REASON FOR PRELIMINARY REASSIGNMENT PENDING INVESTIGATION

This memo is to summarize the conference held with you on [MM/DD/YYYY] regarding your preliminary reassignment to [Region/Division].

During the conference, you were informed that you have been reassigned from your regular worksite due to an allegation of misconduct involving [insert reason from Attachment C-1]. There is an ongoing investigation concerning this allegation.

In accordance with Board resolution, the District will make every attempt to complete all full investigations within 120 working days of the date that law enforcement clears the District to investigate administratively. It is the District's goal, however, to complete investigations within 90 working days as stipulated in a bargaining agreement with UTLA, should no complications arise. The same goal timeline shall be applied to employees of all other bargaining units. However, the safety and security of students, staff, and the workplace shall be the primary factors in determining the length of time for its completion.

You will be notified within 15 workdays of the completion of the investigation, as well as any impact it may have on your reassigned status.

Direct all questions regarding your reassignment and/or the District's administrative investigation to your designated supervisor [Region administrator/Division supervisor].

I have been offered a copy of BUL-044381.1, *Protocols and Procedures to Report, Reassign and Investigate Allegations of Employee Misconduct.*

Employee's signature

Administrator/Supervisor's signature (Assigned designee)

c: <u>HRIncidentReporting@lausd.net</u>



ATTACHMENT C-1

RECOMMENDED BRIEF INCIDENT DESCRIPTIONS

Select and insert the incident description that best describes the reason for reassignment to complete **Attachment C**, *Notice of Reason for Preliminary Reassignment Pending Investigation*.

Note: These recommended incident descriptions are not inclusive of all reasons that an employee may be reassigned. Contact the Division of School Operations designee for situations not reflected in the selections offered below.

- A. An ongoing investigation of alleged misconduct by law enforcement (*Use this incident* description only when directed not to release details by the investigating law enforcement agency)
- B. Sexual harassment of a student, employee, school-related adult, or other community member
- C. Physical or non-physical contact with a student, or any other behavior directed towards a student, perceived to be motivated by sexual interest
- D. Engaging in a sexual or romantic relationship with a student regardless of their age, or with any other minors outside of LAUSD
- E. Communicating with students for non-school related purposes in person and/or via phone calls, electronic or digital mediums, in writing, or in any other manner
- F. Law enforcement investigation for the sale/use of child pornography or other related lewd and lascivious acts
- G. Accessing, viewing, uploading, downloading, distributing and/or exposing students to inappropriate audio-visual materials of a sexual or non-sexual nature
- H. Endangering and/or threatening the safety and well-being of students, including failure to provide appropriate supervision or follow professional and/or District protocols
- I. Physical contact with a student not necessary for safety and outside the scope of the employee's duties or responsibilities, including the use of violence and/or corporal punishment
- J. Failure to report suspected child abuse or dependent adult/elder abuse
- K. Fraud/financial malfeasance or workplace dishonesty
- L. Charges of felony or misdemeanor crimes

M. *Other: <u>(Consult with the Division of School Operations designee</u>) BUL-044381.1 Page 1 of 1 Division of School Operations Office of the General Counsel



ATTACHMENT D

SSIT CASE REFERRAL CRITERIA

Whenever allegations of employee misconduct impacting student safety arise, either sexual or non-sexual, Regions and the SSIT shall consider the criteria set forth in the three tables below, together with any other significant factors, to collaboratively determine which District unit should investigate the allegations. The SSIT Duty Investigator will provide guidance and support to Regions as needed.

REQUIRED ACTION	DESCRIPTION OF ALLEGED MISCONDUCT
Immediately upon becoming aware of an allegation of employee misconduct similar to the types described here, the Region shall:	Making physical contact of a sexual nature with a student, either with actual skin contact or over clothing (e.g., sexual intercourse, oral copulation, kissing on the mouth, touching of breasts, touching of buttocks, touching on or near genital area)
Contact law enforcement to report the allegation.	 Soliciting a sexual or romantic relationship with a student, regardless of the student's age
Confirm with law enforcement that a District administrative investigation will not interfere with any law	 Communicating with a student in a sexual nature, directly or electronically (e.g., text messages, social media, personal letters)
enforcement investigation.Contact the SSIT Duty	 Sending or asking a student for material of a sexual nature (e.g., nude or suggestive photographs)
 Contact the SSTI Duty Investigator to discuss the allegation and any known information. Submit a Request for Investigation 	Engaging in conduct reflective of grooming with a targeted student(s) through a series of behaviors including, but not limited to: displaying favoritism, paying compliments, providing gifts and/or money, communicating for non-school related
(RFI) without delay if the SSIT will conduct the administrative investigation.	purposes in person, through phone calls, electronic or digital mediums, or in writing, meeting alone on or off-campus, transporting in personal vehicle without proper written authorization
 Refrain from conducting any investigative activities. 	 Demonstrating fetish behavior, stalking behavior, extreme interest in or perceived obsession with a student
	 Requesting, directing or demanding that a student engage in either sexual and/or other unsafe behavior
	Endangering the safety and welfare of students by engaging in acts such as: providing drugs or alcohol to, or soliciting them from, students; subjecting students to a dangerous environment with exposure to firearms, knives, or other hazardous items or conditions; making terrorist threats or remarks that threaten students' lives or physical safety

- ➔ Intentionality of the act will be considered.
- The Region should contact the SSIT Duty Investigator to discuss other cases of concern not described in the above criteria. These situations will be considered on a case-by-case basis



SSIT CASE REFERRAL CRITERIA

ATTACHMENT D

REQUIRED ACTION	DESCRIPTION OF ALLEGED MISCONDUCT
Upon becoming aware of an allegation of employee misconduct similar to the types described here, the Region should:	△ Making physical contact of a non-sexual nature with a student that prompts the student to complain or feel leery or uncomfortable if the contact is not necessary for the student's safety or the safety of others
 Confirm with law enforcement that a District administrative inquiry will not interfere with any criminal investigation. 	 △ Making physical contact of a non-sexual nature that results in a visible injury to a student (e.g., bruise, cut, scratch, redness, broken bone)
 Initiate a five-day preliminary inquiry* to gather basic information and identify any significant details. The Region may consult with the COLT Data lagged instances to the second second	△ Following, commenting on, or posting reactions to (i.e., emojis) a student's social media account
	 Allowing, requesting, and/or encouraging students to follow the employee's private social media account
SSIT Duty Investigator prior to initiating the Preliminary Inquiry.	Staring or leering at a student coupled with inappropriate remarks, gestures or actions of a sexual or threatening nature
 Research any potential history of allegations or patterns of behavior by the employee. 	 Exposing students to adult content (e.g., images or sites depicting nudity/pornography, weapons, drugs or alcohol, xenophobic material)
 Contact the SSIT Duty Investigator after completing the Preliminary 	Δ Being alone with a student, either on or off-campus
 anter completing the Preliminary Inquiry to discuss the findings and determine next steps. Submit a Request for Investigation (RFI) if the SSIT will conduct an administrative investigation. OR Continue to communicate with the SSIT Duty Investigator for guidance and support as needed if the Region will conduct an administrative investigation. *The Region is encouraged to complete the Preliminary Investigation as soon as possible within the five days. 	△ Transporting students in a private vehicle without written authorization from parents and school administration
Intentionality of the act will be considered	

- ➔ Intentionality of the act will be considered.
- The Region should contact the SSIT Duty Investigator to discuss other cases of concern not described in the above criteria. These situations will be considered on a case-by-case basis.



SSIT CASE REFERRAL CRITERIA

ATTACHMENT D

REQUIRED ACTION	DESCRIPTION OF ALLEGED MISCONDUCT
Note : The conduct described in this section does not typically meet the criteria for a referral to the SSIT.	 Making physical contact of a non-sexual nature with no visible injury to student when the contact is not necessary for the student's safety or the safety of others
Upon becoming aware of an allegation of employee misconduct similar to the types described here, the Region is encouraged to:	 Making inappropriate remarks of a non-threatening nature in the presence of, and/or directed to, students (e.g., derogatory or demeaning comments, profanity)
 Initiate a five-day preliminary inquiry* in order to gather basic information 	 Making inappropriate remarks of a sexual nature in the presence of, but not directed to, students
and significant details.Research any potential history of allegations or patterns of behavior	 Staring or leering at a student absent any inappropriate remarks, gestures or actions of a sexual or threatening nature
 by the employee. Contact the SSIT Duty Investigator after completing the Preliminary Inquiry to discuss the findings and 	 Perceived to be impaired or under the influence of alcohol or drugs while in the presence of students with no immediate threat to student safety Accessing adult content (e.g., images or sites depicting
 determine next steps. Submit a Request for Investigation (RFI) if the SSIT will conduct an administrative investigation. OR 	Accessing adult content (e.g., images or sites depicting nudity/pornography, weapons, drugs or alcohol, xenophobic material) in a setting where no students are present and there is no threat to student safety (may request forensic assistance from the SSIT)
 Continue to communicate with the SSIT Duty Investigator for guidance and support as needed if the Region will conduct an administrative investigation. 	
*The Region is encouraged to complete the preliminary inquiry as soon as possible within the five days.	

→ Intentionality of the act will be considered.

The Region should contact the SSIT Duty Investigator to discuss other cases of concern not described in the above criteria. These situations will be considered on a case-by-case basis.



PRELIMINARY INQUIRY REPORT ALLEGATIONS OF EMPLOYEE MISCONDUCT THAT IMPACT THE SAFETY OF STUDENTS, STAFF, OR THE WORKPLACE

(Use Attachment E-1, Guidance for Completing a Preliminary Inquiry Report, along with this template.)

- Only administrators or Division supervisors are authorized to investigate alleged misconduct by employees.
- Establish and maintain a secure document file for the preliminary inquiry. Include all interview notes,
- written statements, communication logs, ISTAR and any other evidentiary materials along with a copy of this completed report in the file for future reference.
- O not interview the accused employee prior to consulting with Region Operations for all cases of alleged employee misconduct with students.

Date of Reassignment	[XX/XX/XXXX]	X/XX/XXXX] ISTAR #			Target Date (Day 5		Day 5) [XX/XX/XXXX]		
School/Worksite		Region/Divisio		۱					
ACCUSED EMPLOYEE INFORMATION									
Name (Last, First, MI)				EN			AKA	АКА	
Position Title				Additiona assignm			[List here]		
INVESTIGATING REGI	ON OR SITE AD	MINISTR/	ATOR	S/DIVISI	ON S	UPERVIS	ORS		
1. Name (Last, First, MI))			EN					
Position Title				Email				@lau	sd.net
School/Worksite				Contact Phone		one			
2. Name (Last, First, MI))			EN					
Position Title				Email		@lausd.net			
School/Worksite				Conta	Contact Phone				
ALLEGED VICTIM(S)									
Name (Last, First, MI)	Student I	D/DOB	Grad	е	Age	•	Interv	iewed	k
							☐ Yes ☐ No -	-	[Please explain]
							☐ Yes ☐ No	-	[Please explain]
							☐ Yes ☐ No -	-	[Please explain]
PRIMARY WITNESSES	(include incident i	reporter)							
Name (Last, First, MI)	Student I	D/EN			ł				
			Student En		udent 🗌 Employee 🗌 Other		☐ Yes ☐ No -	-	[Please explain]
			☐ Stude		Student 🗌 Employee 🗌 Other		☐ Yes ☐ No	-	[Please explain]
			Student Employee Oth		Other	☐ Yes ☐ No -	-	[Please explain]	

If needed, attach a page to list additional victims, witnesses and/or investigating administrators or supervisors and check here. Include identifying information and interview status for each.



ATTACHMENT E LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

	LEGATION TYPE Sexual (e.g., physical contact, personal communication, behaviors reflective of grooming) Non-sexual (e.g., physical violence or threats, derogatory remarks, profanity)						
INCIDENT DETAILS							
Law enforcement information (For incidents requiring mandated reporting of suspected child or dependent adult/elder abuse)	Law enforcement agency: Officer's name: Badge/ID number: Initial response/advisement: Do not investigate – police will respond OK to investigate concurrently Clear for administrative investigation Date on which SCAR/SOC 341 mailed or submitted: Date on which District was cleared to investigate:						
What was the employee's specific actions or behavior towards the victim(s)?							
When specifically did the incident occur? If more than once, indicate how many times, how often, and/or a date range.							
Where did the incident occur?							
Who initially reported the incident to a District employee?							
When was the incident first reported to a District employee?							
Name and title of the District employee to whom the incident was first reported							
If the employee above is not an administrator, name/title of administrator and date notified							
Region Operations/Division information	[Operations Coordinator/Division Supervisor's name], [Position title] Date of initial notification: Phone Text Initial guidance/advisement:						
EVIDENCE COLLECTED/ IDENTIFIED Written statements Photographs/screenshots Emails/handwritten notes Audio/Video/CCTV Physical objects/items Other [specify]							
PRIOR EMPLOYEE DISCIPLINE OR ALL							
Date issued Incident/issue	Outcome						

If needed, attach page to list additional discipline or allegations of misconduct and check here.



PRELIMINARY FINDINGS

CONSULTATION/REVIEW OF INFORMATION WITH REGION OPERATIONS/DIVISION LEAD Date of contact Guidance/advisement Image: Constant information informatio information information information informati

The investigating administrators/supervisors should sign and date below once advised to submit the preliminary inquiry report to Region Operations (for all cases of alleged employee misconduct with students) or the Division. Keep the signed original in your documentation file.

The Region Administrator of Operations/Division Head will determine next steps based on the preliminary inquiry report and other factors.

[Name] Investigating Administrator/So	Signature upervisor	Date	[MM/DD/YYYY]			
[Name] Investigating Administrator/So	Signature upervisor	Date	[MM/DD/YYYY]			
REGION OPERATIONS USE	ONLY:					
 Refer to SSIT for a full investigation. Region Operations will complete a full investigation. No further investigation needed. Staff Relations will support with follow-up action. Other: [Please explain] 						
[Name] Administrator of Operations	Signature	Date	[MM/DD/YYYY]			



GUIDANCE FOR COMPLETING A PRELIMINARY INQUIRY REPORT

Use **Attachment E**, *Preliminary Inquiry Report*, along with this document. This document provides instructions, details, and examples for completing the key elements of a preliminary inquiry.

Date of Reassignment: Enter the date on which the employee was directed to report to the Region/Division office. Do not begin a preliminary inquiry or investigation until law enforcement has confirmed that the District is clear to investigate administratively and will not interfere with any law enforcement investigation.

ISTAR#: Enter the number of the ISTAR in which you documented the allegation(s) of employee misconduct that have impacted student safety.

Target Date (Day 5): Enter the date that reflects the fifth assigned workday from which the employee was reassigned. Every effort should be made to complete the preliminary inquiry as soon as possible within the five days.

School/Worksite: Enter the school name or worksite location of the employee's primary assignment.

Region/Division: Enter the Region or Division in which the school or worksite is located.

ACCUSED EMPLOYEE INFORMATION

Enter the employee's full name and employee number as reflected by District records. Note if the employee is known by a different name (e.g., middle name, nickname).

Enter the employee's primary position title. If the employee has multiple assignments, check Yes and enter the position title(s).

INVESTIGATING REGION OR SITE ADMINISTRATOR(S)/DIVISION SUPERVISOR(S)

Enter the name, employee number, position title, and contact information for the lead and any supporting administrators/supervisors conducting the preliminary inquiry. If needed, list others on a separate page and check the box at the bottom of the page.

ALLEGED VICTIM(S)

Students: Enter the name, Student ID/DOB, grade, and age of each alleged student victim.

Employees: Enter the name, employee number, and role of alleged adult victim.

Mark Yes or No to indicate if they were interviewed during the preliminary inquiry. If No, please provide a brief explanation (e.g., absent, refused to cooperate).

PRIMARY WITNESSES (including incident reporter)

Enter the name and Student ID/DOB or employee number and role of each witness who has direct knowledge of the alleged incident.

For purposes of the preliminary inquiry, witnesses include anyone who was present and saw or heard the incident, the first person(s) the victim told, and the individual who reported the allegations to a District employee. If the employee who first received the report is not an administrator, the employee should also be included in this list.

Mark Yes or No to indicate if they were interviewed during the preliminary inquiry. If No, please provide a brief explanation (e.g., absent, refused to cooperate).



ATTACHMENT E-1 LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

ALLEGATION TYPE

Mark **Sexual** for any allegation that is sexual in nature. The alleged misconduct may or may not involve physical contact but can be reflective of grooming and/or is sexually suggestive.

Mark **Non-sexual** for any allegation such as, but not limited to, physical force or violence, threats, use of alcohol or drugs endangering student safety.

INCIDENT DETAILS

Law enforcement information: Indicate the name of the law enforcement agency, the officer's name and badge/serial number, and their response to the mandated reporter's telephone report.

Enter the date on which the reporter mailed the SCAR or SOC 341. If the school/office is cleared by law enforcement to investigate administratively (i.e., begin the preliminary inquiry) within the first five days, enter the date.

What were the employee's specific actions or behavior towards the victim(s)?

e.g., Mr. Ernest Terry pulled Samuel back by the strap on his backpack and swung Samuel into a wall causing Samuel to hit his left arm and shoulder against the wall.

When specifically did the incident occur? If more than once, indicate how many times, how often, and/or a date range.

e.g., Thursday, October 27, 2022, during period 2

Where did the incident occur? Provide specific location.

e.g., Region High School gymnasium, blacktop area, northwest wall exterior

Who initially reported the incident to a District employee?

Mrs. Erica Gazanyan, mother of sixth grade student Samuel Gazanyan

When was the incident first reported to a District employee?

Morning of Friday, October 28, 2022, before school

Name and title of the District employee to whom the incident was first reported

Mr. Radford, 6th grade counselor

If the employee above is not an administrator, name/title and date of administrator notification

Ms. Lo, Assistant Principal, October 28, 2022

Region Operations information

Notify your Operations Coordinator of alleged employee misconduct following making/confirming the telephone report to law enforcement for suspected child abuse. Enter a note about the guidance received from your Coordinator.

e.g., Remove Mr. Terry from gym to available room/office where he can be supervised. Wait for officers to arrive. Inform Operations once officers have completed interviews and determined whether Schoolhouse Police Department will investigate further or clear the District to investigate administratively.



EVIDENCE COLLECTED/IDENTIFIED

Check off all forms of evidence you collect. Copy or preserve any content that could be erased or deleted. Make every effort to obtain evidence you are able to identify through victim and witness interviews.

PRIOR EMPLOYEE DISCIPLINE OR ALLEGATIONS OF MISCONDUCT

Review items such school/worksite employee files, past emails and ISTARs, phone messages, contact logs for any documentation reflecting potential misconduct. These may include conference memos, informal memos, complaints from students and/or parents logged in calls/emails/written statements, emails between administrators and the employee, etc.

Contact your Staff Relations Field Director/HR Representative for any discipline history the employee may have been issued at other locations where they may have been assigned in the past.

e.g., 09/12/22	Mr. Terry called seven students "lazy asses" and told them they	Conference memo
	would "grow up to be lowlifes" when they lined up late for roll call.	

PRELIMINARY FINDINGS

Review the allegations, interviews, written statements, and evidence. Analyze the information objectively. Identify salient findings (e.g., supporting, discrepant or contradictory information, additional allegations, or new victims, complex circumstances. Contact Region Operations for support as needed.

- e.g., Nurse Meadows did not note any sign of injury or abrasion to Samuel's arm.
 - Samuel had not dressed for PE for three days leading up to the day of the incident.
 - Samuel said Mr. Terry told him he was "sick of his shit."
 - Mr. Terry had been conferenced in October for using profanity and making derogatory remarks to students.

CONSULTATION/REVIEW OF INFORMATION WITH REGION OPERATIONS/DIVISION

Log contacts with your Operations Coordinator/Division supervisor to discuss progress, seek guidance or clarification, report any challenges or obstacles you encounter, etc. until advised to submit the preliminary inquiry.



ATTACHMENT F

CONSIDERATIONS FOR REASSIGNMENT OF AN EMPLOYEE

The Region Administrator of Operations/Division Head may wish to consider the questions below when determining whether to reassign an employee when investigating allegations of misconduct.

PRELIMINARY REASSIGNMENT (UP TO FIVE DAYS*)

A **PRELIMINARY REASSIGNMENT** may be necessary to determine the plausibility, possibility, or probability of an allegation of employee misconduct having occurred. An employee may be placed on a preliminary reassignment for up to five working days to allow the Region/Division to conduct a preliminary inquiry.

- 1. Is the safety of students, staff, or the workplace at risk?
- 2. Did law enforcement clear the District to conduct an administrative investigation?
- 3. Is the allegation sexual in nature?
- 4. If the allegation involves physical contact, is there evidence of injury?
- 5. Has the employee previously engaged in or been accused of prior misconduct?
- 6. Does this allegation demonstrate escalating or repeated behavior that threatens the safety of students, staff or the workplace?
- 7. Could the employee's presence at the school or worksite potentially interfere with or impede the investigation?

FORMAL REASSIGNMENT (BEYOND FIVE DAYS)

A **FORMAL REASSIGNMENT** may be necessary if: 1) the findings of the preliminary inquiry substantiate the allegations of employee misconduct and a broader, more in-depth investigation is needed, or 2) for cases of alleged employee misconduct with students, the initial consultation with the SSIT Duty Investigator resulted in agreement between the SSIT and the Region that the SSIT should conduct a full investigation from the outset. The employee may be formally reassigned pending the outcome of a full investigation conducted by either the Region/Division or the Student Safety Investigation Team (SSIT).

- 1. Is the safety of students, staff, or the workplace at risk?
- 2. Is law enforcement conducting an active investigation?
- 3. Is the allegation sexual in nature?
- 4. If the allegation involves physical contact, is there evidence of injury and intention?
- 5. Was new information discovered during the preliminary inquiry (e.g., new victims, additional allegations, complex circumstances)?
- 6. Is further investigation required beyond speaking to witnesses with direct knowledge of the incident?
- 7. Could the employee's presence potentially interfere with or impede the investigation?
- 8. Consider the findings of the preliminary inquiry and other documented evidence of prior allegations. Can the matter be addressed by Region/Division leadership in consultation with Staff Relations without a full investigation (e.g., employee has a previous history of alleged misconduct, discipline)?

*Contact the Division of School Operations designee for questions.

TO: Division of School Operations/Employee Relations DATE HRIncidentReporting@lausd.net

DATE: [MM/DD/YYYY]

FROM: [Name of Administrator of Operations/Division Head] [Position title]

SUBJECT: FORMAL REASSIGNMENT OF DISTRICT EMPLOYEE

I have directed that the employee below be formally reassigned effective today pending an investigation into allegations of misconduct to ensure the safety of students, staff, and/or the workplace. I acknowledge that this information is confidential.

[Last, First, MI]	[Employee number]	[Position]		
Employee name	EN or PERS ID	Position title		
Start date of preliminary reassign	ment [XX/XX/XXXX] 🗌 No	preliminary reassignment issued		
ISTAR # [ISTAR #]				
	REASSIGN FROM	REASSIGN TO		
School/Work location	[School or location]	[Region or Division]		
Cost center	[1XXXX01]			
Reporting location		Home Alternate location		
Administrator/Supervisor	[Name]	[Name]		
Position title	[Position]	[Position]		

TIME REPORTER DURING REASSIGNMENT (CERTIFICATED EMPLOYEES ONLY)					
[Name] [Email]@lausd.net [Direct line]					
Designated time reporter Email Phone					

[Operations Coordinator]	[Email]@lausd.net	
Operations Coordinator		
[Field Director/HR Representative]	[Email]@lausd.net	Certificated
Staff Relations Designee		Classified

c: <u>HRIncidentReporting@lausd.net</u>



LOS ANGELES UNIFIED SCHOOL DISTRICT

POLICY BULLETIN

ATTACHMENT G-1

INSTRUCTIONS FOR TIME REPORTING

CERTIFICATED EMPLOYEES

PRELIMINARY REASSIGNMENTS

- 1. The school/worksite shall report Miscellaneous (MS) time for the reassigned Certificated employee for the duration of the preliminary reassignment.
- 2. Budget Services will provide reimbursement for funds required to provide substitute coverage during an employee's preliminary reassignment, typically up to five working days. The Region Administrator of Operations shall consult with the Division of School Operations designee if the preliminary reassignment may need to be extended beyond five working days.
 - a. To receive reimbursement, the school administrator shall submit Attachment G-2, Substitute Reimbursement Form for Reassignment of Teacher, to the Region Administrator of Operations for approval.
 - b. Once approved, the Region Administrator of Operations will forward the document to the Region's Fiscal Services Manager for processing.
- 3. If the employee returns to work at the conclusion of the preliminary reassignment, the school/worksite shall resume responsibility for time reporting.

FORMAL REASSIGNMENTS

- 1. The Region/Division will create and issue a timecard to the reassigned employee. The Region/Division shall submit completed timecards along with any related benefit forms to the Division of School Operations designee every Friday and on monthly payroll cut-off days no later than 12:00 p.m. to ensure that employees are paid accurately and/or on time.
- 2. Time should not be reported for substitute teachers or substitute administrators when their assignments have ended as a result of allegations of employee misconduct. The Division of School Operations will work with the Human Resources Division to prevent certificated substitute teachers and substitute administrators from being offered assignments pending the results of an investigation.

CLASSIFIED EMPLOYEES

BOTH PRELIMINARY AND FORMAL REASSIGNMENTS

- 1. The school/worksite shall continue to report time using Miscellaneous (MS) for reassigned Classified employees for the duration of their reassignment, except those not entitled to be paid if removed from their assignment.
 - a. Employees in these circumstances will be directed not to report to their worksite and be reassigned without pay or separated due to completion of their assignment.
 - b. A decision will be made regarding reemployment or reassignment at the conclusion of the investigation.
- 2. The worksite shall not report the employee's time as vacation (VA) unless the employee makes a request to use any accrued vacation time to their designated supervisor while reassigned and receives approval.
- 3. Region Operations should contact the Division of School Operations designee regarding reimbursement to schools for Classified substitutes.

BUL-044381.1 **Division of School Operations** Office of the General Counsel Page 1 of 1

July 3, 2023



ATTACHMENT G-2

REIMBURSEMENT OF SUBSTITUTE FUNDING TO SCHOOL FOR PRELIMINARY REASSIGNMENT OF CERTIFICATED EMPLOYEE

Budget Services will provide reimbursement for funds required to provide substitute coverage for up to five days. Report time for employees providing substitute coverage from **Program Code 13027, General Fund School Program**.

School name	Principal	Cost center	
Time reporter	School phone	Extension	
Reassigned employee	EN	Region	

Pay period: [month and year]

Substitute employee	EN	Date(s) of service	Number of days	Number of hours per day

If needed, attach an additional page to list more entries and check here.

I certify that the employee(s) listed above were time-reported strictly for providing substitute coverage for the reassigned employee and from Program Code 13027, General Fund School Program.

Principal's Signature	Date	If the preliminary reassignment is extended beyond five days, enter the
Administrator of Operations		date on which the Region AOO consulted with the Division of School
Signature	Date	Operations designee:

BUL-044381.1
Division of School Operations
Office of the General Counsel

- TO:[Employee name], [Employee number]DATE: [MM/DD/YYY][Position title]
- **FROM**: [Name of Administrator of Operations/Division Head] [Position title]

SUBJECT: FORMAL REASSIGNMENT TO [REGION OR DIVISION NAME] TO REMAIN AT HOME

This memo is to summarize the conference held with you on [date] regarding your formal reassignment from your current worksite to [Region/Division] effective [date]. During the conference, you were informed that an investigation has been opened into allegations concerning events or conduct in which you may have been involved.

While this investigation continues and unless and until otherwise directed or reassigned, you are to remain at [home] in paid status during your reassignment to [Region/Division].

I am providing you with the following information and procedural directives:

- 1. [Region administrator/Division supervisor's name], [position title], shall serve as your designated administrator/supervisor during your reassignment.
- 2. You have been relieved of duty from:
 - a. Your regular work assignment.
 - b. Any additional assignments, either paid or unpaid, at your current site or any other District location, including but not limited to:
 - i. Summer school, intervention/enrichment programs
 - ii. Coaching, club sponsorships, special projects
 - iii. Volunteering, chaperoning
 - iv. Paid professional development or training
- 3. Your work assignment includes all dates of your regular calendar basis during the following hours:
 - a. Workday [XX:XX] a.m. to [XX:XX] p.m.
 - b. Break [XX:XX] a.m. to [XX:XX] a.m.
 - c. Lunch [XX:XX] [a.m./p.m.] to [XX:XX] p.m.
- 4. Do not interfere with the investigation being conducted by law enforcement and/or the District.

- 5. Do not harass, intimidate, or retaliate against students, staff, or parents at [school/office/Division].
- 6. Do not contact students of [school from which reassigned] or any other students of any other school, at any time, except those who are members of your immediate family or household.
- 7. Do not disrupt any District employee or other school-related adult during their working time.
- 8. Report your attendance twice daily each workday.
 - a. Call your designated time reporter [designated time reporter], [position title] at the start and end of each workday at [phone number].
 - b. Fill in the corresponding fields for each day you report to work on the timecard provided to you.
 - i. <u>Certificated employees</u>: Enter initials at the start and end of each workday.
 - ii. <u>Classified employees</u>: Enter accurate times at the start and end of each workday and designated lunch break.
 - c. Submit an accurate and complete timecard and any related benefit forms each Friday by the end of your workday to your designated time reporter. Failure to do so will prevent you from being paid accurately and/or on time.
- 9. If you will be absent and unavailable due to illness, qualifying personal necessity, or other paid or unpaid leave of absence, you are to contact your designated time reporter promptly to report the start date of your absence, the reason, and your anticipated return date.
 - a. Complete the appropriate benefit form that reflects the reason for your absence.
 - b. Promptly submit benefit forms to [designated time reporter] at [email address].
- 10. Do not to enter the premises of [school/worksite from which reassigned] or any other District location during or outside of assigned work hours without prior written administrative direction or approval from your designated administrator/supervisor. This includes volunteering or attending special events.
- 11. Remain at home during your assigned working hours.
- 12. Be responsive and readily available to assist District administrators or other designated investigators with the investigation upon request, except during the designated break and lunch times.
- 13. While on assignment at home, you may be assigned work by [Region

administrator/Division supervisor].

- 14. Do not perform any services for the District or students related to the assignment from which you are reassigned or in any other capacity.
- 15. Do not represent to anyone that you are performing any services for the District or students related to the assignment from which you are reassigned or in any other capacity.
- 16. Do not to perform any work, duties or services for any non-District individual or organization during paid work hours, including paid illness and non-illness absences and vacation time.
- 17. Do not access any District/worksite databases or websites, except for District email, without the specific approval of your designated administrator/supervisor.
- 18. You may voluntarily participate in or be assigned to complete District-sponsored online in-service classes during your assigned work hours through My Professional Learning Network at <u>http://achieve.lausd.net/mypln.</u> Sign in using your single sign-on (SSO). Select applicable courses from the course catalog.
- 19. [Insert any additional directives particular to the location and/or the reassigned employee].

Failure to comply with the above guidelines and administrative directives may lead to disciplinary action such as, but not limited to, a Notice of Unsatisfactory Act(s), Notice of Unsatisfactory Service, suspension without pay, up to and including dismissal from the Los Angeles Unified School District.

Should you have any questions regarding your reassignment or the investigation, please email or schedule a phone conference with your designated supervisor, [Region administrator/District supervisor's name].

Phone: [phone number]

Email: [email address]

Acknowledgment of receipt: Reassignment and directives issued by:

Employee's signature

Designated administrator/supervisor's signature

c: <u>HRIncidentReporting@lausd.net</u>



REQUEST FOR INVESTIGATION

TO: Director, Student Safety Investigation Team

FROM:

Administrator of Operations/Division Head

DATE OF REQUEST:

iSTAR #(s):

ALL REQUESTS FOR INVESTIGATIONS MUST BE PRESCREENED AND APPROVED BY AN SSIT DUTY INVESTIGATOR.

'ACT SON	NAME OF OPERATIONS COORDINATOR/DIVISION HR REPRESENTATIVE		REGION/DIVISION		
CONTACT PERSON	EMAIL ADDRESS		PHONE#		
SED YEE	LAST, FIRST MI		EN	DOB	EMPLOYEE TYPE Certificated
ACCUSED EMPLOYEE	WORKSITE		JOB TITLE		Classified Unclassified Other
eged Tim	LAST, FIRST MI		STUDENT ID	DOB	SEX
*ALLEGED VICTIM	SCHOOL CURREI	NTLY ATTENDING			GRADE
			DATE SCAR WA	SCAR WAS REPORTED	
REPORT NOTIFICATION	AGENCY			DATE SCAR WAS SUBMITTED	
OFFICIAL CONTACTED - NAME AND TITLE		SERIAL NUMBER			
	* IF MULTIPLE VICTIMS, INDICATE NUMBER IF NECESSARY, USE PAGE 2 AND CHECK THIS BOX				
MATION	ALLEGATION TYPE DATE/TIME OF INCIDENT Sexual Non-sexual		PLACE OF INCI	DENT	
INCIDENT INFORMATION	1.Was the employee assigned District-issued electronic devices? YES NO 2. Have all of the devices been confiscated? YES 3. How many devices? NO N/A 4. Who is in possession of the devices?			N/A	

Consultation made with the following Duty Investigator who approved this referral to the SSIT:

Name of Duty Investigator: _____

Date: _____

EMAIL TO: Consulting SSIT Duty Investigator



LIST OF ADDITIONAL ALLEGED VICTIMS

List full name, student ID, DOB, sex, school currently attending, and grade.

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FOR SSIT USE ONLY

DESCRIPTION OF ALLEGATION(S)

List allegations separately, chronologically, and numerically.

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ATTACHMENT J

INVESTIGATIVE REPORT (NON-SSIT CASES) ALLEGATIONS OF EMPLOYEE MISCONDUCT THAT IMPACT THE SAFETY OF STUDENTS, STAFF, OR THE WORKPLACE

Use Attachment J-1, Guidance for Completing an Investigative Report (Non-SSIT Cases), with this template.

- Only administrators or Division supervisors are authorized to investigate alleged misconduct by employees.
- Establish and maintain a secure document file for the preliminary inquiry. Include all interview notes,
- written statements, communication logs, ISTAR and any other evidentiary materials along with a copy of this completed report in the file for future reference.
- O Do not interview the accused employee prior to consulting with Region Operations in all cases of alleged employee misconduct with students.

CASE INFORMATION				
Employee (Last, First, MI)		EN	АКА	
Position Title		School/Worksite		
Incident Date		ISTAR #		
Investigating Region or Site Administrator(s)/Division Supervisor(s)				
1. Name (Last, First, MI)		2. Name (Last, First, MI)		

If any additional alleged victims were identified through the full investigation, attach a page to list names and check here. Include identifying information and interview status for each.

SECONDARY WITNESSES				
Name (Last, First, MI)	Student ID/EN	Role	Selection	
		Student 🗌 Employee 🗌 Other	☐ Background ▶ [Please explain] ☐ Random	
		Student 🗌 Employee 🗌 Other	☐ Background ▶ [Please explain] ☐ Random	
		Student 🗌 Employee 🗌 Other	☐ Background ▶ [Please explain] ☐ Random	

If needed, attach page to list additional witnesses and check here. Include identifying information and interview status for each.

STATEMENT OF ALLEGATIONS



INTERVIEW SU	MMARIES
NEW FINDINGS	
CONSULTATIO	N/REVIEW OF INFORMATION WITH REGION OPERATIONS/DIVISION LEAD
Date of contact	Guidance/advisement



ATTACHMENT J-1

GUIDANCE FOR COMPLETING AN INVESTIGATIVE REPORT (Non-SSIT Cases)

Use **Attachment J**, *Investigative Report (Non-SSIT Cases)*, along with this document. This document provides instructions, details, and examples for completing the remaining key elements of a full investigation.

CASE INFORMATION

Enter the employee's full name and employee number as reflected by District records. Note if the employee is known by a different name (e.g., middle name, nickname).

Enter the employee's primary position title and school or worksite to which assigned in this role.

Enter the date on which the alleged incident occurred or began. Enter the ISTAR # in which this incident is documented.

Enter the name(s) of the Region or school site administrators/Division supervisors investigating the alleged misconduct.

If additional alleged victims were identified through the full investigation, attach a page and indicate names, Student ID or EN, grade level, age, and interview status for each.

SECONDARY WITNESSES

Enter the name, Student ID or employee number and role of each witness who either provided background information relevant to the accused employee or alleged victim(s), or was selected randomly.

Secondary witnesses may include the alleged victim's or accused employee's peers, other employees who have regular interaction with the student, or individuals who can provide information about systems or procedures (e.g., the PE Department Chair explaining the department's protocols for managing non-dress students). Secondary witnesses can provide background regarding the individual's attendance, academic or work performance, rapport with others, etc. that may be relevant when the principal and Region AOO/Division Head recommend follow-up action for the employee at the conclusion of the investigation.

Randomly-selected witnesses can provide general observations of the alleged victim, accused employee, the environment in which the alleged incident occurred, and/or how the scenario played out without having witnessed it directly. They may also be able to help identify other direct witnesses.

If needed, attach a page to list additional witnesses, identifying information, and interview status for each.

STATEMENT OF ALLEGATIONS

Use the responses to the questions in the Incident Details section of the preliminary inquiry report to write a statement of allegations. The statement should include essential information and details for a reader not familiar with the individuals or environment to understand who was involved, what occurred, when and where it occurred, how it may have occurred, and should include any salient remarks, responses, and/or reactions.

Example (based on Attachment E-1):

On Friday, October 28, 2022, Mrs. Erica Gazanyan, mother of sixth grade student Samuel Gazanyan, reported to Mr. Radford, counselor, that PE teacher Mr. Ernest Terry pulled Samuel backward by the strap on his backpack swinging Samuel into a wall on the northwest exterior of the gym. This caused Samuel to hit his left arm and shoulder against the wall. The incident occurred on Thursday, October 27, 2022, during period 2. (Continued on next page)



ATTACHMENT J-1

Mr. Radford informed me, Assistant Principal Lo, of the report and escorted Mrs. Gazanyan to my office. Mrs. Gazanyan said that Samuel sustained abrasions to his arm and had been complaining of shoulder pain since getting home from school yesterday. I called Schoolhouse Police Department to make a telephone report. Officer Wyndell (#A123) said she would dispatch patrol officers to the school to speak with Samuel and his mother. Officer Wyndell said I should not investigate and wait for the responding offers to assess the situation.

I asked Mr. Radford to pull Samuel from his class and escort him to the Nurse's Office to be checked out while we waited for officers to arrive.

INTERVIEW SUMMARIES

Summarize the interviews conducted with the alleged victim(s), primary and secondary witnesses. Enter the summaries in the most logical sequence for reader to understand and follow. The interview of the accused employee should be conducted last and only after receiving approval and guidance from Region Operations.

Example (based on Attachment E-1):

Michael Tran, Sixth Grade Student, Witness

On Monday, October 30, 2022, Principal Walter Escobar and Assistant Principal Esther Lo interviewed Michael Tran. Michael stated that he was playing basketball with classmates Jacob and Jose during period 2. Michael said he, Jacob and Jose are enrolled in Ms. Winters's PE class. Michael said Jose shot the ball but missed, so he (Michael) and Jacob ran after it. According to Michael, he heard a man's voice yelling loudly and stopped to see what was going on. He said he turned and saw Mr. Terry trying to block the path of a male student who was trying to walk away from him. Michael stated that he did not know the boy, but noticed the boy was wearing regular clothes and had his backpack on. He said the boy was rubbing his left arm and looked like he was crying. Michael could not make out what Mr. Terry was saying to the boy because they were about 50' away and Mr. Terry was facing the wall.

Michael said he, Jacob and Jose ran to Ms. Winter's office and told her what Michael saw. He did not know what happened after that but said Mr. Terry's class had a substitute teacher today.

NEW FINDINGS

Review the allegations, interviews, written statements, and evidence. Analyze the information objectively. Identify salient findings (e.g., supporting, discrepant or contradictory information, additional allegations, or new victims, complex circumstances. Contact Region Operations for support as needed.

CONSULTATION/REVIEW OF INFORMATION WITH REGION OPERATIONS

Log contacts with your Operations Coordinator/Division Lead to discuss progress, seek guidance or clarification, and/or report any challenges or obstacles you encounter until the investigation is complete.

WORKSITE RECOMMENDATION

The site principal/Division supervisor shall review the interviews, evidence, any history of prior discipline issued or allegations of misconduct made against the accused employee, and salient findings from preliminary and full reports to make a recommendation for follow-up action. The principal/supervisor may discuss the information with the investigating administrators and/or confer with the Administrator of Operations/Division Head.

NOTIFICATION OF CONCLUSION OF INVESTIGATION

- TO:[Employee name], [Employee number]DATE: [MM/DD/YYY][Position title]
- **FROM:** [Name of Administrator of Operations/Division Head] [Position title]

This serves as a notification that the District has concluded its investigation into the allegations of misconduct that resulted in your reassignment, including a forensic examination of any District-issued electronic devices, if applicable.

Please be advised that you will remain reassigned pending further case review and District action. This may include either your return to a worksite, issuance of discipline, and/or the initiation of the process for dismissal from District service.

Employee's signature

Administrator/Supervisor's signature (Assigned designee)

c: <u>HRIncidentReporting@lausd.net</u>



ATTACHMENT L

CASE REVIEW DOCUMENT CHECKLIST

Employee name	[Last, First MI]
Employee #	
Position title	

INSTRUCTIONS FOR REGIONS/DIVISIONS:

- 1. Use this checklist to prepare documents for Case Review.
- Include all three pages of this attachment along with the applicable documents marked on the checklist within 15 working days of receipt of the Student Safety Investigation Team's (SSIT) Investigative Report or completion of the Region/Division's investigation.
- Organize documents in the order they are listed below and submit to <u>HRIncidentReporting@lausd.net</u> with a copy to the Division of School Operations designee.

REQUIRED DOCUMENTS

All three pages of Attachment L, Case Review Document Checklist

- Employment Summary (Will be included after submission of packet by Division of School Operations designee)
- ISTAR(s) (Current and other related ISTARs, if any) [Enter ISTAR number(s)]
- Investigative Report
 - Student Safety Investigation Team Report of Investigation
 - Region/Division Investigative Report [Indicate investigating unit]
- Conference memo related to current allegation (Contact Staff Relations)
- Employee's response to conference memo, if any

WRITTEN STATEMENTS

Confirm that all written statements include printed/typed names, signatures, and dates.



Alleged Victim(s)



Witness(es)

] Emp	oloyee
-------	--------

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ATTACHMENT L

PRIOR DISCIPLINE AND OTHER DOCUMENTED ALLEGATIONS OF MISCONDUCT

Pre-discipline documents	for Classified employees
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- Prior conference memos for Certificated employees (include only those that may influence the outcome of the Case Review based on the nature of the issues addressed)
- Employee's response to prior conference memos
- Current and/or prior Final Evaluations (submit only if ratings or comments include information related to the nature of the current allegations)

OTHER SUPPORTING EVIDENCE

- Copies of text messages
- Original or clear copies of photos related to alleged incident, color or black/white
- Video/audio recordings (cell phone, YouTube, Facebook, etc.)
- Screenshots of social media pages containing relevant information
- Copies of phone records
- Maps or photos depicting location of alleged incident
- Visitor logs/sign-in sheets
- Timecard/time reporting records
- Letters of support for the employee, signed and dated
- Court documents related to the allegation
- Law enforcement documents
- Other _____



ATTACHMENT L

RECOMMENDED CASE OUTCOME

WORKSITE RECOMMENDATION

Principal/Division Supervisor:	[Name]	Signature	
Return to Worksite:		Date	[MM/DD/YYYY]
Dismiss:			
Rationale for recomme	ndation:		
Recommended discipli	ine, assistance, and guid	Jance	

REGION/DIVISION RECOMMENDATION

Region Administrator of Operations/Division Head:	[Name]	Signature	
Return to Worksite:		Date	[MM/DD/YYYY]
Dismiss:			
Rationale for recommendat	tion:		
Recommended discipline, a	assistance, and gu	idance	

TO:[Employee name], [Employee number]DATE: [MM/DD/YYYY]

FROM: [Region Administrator of Operations/Division Head]

SUBJECT: EMPLOYEE GUIDANCE FOR RETURNING TO WORKSITE

This memo is to summarize the meeting held with you on [MM/DD/YYYY] during which you were advised that you would return to work at [name of school or worksite] ([cost center]), effective [MM/DD/YYYY].

During the meeting, applicable policies and procedures as indicated below were reviewed with and provided to you.

Board Resolution Reaffirming the Respectful Treat	tment of All Persons
---	----------------------

Code of Conduct with Students

Employee Code of Ethics

Personnel Commission Rules

Policy Bulletin: Abolition of Corporal Punishment

Policy Bulletin: Bullying and Hazing Policy

Policy	Bulletin:	Child	Abuse ar	nd Neglect	Reporting	Require	ements
,							

Policy Bulletin: Dependent/Elder Adult Abuse and Neglect Reporting Requirements

- Policy Bulletin: Responsible Use Policy (RUP) for District Computer and Network Systems)
- Policy Bulletin: Social Media Policy for Employees and Associated Persons
- Policy Bulletin: Student and Employee Security
- Policy Bulletin: Title IX Policy/Non-discrimination Complaint Procedures (Including for Sex Discrimination and Sexual Harassment)
- Other:

Should you have any questions upon your return to work, please contact [Region administrator/Division supervisor], [position title] at [contact phone] or [email]@lausd.net.

Employee's signature

Administrator/Supervisor's signature (Assigned designee)

c: HRIncidentReporting@lausd.net

LOS ANGELES UNIFIED SCHOOL DISTRICT Division of School Operations Office of the General Counsel

LETTER TEMPLATE FOR PRINCIPALS

ONGOING LAW ENFORCEMENT INVESTIGATION INVOLVING ALLEGED SEXUAL MISCONDUCT BY AN EMPLOYEE

Instructions to the Principal:

- Do not include the name of the employee unless approved by the Office of the General Counsel, Administrative and Legal Services.
- A draft copy of the letter must be approved by the Region Superintendent/Designee.
- Forward a copy of the final/signed letter to staff listed at the bottom of the template.
- Use the information provided in the letter for creating the Blackboard Connect phone message.
- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

Dear Parents/Guardians,

As principal of [school name], the safety and wellbeing of our students and staff is my top priority.

This letter is to inform you that an employee has been reassigned from campus for alleged misconduct as part of an investigation by [law enforcement agency].

The school and District administration have fully cooperated with the authorities. At the direction of the [law enforcement agency], the details of this incident are confidential and cannot be disclosed.

While there is a presumption of innocence in matters of this nature, the District takes each and every reported act of misconduct seriously. We are committed to aggressively pursuing each case to determine the truth and, if necessary, initiate the appropriate disciplinary or administrative measures.

The District will provide intervention counselors to work with students who might be impacted by the removal of the employee. I would like to reassure parents and guardians that the school and District will take every precaution to ensure the safety of students and staff at our schools.

If you have any questions or concerns, please contact me at [school phone number].

Sincerely,

[Principal's name] Principal

C:	Region Superintendent	Operations Coordinator
	Administrator of Operations	Division of School Operations

LETTER TEMPLATE FOR PRINCIPALS: SPANISH

INVESTIGACIÓN EN CURSO DE LAS FUERZAS DEL ORDEN PÚBLICO EN RELACIÓN CON UNA PRESUNTA CONDUCTA SEXUAL INDEBIDA POR PARTE DE UN EMPLEADO

Instructions to the Principal:

- Do not include the name of the employee unless approved by the Office of the General Counsel, Administrative and Legal Services.
- A draft copy of the letter must be approved by the Region Superintendent/Designee.
- Forward a copy of the final/signed letter to staff listed at the bottom of the template.
- Use the information provided in the letter for creating the Blackboard Connect phone message.
- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

Estimado padre, madre o tutor,

Como director/directora de [school name], la seguridad y el bienestar de nuestros estudiantes y personal es mi máxima prioridad.

El fin de esta carta es informarle que un empleado(a) ha sido reasignado(a) del plantel por una supuesta conducta indebida como parte de una investigación realizada por [law enforcement agency].

La escuela y la administración del Distrito han cooperado plenamente con las autoridades. Según las indicaciones de [law enforcement agency], los detalles de este incidente son confidenciales y no se pueden revelar.

Si bien hay una presunción de inocencia en los asuntos de esta naturaleza, el Distrito toma en serio todos y cada uno de los actos de conducta indebida denunciados. Nos comprometemos a investigar activamente cada caso para determinar la verdad y, si es necesario, iniciar las medidas disciplinarias o administrativas apropiadas.

El Distrito proporcionará consejeros de intervención para trabajar con los estudiantes que podrían verse afectados por la separación del empleado(a). Deseo tranquilizar a los padres y tutores ya que la escuela y el Distrito tomarán todas las precauciones necesarias para garantizar la seguridad de los estudiantes y del personal en nuestras escuelas.

Si tiene alguna pregunta o inquietud, comuníquese conmigo al [school phone number].

Cordialmente,

[Principal's name] Director(a)

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: ARMENIAN

ԻՐԱՎԱՊԱጓ ՄԱՐՄԻՆՆԵՐԻ ԿՈՂՄԻՑ ԸՆԹԱՑԻԿ ጓԵՏԱՔՆՆՈͰԹՅԱՆ ԻՐԱԿԱՆԱՑՈͰՄ ԱՇԽԱՏԱԿՑԻ ԿՈՂՄԻՑ ՍԵՌԱԿԱՆ ԵՆԹԱԴՐՅԱԼ ՎԱՏ ՎԱՐՔԱԳԾԻ ԴՐՍԵՎՈՐՄԱՆ ጓԱՄԱՐ

Instructions to the Principal:

- Do not include the name of the employee unless approved by the Office of the General Counsel, Administrative and Legal Services.
- A draft copy of the letter must be approved by the Region Superintendent/Designee.
- Forward a copy of the final/signed letter to staff listed at the bottom of the template.
- Use the information provided in the letter for creating the Blackboard Connect phone message.
- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

Յարգելի ծնողներ/խնամակալներ,

Որպես [school name]-ի տնօրեն՝ մեր աշակերտների և անձնակազմի անվտանգությունն ու բարեկեցությունն իմ առաջնահերթությունն է։

Սույն նամակը ձեզ տեղեկացնում է այն մասին, որ աշխատակիցը վերանշանակվել է այլ պաշտոնի ուսումնական հաստատության կողմից՝ ենթադրյալ սխալ վարքագծի համար՝ ելնելով [law enforcement agency] կատարած հետաքննությունից։

Դպրոցի և շրջանի ղեկավարությունը լիովին համագործակցել է իշխանությունների հետ։ [law enforcement agency] հրահանգով այս միջադեպի մանրամասները գաղտնի են և չեն կարող հրապարակվել։

Թեև նման բնույթի հարցերում առկա է անմեղության կանխավարկած, Շրջանը լրջորեն է վերաբերվում ապօրինի վարքագծի դրսևորման մասին յուրաքանչյուր հաղորդվող արարքի։ Մենք պարտավորվում ենք խստորեն հետամուտ լինել յուրաքանչյուր դեպքի` ճշմարտությունը պարզելու և անհրաժեշտության դեպքում համապատասխան կարգապահական կամ վարչական միջոցներ ձեռնարկելու համար։

Շրջանը կտրամադրի միջամտության խորհրդատուներ՝ աշխատելու ուսանողների հետ, որոնց վրա կարող է ազդել աշխատողի հեռացումը։ Ես հավաստիացնում եմ ծնողներին և խնամակալներին, որ դպրոցը և շրջանը կձեռնարկեն բոլոր նախազգուշական միջոցները մեր դպրոցների աշակերտների և անձնակազմի անվտանգությունն ապահովելու համար։

Եթե ունեք հարցեր կամ մտահոգություններ, դիմեք ինձ [school phone number] հեռախոսահամարով։

Յարգանքով՝

Principal's name] Suoptu

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: KOREAN

교직원의 성범죄 혐의와 관련된

법 집행 조사 진행 중

Instructions to the Principal:

- Do not include the name of the employee unless approved by the Office of the General Counsel, Administrative and Legal Services.
- A draft copy of the letter must be approved by the Region Superintendent/Designee.
- Forward a copy of the final/signed letter to staff listed at the bottom of the template.
- Use the information provided in the letter for creating the Blackboard Connect phone message.
- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

학부모/보호자 님께

[school name] 교장으로서 학생과 교직원의 안전과 행복은 저에게 무엇보다 가장 중요합니다.

[law enforcement agency] 조사의 일환으로 교직원 중 한 명이 범죄 혐의로 인해 교내의 업무에서 배제되었음을 알려드리기 위해 이 서신을 드립니다.

본교와 교육구 행정부는 해당 기관에 최대한 협조하고 있습니다. [law enforcement agency]의 지시에 따라 본 사건과 관련한 세부사항은 기밀이며 공개할 수 없습니다.

이러한 사안에는 본질적으로 무죄추정의 원칙이 적용되지만, 교육구는 보고된 모든 범죄 행위를 심각하게 받아들이고 있습니다. 본교는 어떤 사건이든 진상을 파악하기 위해 적극적으로 조사하고, 필요한 경우 적절한 징계 또는 행정 조치를 취하기 위해 최선을 다하고 있습니다.

교육구는 해당 직원의 면직으로 인해 영향을 받을 수 있는 학생들을 상담하기 위해 중재 상담사를 제공할 예정입니다. 학부모 및 보호자 여러분께 본교와 교육구는 본교 학생과 교직원의 안전을 보장하기 위해 필요한 모든 예방 조치를 취할 것임을 다시 한번 말씀드립니다.

궁금한 사항이나 우려 사항이 있으시면 [school phone number]번으로 연락 주시기 바랍니다.

감사합니다.

[Principal's name] 교장

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: CHINESE

正在進行的執法調查涉及 被指控員工性行為不端

Instructions to the Principal:

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- A draft copy of the letter must be approved by the Region Superintendent/Designee.
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- Use the information provided in the letter for creating the Blackboard Connect phone message.
- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

各位家長/監護人,

作為[school name]的校長,確保我們學生和工作人員的安全和福祉是我的首要任務。

本信函封旨在通知您,一名員工因涉嫌不當行為被調離校園,這是[law enforcement agency]調查的一部分。

學校和校區政府與當局進行了充分合作。根據[law enforcement agency]的指示,本事件細節爲機密,不可披露。

雖然就此類性質的問題有一個無罪推定,但本區認將真對待舉報的每一個不當行為。我們致力於積極追 查每宗案件,以確定真相,並在必要時啟動適當的紀律或行政措施。

學區將提供干預輔導員,與可能因員工被解僱而受到影響的學生一起工作。我向家長和監護人保證,學校和學區將採取一切預防措施,確保我們學校學生和工作人員的安全。

如果您有任何問題或疑慮,請與我聯絡:[school phone number]。

敬上

[Principal's name] 校長

c: Region Superintendent Operations Coordinator Administrator of Operations Division of School Operations

LETTER TEMPLATE FOR PRINCIPALS

LAW ENFORCEMENT'S ARREST OF AN EMPLOYEE INVOLVING ALLEGED SEXUAL MISCONDUCT

Instructions to the Principal:

- Do not include the name of the employee unless approved by the Office of the General Counsel, Administrative and Legal Services.
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[MM/DD/YYYY]

Dear Parents/Guardians,

As the principal of [school name], the safety and wellbeing of our students and staff is my top priority.

The [law enforcement agency] notified the School Police and the school about the arrest of an employee for alleged sexual misconduct. The employee has been removed from campus as part of the investigation. The school and the Los Angeles Unified School District take these allegations very seriously and is fully cooperating with the law enforcement investigation.

The District will provide intervention counselors to work with students who might be impacted by the arrest and removal of the employee. I would like to reassure parents and guardians that the school and District will take every precaution to ensure the safety of students and staff at our schools.

If you have any questions or concerns, please contact me at [school phone number].

Sincerely,

[Principal's name] Principal

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: SPANISH

ARRESTO DE UN EMPLEADO POR LA POLICIA DEBIDO A UNA SUPUESTA CONDUCTA SEXUAL INDEBIDA

Instructions to the Principal:

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[MM/DD/YYYY]

Estimado padre, madre o tutor,

Como director/directora de [school name], la seguridad y el bienestar de nuestros estudiantes y personal es mi máxima prioridad.

La [law enforcement agency] notificó a la Policía Escolar y a la escuela sobre el arresto de un empleado(a) por una supuesta conducta sexual indebida. El empleado(a) ha sido retirado del plantel como parte de la investigación. La escuela y el Distrito Escolar Unificado de Los Ángeles toman muy en serio estas acusaciones y están cooperando plenamente con la investigación de la policía.

El Distrito proporcionará consejeros de intervención para trabajar con los estudiantes que podrían verse afectados por la separación del empleado(a). Deseo tranquilizar a los padres y tutores ya que la escuela y el Distrito tomarán todas las precauciones necesarias para garantizar la seguridad de los estudiantes y del personal en nuestras escuelas.

Si tiene alguna pregunta o inquietud, comuníquese conmigo al [school phone number].

Cordialmente,

[Principal's name] Director(a)

c: Region Superintendent Operations Coordinator Administrator of Operations Division of School Operations

LETTER TEMPLATE FOR PRINCIPALS: ARMENIAN

ԻՐԱՎԱՊԱՅ ՄԱՐՄԻՆՆԵՐԻ ԿՈՂՄԻՑ ԱՇԽԱՏԱԿՑԻ ՁԵՐԲԱԿԱԼՈԻՄ ՍԵՌԱԿԱՆ ԵՆԹԱԴՐՅԱԼ ՎԱՏ ՎԱՐՔԱԳԾԻ ԴՐՍԵՎՈՐՄԱՆ ՅԱՄԱՐ

Instructions to the Principal:

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[MM/DD/YYYY]

Յարգելի ծնողներ/խնամակալներ,

Որպես [school name]-ի տնօրեն՝ մեր աշակերտների և անձնակազմի անվտանգությունն ու բարեկեցությունն իմ առաջնահերթությունն է։

[law enforcement agency] ծանուցել է դպրոցի ոստիկանությանը և դպրոցին՝ ենթադրյալ սեռական ոտնձգության համար աշխատակցի ձերբակալության մասին։ Աշխատակիցը հետաքննության շրջանակներում հեռացվել է համալսարանից։ Դպրոցը և Լոս Անջելեսի Միասնական դպրոցական շրջանը չափազանց լուրջ են վերաբերվում այս մեղադրանքներին և լիովին աջակցում են իրավապահ մարմինների հետաքննությանը։

Շրջանը կտրամադրի միջամտության խորհրդատուներ՝ աշխատելու ուսանողների հետ, որոնց վրա կարող է ազդել աշխատողի հեռացումը։ Ես հավաստիացնում եմ ծնողներին և խնամակալներին, որ դպրոցը և շրջանը կձեռնարկեն բոլոր նախազգուշական միջոցները մեր դպրոցների աշակերտների և անձնակազմի անվտանգությունն ապահովելու համար։

Եթե ունեք հարցեր կամ մտահոգություններ, դիմեք ինձ [school phone number] հեռախոսահամարով։

Յարգանքով՝

[Principal's name] รนoptน

C:	Region Superintendent	Operations Coordinator		
	Administrator of Operations	Division of School Operations		

LETTER TEMPLATE FOR PRINCIPALS: KOREAN

성범죄 혐의에 연루된 교직원에 대한

법 집행 기관의 체포

Instructions to the Principal:

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- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

학부모/보호자 님께

[school name] 교장으로서 학생과 교직원의 안전과 행복은 저에게 무엇보다 가장 중요합니다.

[law enforcement agency]은 학교 경찰 및 본교에 성범죄 혐의로 교직원 한 명이 체포되었음을 알렸습니다. 해당 교직원은 조사에 협조하기 위해 면직되었습니다. 본교와 로스앤젤레스 통합교육구는 이러한 혐의를 매우 심각하게 받아들이고 있으며 법 집행 조사에 최대한 협조하고 있습니다.

교육구는 해당 직원의 체포 및 면직으로 인해 영향을 받을 수 있는 학생들을 상담하기 위해 중재 상담사를 제공할 예정입니다. 학부모 및 보호자 여러분께 본교와 교육구는 본교 학생과 교직원의 안전을 보장하기 위해 필요한 모든 예방 조치를 취할 것임을 다시 한번 말씀드립니다.

궁금한 사항이나 우려 사항이 있으시면 [school phone number]번으로 연락 주시기 바랍니다.

감사합니다.

[Principal's name] 교장

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: CHINESE

執法部門對員工的逮捕 涉及性行為不當指控

Instructions to the Principal:

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- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

各位家長/監護人,

作為[school name]的校長,我們學生和工作人員的安全和福祉是我的首要任務。

[law enforcement agency]通知校警和學校有關一名員工因涉嫌性行為不當而被逮捕。作為調查的一部分,該員工已被調離校園。學校和洛杉磯聯合學區非常重視此類指控,並全力配合執法部門的調查。

該學區將提供干預輔導員,與可能因員工被拘捕和被解僱而受到影響的學生合作。我向家長和監護人保證,學校和學區將採取一切預防措施,確保我們學校學生和工作人員的安全。

如果您有任何問題或疑慮,請與我聯絡:[school phone number]。

敬上

[Principal's name] 校長

c: Region Superintendent Operations Coordinator Administrator of Operations Division of School Operations

LETTER TEMPLATE FOR PRINCIPALS

DISTRICT'S ADMINISTRATIVE INVESTIGATION INVOLVING ALLEGED SEXUAL MISCONDUCT BY AN EMPLOYEE— NO ARREST BY LAW ENFORCEMENT AGENCIES

Instructions to the Principal:

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[MM/DD/YYYY]

Dear Parents/Guardians,

As principal of [school name], the safety and wellbeing of our students and staff is my top priority. The purpose of this letter is to inform you that a school employee has been reassigned from campus as part of the District's administrative investigation for alleged misconduct by the employee.

The school and District administration have fully cooperated with the authorities. At the direction of the [law enforcement agency], the case is to be investigated administratively by the District. The details of this incident cannot be disclosed pending the investigation and involve confidential personnel matters.

While there is a presumption of innocence in matters of this nature, the District takes each and every reported act of misconduct seriously. We are committed to aggressively pursuing each case to determine the truth and, if necessary, initiate the appropriate disciplinary or administrative measures. Any decisions regarding the employee's return will be made at the conclusion of the District's administrative investigation.

The District will provide intervention counselors to work with students who might be impacted by the removal of the employee. I would like to reassure parents and guardians that the school and District will take every precaution to ensure the safety of students and staff at our schools.

If you have any questions or concerns, please contact me at [school phone number].

Sincerely,

[Principal's name] Principal

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: SPANISH

INVESTIGACIÓN ADMINISTRATIVA DEL DISTRITO POR SUPUESTA CONDUCTA SEXUAL INDEBIDA POR PARTE DE UN EMPLEADO — NO ARRESTADO POR LAS AGENCIAS DEL ORDEN PÚBLICO

Instructions to the Principal:

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- Delete these instructions and letter template information above prior to distribution.

[MM/DD/YYYY]

Estimado padre, madre o tutor,

Como director/directora de [school name], la seguridad y el bienestar de nuestros estudiantes y personal es mi máxima prioridad. El propósito de esta carta es informarle que un empleado(a) de la escuela ha sido reasignado(a) del plantel como parte de la investigación administrativa del Distrito por una supuesta conducta indebida por parte del empleado(a).

La escuela y la administración del Distrito han cooperado plenamente con las autoridades. Según las instrucciones de [law enforcement agency], el caso deberá ser investigado administrativamente por el Distrito. Los detalles de este incidente no pueden revelarse mientras la investigación siga pendiente e implique circunstancias confidenciales del personal.

Si bien hay una presunción de inocencia en los asuntos de esta naturaleza, el Distrito toma en serio todas y cada uno de las denuncias de actos de conducta indebida. Nos comprometemos a investigar activamente cada caso para determinar la verdad y, si es necesario, iniciar las medidas disciplinarias o administrativas apropiadas. Cualquier decisión con respecto al regreso del empleado se tomará al concluir la investigación administrativa por parte del Distrito.

El Distrito proporcionará consejeros de intervención para trabajar con los estudiantes que podrían verse afectados por la separación del empleado(a). Deseo tranquilizar a los padres y tutores ya que la escuela y el Distrito tomarán todas las precauciones necesarias para garantizar la seguridad de los estudiantes y del personal en nuestras escuelas.

Si tiene alguna pregunta o inquietud, comuníquese conmigo al [school phone number].

Cordialmente,

[Principal's name] Director(a)

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: ARMENIAN

ՇՐՁԱՆԻ ՎԱՐՉԱԿԱՆ ጓԵՏԱՉՈՏՈԻԹՅՈԻՆԸ ԱՇԽԱՏԱԿՑԻ ԿՈՂՄԻՑ ՍԵՌԱԿԱՆ ԵՆԹԱԴՐՅԱԼ ՎԱՏ ՎԱՐՔԱԳԾԻ ԴՐՍԵՎՈՐՄԱՆ ጓԱՄԱՐ. ԱՌԱՆՑ ԻՐԱՎԱՊԱጓ ՄԱՐՄԻՆՆԵՐԻ ԿՈՂՄԻՑ ՁԵՐԲԱԿԱԼՄԱՆ

Instructions to the Principal:

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[MM/XX/YYYY]

Յարգելի ծևողներ/խնամակալներ,

Որպես [school name]-ի տնօրեն՝ մեր աշակերտների և անձնակազմի անվտանգությունն ու բարեկեցությունն իմ առաջնահերթությունն է։ Սույն նամակի նպատակն է տեղեկացնել ձեզ այն մասին, որ դպրոցի աշխատակիցը վերանշանակվել է այլ պաշտոնի ուսումնական հաստատության կողմից՝ ելնելով Շրջանի վարչական հետաքննությունից՝ աշխատակցի կողմից ենթադրյալ սխալ վարքագծի դրսևորման համար։

Դպրոցի և շրջանի ղեկավարությունը լիովին համագործակցել է իշխանությունների հետ։ [law enforcement agency] ցուցումով գործը վարչական կարգով պետք է քննվի Շրջանի կողմից։ Այս միջադեպի մանրամասները չեն կարող բացահայտվել մինչև հետաքննությունը և ներառում են կադրային գաղտնի հարցեր։

Թեև նման բնույթի հարցերում առկա է անմեղության կանխավարկած, Շրջանը լրջորեն է վերաբերվում ապօրինի վարքագծի դրսևորման մասին յուրաքանչյուր հաղորդվող արարքի։ Մենք պարտավորվում ենք խստորեն հետամուտ լինել յուրաքանչյուր դեպքի` ճշմարտությունը պարզելու և անհրաժեշտության դեպքում համապատասխան կարգապահական կամ վարչական միջոցներ ձեռնարկելու համար։ Աշխատակցի վերադարձի հետ կապված ցանկացած որոշում կկայացվի Շրջանի վարչական հետաքննության ավարտին։

Շրջանը կտրամադրի միջամտության խորհրդատուներ` աշխատելու ուսանողների հետ, որոնց վրա կարող է ազդել աշխատողի հեռացումը։ Ես հավաստիացնում եմ ծնողներին և խնամակալներին, որ դպրոցը և շրջանը կձեռնարկեն բոլոր նախազգուշական միջոցները մեր դպրոցների աշակերտների և անձնակազմի անվտանգությունն ապահովելու համար։

Եթե ունեք հարցեր կամ մտահոգություններ, դիմեք ինձ [school phone number] հեռախոսահամարով։

Յարգանքով՝

[Principal's name] Տնօրեն

պատճենը՝ Շրջանի տեսուչ Գործառնությունների ադմինիստրատոր Գործողությունների համակարգող Դպրոցի գործառնությունների բաժին

LETTER TEMPLATE FOR PRINCIPALS: KOREAN

교직원의 성범죄 혐의와 관련된 교육구 행정 조사 - 법 집행 기관의 체포 없음

Instructions to the Principal:

- Do not include the name of the employee unless approved by the Office of the General Counsel, Administrative and Legal Services.
- A draft copy of the letter must be approved by the Region Superintendent/Designee.
- Forward a copy of the final/signed letter to staff listed at the bottom of the template.
- Use the information provided in the letter for creating the Blackboard Connect phone message.
- Delete these instructions and letter template information above prior to distribution.

[MM/XX/YYYY]

학부모/보호자 님께

[school name] 교장으로서 학생과 교직원의 안전과 행복은 저에게 무엇보다 가장 중요합니다. 교직원 중 한 명이 범죄 혐의에 대한 교육구 행정 조사의 일환으로 교내의 업무에서 배제되었음을 알려드리기 위해 이 서신을 드립니다.

본교와 교육구 행정부는 해당 기관에 최대한 협조하고 있습니다. [law enforcement agency]의 지시에 따라 본 사건은 교육구가 행정적으로 조사하게 됩니다. 조사가 이루어지는 동안 직원의 기밀 사안을 포함하여 본 사건과 관련한 세부사항은 공개할 수 없습니다.

이러한 사안에는 본질적으로 무죄추정의 원칙이 적용되지만, 교육구는 보고된 모든 범죄 행위를 심각하게 받아들이고 있습니다. 본교는 어떤 사건이든 진상을 파악하기 위해 적극적으로 조사하고, 필요한 경우 적절한 징계 또는 행정 조치를 취하기 위해 최선을 다하고 있습니다. 해당 교직원의 복귀와 관련된 모든 결정은 교육구 행정 조사가 마무리되는 대로 이루어질 예정입니다.

교육구는 해당 직원의 면직으로 인해 영향을 받을 수 있는 학생들을 상담하기 위해 중재 상담사를 제공할 예정입니다. 학부모 및 보호자 여러분께 본교와 교육구는 본교 학생과 교직원의 안전을 보장하기 위해 필요한 모든 예방 조치를 취할 것임을 다시 한번 말씀드립니다.

궁금한 사항이나 우려 사항이 있으시면 [school phone number]번으로 연락 주시기 바랍니다.

감사합니다.

[Principal's name] 교장

c: Region Superintendent Administrator of Operations

LETTER TEMPLATE FOR PRINCIPALS: CHINESE

學區的行政調查涉及員工被指控性行為不端 -- 未被執法機構逮捕

Instructions to the Principal:

- Do not include the name of the employee unless approved by the Office of the General Counsel, Administrative and • Legal Services.
- A draft copy of the letter must be approved by the Region Superintendent/Designee. •
- Forward a copy of the final/signed letter to staff listed at the bottom of the template. .
- Use the information provided in the letter for creating the Blackboard Connect phone message.
- Delete these instructions and letter template information above prior to distribution.

[MM/XX/YYYY]

各位家長/監護人,

作為[school name]的校長,確保我們學生和工作人員的安全和福祉是我的首要任務。本函目的旨在通 知您,作為學區行政調查的一部分,學校的一名員工因為被指控行為不當已被調離校園。

學校和校區政府與當局進行了充分合作。在[law enforcement agency]的指導下,該案將由學區進行行 政調查。調查期間,本事件細節不可透露,目涉及機密的人事問題。

雖然就此類性質的問題有一個無罪推定,但本區認將真對待舉報的每一個不當行為。我們致力於積極追 查每宗案件,以確定真相,並在必要時啟動適當的紀律或行政措施。任何有關雇員返回的決定都將在學 區的行政調查結束後作出。

學區將提供干預輔導員,與可能因員工被解僱而受到影響的學生一起工作。我向家長和監護人保證,學 校和學區將採取一切預防措施,確保我們學校學生和工作人員的安全。

如果您有任何問題或疑慮,請與我聯絡:[school phone number]。

敬卜

[Principal's name] 校長

c: Region Superintendent **Operations Coordinator** Administrator of Operations

Division of School Operations



ATTACHMENT Q

TIMELINE: PROTOCOLS AND PROCEDURES TO REPORT, REASSIGN AND INVESTIGATE ALLEGATIONS OF EMPLOYEE MISCONDUCT

Timeline	\checkmark	Action Steps	Responsible Party
SECTION I ASAP		 The mandated reporter calls law enforcement to report suspected child or dependent adult/elder abuse. If the mandated reporter is not an administrator/supervisor, they must notify a site administrator/Division supervisor immediately after calling. ⇒ The mandated reporter completes and mails a Suspected Child Abuse Report (SCAR) within 36 hours or a Report of Suspected Dependent Adult/Elder Abuse (Form SOC 341) within two working days of making the phone report. 	Mandated Reporter Site Administrator/ Division Supervisor
		 If the accused employee poses a risk to the safety of students, staff, or others, the site administrator/Division supervisor shall relocate the accused employee from their classroom/work area to a room or office away from others where the employee can be supervised. 	Site Administrator/ Division Supervisor
		 The site administrator/Division supervisor inquires of law enforcement if the District is clear to conduct an administrative investigation and will not interfere with any law enforcement investigation. 	Site Administrator/ Division Supervisor
		4. The site administrator contacts Region Operations/Division supervisor contacts Division Head to inform them of the allegations and obtain guidance.	Site Administrator
		 The site administrator/Division supervisor creates an ISTAR to reflect all relevant known information (see SECTION II). 	Site Administrator
		 6. The Region Administrator of Operations (AOO)/Division Head considers the questions posed on Attachment F, Considerations for Reassignment of an Employee, when deciding whether the accused employee should be reassigned from the worksite. 7. If the employee will be reassigned: a. The site administrator/Division supervisor issues directives to the employee as outlined in Attachment A, Directive to Report to Region/Division, obtains their signature, and forwards a signed copy to the Region/Division. b. If the accused employee is a Division employee alleged of misconduct with students, Region Operations shall assume responsibility for the reassignment and subsequent investigation. ⇒ Region Operations shall maintain ongoing communication with the Division throughout the reassignment and any subsequent investigation. c. The Region/Division promptly uploads a copy of Attachment A upon receipt to HRIncidentReporting@lausd.net and cc's the Division of School Operations (DSO) designee. 	Region Administrator of Operations/Division Head Site Administrator/ Division Supervisor Region/Division Staff
		8. <u>If the employee will not be reassigned</u> , the site administrator/Division supervisor contacts Staff Relations for follow-up.	Site Administrator/ Division Supervisor



				ATTACHMENTQ
Timeline	\checkmark	Actio	on Steps	Responsible Party
			or cases of alleged employee misconduct with students, Region Operations only shall contact the SSIT	Region Operations
			uty Investigator to discuss. The units shall jointly determine who should investigate based on the criteria tablished in Attachment D , Case Referral Criteria .	SSIT Duty Investigator
			 If SSIT will conduct a full investigation, Region Operations submits Attachment I, Request for Investigation to the consulting SSIT Duty Investigator and ceases any further investigative activities; or 	
			b. If Region Operations will collaborate with site administrators to conduct a preliminary inquiry, use Attachment E, Preliminary Inquiry Report and Attachment E-1, Guidance for Completing a	Region Operations
			Preliminary Inquiry and begin the inquiry promptly once cleared by law enforcement (see SECTION V).	School Administrators
SECTION IV		10. Th	e Administrator of Operations/Division Head or their designee:	Region Operations/
Day 1 of			a. Completes Attachment B, Preliminary Reassignment to Region/Division to Remain at Home.	Division Staff
preliminary			For employees not entitled to be paid during reassignment, use Attachment B-1, Removal from Assignment without Pay, instead. Contact the DSO designee for guidance.	
reassignment			b. Completes Attachment C, Notice of Reason for Preliminary Reassignment Pending Investigation. See Attachment C-1, Recommended Brief Incident Descriptions, for reason	
			selections. c. Meets with the employee to review Attachment B (or B-1) and Attachment C , obtains their	
			signature, and provides them with copies of each.	
			 Uploads copies of Attachment B (or B-1) and Attachment C to <u>HRIncidentReporting@lausd.net</u> and cc's the DSO designee following the meeting. 	
Day 3 (or sooner)		of VI I	authorized by the Region Superintendent, Region Operations staff supports the school site with distribution the appropriate parent notification letter (72-hour letter) and Blackboard Connect message (see SECTION III , and Attachments P, Q, R - <i>Letter Template for Principals</i>) in cases of alleged sexual misconduct by memployee with students.	Region Superintendent Region Operations School Administrators
Day 5 (or sooner)			egion Operations/Division supervisors complete the preliminary inquiry and submit Attachment E, reliminary Inquiry Report, to the Region Administrator of Operations/Division Head.	Region Operations/ Division Supervisors



ATTACHMENT Q

Timeline	\checkmark	Action Steps	Responsible Party
		13. The Administrator of Operations/Division Head reviews the preliminary inquiry report, findings, and evidence. They may consider the questions posed on Attachment F, Considerations for Reassignment of an Employee, when deciding whether the accused employee should be returned to their worksite (Step 14) or formally reassigned (skip to Step 15).	Region Administrator of Operations/Division Head
		 14. <u>If the employee will be returned to a worksite</u>, the Administrator of Operations/Division Head or their designee: a. Completes Attachment M, <i>Employee Guidance for Returning to Worksite</i>. b. Meets with the employee to review Attachment M, obtains their signature, and provides them with a copy. c. Uploads a copy of Attachment M to <u>HRIncidentReporting@lausd.net</u> and cc's the DSO designee following the meeting. 	Region Administrator of Operations/Division Head
SECTION VI		 If the employee will be formally reassigned, the Administrator of Operations/Division Head or their designee: Completes Attachment G, Reassignment of District Employee. Completes Attachment H, Attachment H, Formal Reassignment to Region/Division to Remain at Home. Meets with the employee to review Attachment H, obtains their signature, and provides them with a copy. Uploads copies of Attachment G and Attachment H to <u>HRIncidentReporting@lausd.net</u> and cc's the DSO designee following the meeting. 	Region Administrator of Operations/Division Head
		 16. Region Operations shall review the findings of the preliminary inquiry with the SSIT Duty Investigator in cases of alleged employee misconduct with students. If further investigation is needed, the units will jointly determine who should complete the investigation. a. If SSIT will investigate, the Administrator of Operations or their designee submits Attachment I, Request for Investigation to the consulting SSIT Duty Investigator; or b. If Region Operations will collaborate with site administrators to complete the investigation, use Attachment J, Investigative Report (Non-SSIT Cases) and Attachment J-1, Guidance for Completing an Investigative Report. 	Region Administrator of Operations SSIT Duty Investigator Region Operations
Day 90 (or sooner)		17. The investigating unit completes and submits the investigative report to the Administrator of Operations/ Division Head for their review.	Region Operations/ Division Supervisors



Timeline	$\mathbf{\nabla}$	Action Steps	Responsible Party		
SECTION IX Within 15 working days from receipt of an Investigative Report		 18. The Administrator of Operations/Division Head shall: a. Arrange an opportunity for the site principal/Division supervisor to read the investigative report and offer their recommendation on page 3 of Attachment L, Case Review Document Checklist. b. Recommends returning the employee to a worksite or initiating dismissal proceedings on Attachment L, uploads the three pages of the completed attachment along with all required documents to HRIncidentReporting@lausd.net, and cc's the DSO designee. 	Region Administrator of Operations/Division Head		
		 19. The Administrator of Operations/Division Head or their designee completes Attachment K, Notification of Conclusion of Investigation. ⇒ For Certificated employees, the Administrator of Operations or their designee will meet with the employee to issue and discuss the notification. Obtain the employee's signature and submit a signed copy to HRIncidentReporting@lausd.net with a cc to the DSO designee. ⇒ For Classified employees, a meeting will not be held. The notice will be mailed to the employee's home and/or emailed to their LAUSD email address. Obtain the employee's electronic signature or an email acknowledging receipt and submit a signed copy to HRIncidentReporting@lausd.net with a cc to the DSO designee. 	Region Administrator of Operations/Division Head		
Upon receipt of Attachment L		 20. The Division of School Operations will schedule a Case Review to include representatives from all relevant units including the Office of the General Counsel and the Human Resources Division. a. The Administrator of Operations/Division Head or their designee shall present their recommendation for follow-up action and any impact on the employee's work status. b. The Case Review panel shall discuss the recommendation. Based on the outcome, the panel shall determine support needed to return the employee to a worksite or prepare for dismissal. 	Division of School Operations Case Review panel		
Within 5* days of completed Case Review (*contingent on available vacancies)		 21. <u>If the employee will return to a worksite</u>, the Administrator of Operations/Division Head or their designee: d. Completes Attachment M, <i>Employee Guidance for Returning to Worksite</i>. e. Meets with the employee to review Attachment M, obtains their signature, and provides them with a copy. f. Uploads a copy of Attachment M to <u>HRIncidentReporting@lausd.net</u> and cc's the DSO designee promptly following the meeting. 	Region Administrator of Operations/Division Head		