



LOS ANGELES UNIFIED SCHOOL DISTRICT MEMORANDUM

TITLE: Nondiscrimination Required Notices and Ordering of Student Brochures

NUMBER: MEM-5818.2

ISSUER: David Holmquist, General Counsel
Office of the General Counsel

DATE: June 23, 2014

ROUTING

Administrators
Division Heads
Education Service Centers
Superintendents
Administrator of Operations
Sect 504 Designees
Title IX Designees
School Site
Principals
Sect 504 Designee
Title IX Designees
Supervisors

PURPOSE: The Los Angeles Unified School District (District) is committed to providing a safe working and learning environment, free from discrimination, harassment, intimidation and/or bullying. Federal and state law and the California Education Code mandate that the District annually publish and disseminate nondiscrimination notices. This memorandum is issued annually as a reminder to schools and offices to publish and disseminate the required “Nondiscrimination Statement” and “Sexual Harassment Policy” posters, as well as, “Title IX and Nondiscrimination” and “Section 504 and Students with Disabilities” student brochures as relevant to employees and students.

MAJOR CHANGES: This Memorandum replaces MEM-5818.1 “Nondiscrimination Required Notices and Ordering of Student Brochures,” issued March 8, 2013 by the Office of the General Counsel. This Memorandum includes additional information on options for printing policy posters and brochures.

GUIDELINES: I. Distribution of Nondiscrimination Notices and Student Brochures

A. Posting of Nondiscrimination Notices

The following publications must be posted in all schools and offices, including staff lounges, student government meeting rooms (secondary schools), the main administration building or other prominent locations where notices are regularly posted regarding rules, regulations, procedures or standards of conduct.

1. “Nondiscrimination Statement” policy poster (attached) in English and Spanish to be duplicated as necessary
2. “Sexual Harassment Policy” poster (attached) in English and Spanish to be duplicated as necessary



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3. "Title IX/Bullying Complaint Manager" poster (attached) in English and Spanish to be duplicated as necessary

Schools needing translated copies of the "Nondiscrimination Statement" and "Sexual Harassment Policy" posters in Armenian, Chinese, Farsi, Korean, Polish, Russian or Tagalog should contact the Educational Equity Compliance Office at (213) 241-7682 to obtain translations for the requesting school to duplicate in the quantity necessary to meet the specific language needs of the individual school's student population.

B. Employees

Copies of the District's "Nondiscrimination Statement" and the "Sexual Harassment Policy" posters are to be disseminated to each employee (at schools and offices) on an annual basis.

C. Students

1. All required nondiscrimination notices are provided in the "Parent Student Handbook," which is to be distributed to every student at the beginning of the school year or at initial enrollment. For additional information or how to obtain copies of the Parent Student Handbook 2014-2015, refer to the memorandum issued annually by the Office of the Superintendent.
2. The District's written "Nondiscrimination Statement" and "Sexual Harassment Policy" must be presented to all students in age-appropriate language as part of any orientation program conducted for students at the beginning of the school year or summer session as applicable. The presentation shall include information about how to report a complaint of discrimination and/or sexual harassment.
3. Elementary schools, at the discretion of administrators, may distribute the District's "Students, Don't Let Others Bully or Harass You!" brochure during presentations on sexual harassment to students at the beginning of each school year or at initial enrollment. The brochure may be duplicated and is available on the District's website at <http://achieve.lausd.net/eeco>.
4. All secondary schools are required to distribute the District's "Title IX and Nondiscrimination – Students Know Your Rights" brochure to every student at the beginning of each school year or at initial enrollment. The brochure is available on the District's



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website at <http://achieve.lausd.net/eeco> and from the District's Supplies and Equipment Catalog (See "Printed Forms and Publications - Educational Equity") free of charge using the following Commodity Codes:

English (100/package) Commodity Code: 966-57-50500 - N/C
Spanish (100/package) Commodity Code: 966-57-50506 - N/C

Contact Reprographic Services at (562) 654-9052 for print on demand options.

II. Distribution of "Section 504 and Students with Disabilities" Brochures and Storage of Section 504 Related Documents

A. Distribution of "Section 504 and Students with Disabilities" Brochures to Students

All schools are required to distribute the District's "Section 504 and Students with Disabilities" brochure to every student at the beginning of each school year and at initial enrollment. The brochure is available on the District's website at <http://achieve.lausd.net/eeco> and from the District's Supplies and Equipment Catalog (See "Printed Forms and Publications - Educational Equity") using the following Commodity Codes:

English (50/package) Commodity Code: 966-57-50400 - N/C
Spanish (50/package) Commodity Code: 966-57-50406

Contact Reprographic Services at (562) 654-9052 for print on demand options.

B. Storage of Section 504 Related Documents

All schools are responsible for ensuring copies of the following Section 504 related documents, available on the District's website at <http://achieve.lausd.net/eeco>, be maintained in a Section 504 File Folder within each eligible student's cumulative record as applicable:

"Notice of Section 504 Meeting"
"Section 504 Teacher Observation Form"
"Section 504 Parent Input Form"
"Section 504 Evaluation"
"Section 504 Plan"

Packages of 25 Section 504 File Folders were delivered to each school in May of 2014 to facilitate storage and easy retrieval of Section 504



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documents in students' cumulative records. However, schools may maintain existing file folders using cum size folders to house Section 504 documentation as determined by school need.

RELATED RESOURCES:

- "Administrator Certification On-Line System," Memorandum issued annually by the Office of the Superintendent
- "Parent Student Handbook Distribution," Memorandum issued annually by the Office of the Superintendent
- "Section 504 of the Rehabilitation Act of 1973," BUL-4692.2 issued October 8, 2013 by the Office of the General Counsel
- "Sexual Harassment Policy – Employee-to-Employee," BUL-1893.1 issued August 1, 2005 by the Office of the General Counsel
- "Sexual Harassment Policy (Student-to-Student, Adult-to-Student, and Student-to-Adult)," BUL-3349.0 issued November 29, 2006 by the Office of the General Counsel
- "Title IX Policy/Complaint Procedures," BUL-2521.1 issued June 7, 2006 by the Office of the General Counsel

Related information regarding nondiscrimination policies, including the District's Title IX and Sexual Harassment Policy, may be obtained at the following websites: <http://achieve.lausd.net/eeco> (general public) and <http://notebook.lausd.net> (District employees).

ATTACHMENTS:

- Attachment A - Nondiscrimination Statement Poster – English
- Attachment B - Nondiscrimination Statement Poster– Spanish
- Attachment C - Sexual Harassment Policy Poster – English
- Attachment D - Sexual Harassment Policy Poster – Spanish
- Attachment E - Title IX/Bullying Complaint Manager Poster – English
- Attachment F - Title IX/Bullying Complaint Manager Poster – Spanish

ASSISTANCE:

For assistance or additional information, please call:

- Educational Equity Compliance Office (Students) – (213) 241-7682

Julie Hall-Panameño, Director
District Section 504 Coordinator
District Title IX Coordinator

- Equal Employment Opportunity Section (Employees) – (213) 241-7685
- Stores Warehouse Customer Service – (562) 654-9009
- Reprographics Services – (562) 654-9052

LOS ANGELES UNIFIED SCHOOL DISTRICT

NONDISCRIMINATION STATEMENT

The Los Angeles Unified School District is committed to providing a working and learning environment free from discrimination, harassment, intimidation and/or bullying. The District prohibits discrimination, harassment, intimidation and/or bullying based on the actual or perceived characteristics set forth in Penal Code § 422.5, Education Code § 220 and actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity it conducts or to which it provides significant assistance.

Discrimination is different treatment on the basis of a protected category in the context of an educational program or activity without a legitimate nondiscriminatory reason and interferes with or limits the individual's ability to participate in or benefit from the services, activities, or privileges provided by the District.

Harassment occurs when: (1) the target is subjected to unwelcome conduct related to a protected category; (2) the harassment is both subjectively offensive to the target and would be offensive to a reasonable person of the same age and characteristics under the same circumstances; and (3) the harassment is sufficiently severe, pervasive, or persistent so as to interfere with or limit an individual's ability to participate in or benefit from the services, activities, or opportunities offered by the District.

Upon witnessing an act of discrimination, harassment, intimidation and/or bullying based on actual or perceived characteristics of a protected category (as enumerated above), school personnel are required to take immediate steps to intervene when it is safe to do so. Once a school or office has notice of discriminatory, harassing, intimidating and/or bullying conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred and take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created and prevent the conduct from occurring again. These steps should be taken whether or not an individual makes a complaint or asks the school or office to take action.

This nondiscrimination policy applies to all acts related to school activity or school attendance within any school or office under the jurisdiction of the Superintendent of the Los Angeles Unified School District.

For inquiries or complaints related to discrimination, harassment, intimidation and/or bullying of students based on the actual or perceived characteristics listed above, contact your school's administrator, the school's Title IX /Bullying

Complaint Manager or:

Julie Hall-Panameño

**Educational Equity Compliance Office
District Section 504 and Title IX Coordinator
(213) 241-7682**

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

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

Both Offices located at:

**Los Angeles Unified School District
333 South Beaudry Avenue – 20th Floor
Los Angeles, CA 90017**

DISTRITO ESCOLAR UNIFICADO DE LOS ÁNGELES

DECLARACIÓN ANTIDISCRIMINATORIA

El Distrito Escolar Unificado de Los Ángeles está comprometido a mantener un ambiente laboral y de aprendizaje libre de discriminación, hostigamiento, intimidación y/o acoso escolar. El Distrito prohíbe la discriminación, el hostigamiento, la intimidación y/o el acoso escolar basado en las características actuales o percibidas según el Código Penal § 422.5, el Código de Educación §220, e incluyendo sexo real o percibido, orientación sexual, género, identidad de género, expresión de género, raza o étnia, identificación de grupo étnico, ascendencia, nacionalidad, origen nacional, religión, color, discapacidad mental o física, edad, o en base a la asociación con una persona o grupo con uno o más de estas características reales o percibidas, en cualquier programa o actividad que conduzca o al cual proporciona una asistencia considerable.

La discriminación es el trato diferente en base de una categoría protegida en el contexto de un programa educativo ó actividad sin motivo legítimo antidiscriminatorio y que interfiere con o limita la capacidad del individuo para participar en o beneficiarse de los servicios, actividades o privilegios proporcionados por el Distrito.

El hostigamiento ocurre cuando: (1) el objeto es sometido a una conducta no deseada relacionada a una categoría protegida; (2) el hostigamiento es subjetivamente ofensivo al objeto y sería ofensivo para una persona razonable de la misma edad y características bajo las mismas circunstancias; y (3) el hostigamiento es suficientemente severo, penetrante y persistente con el fin de interferir o limitar la capacidad del individuo para participar en o beneficiarse de los servicios, actividades u oportunidades que ofrece el Distrito.

Al presenciar un acto de discriminación, hostigamiento, intimidación y/o acoso escolar, el personal del plantel educativo está obligado a tomar medidas inmediatas para intervenir siempre y cuando sea seguro hacerlo. Al reportar tal conducta a un administrador o a la persona asignada al Título IX/Administrador de Quejas del Acoso Escolar puede hacer una intervención apropiada. Una vez que el plantel escolar u oficina tenga conocimiento de conductas discriminatorias, de hostigamiento, de intimidación y/o de acoso escolar, ya sean realizadas por los empleados, estudiantes, o por terceros, debe tomar medidas inmediatas y apropiadas para investigar y determinar lo sucedido. El plantel escolar debe tomar medidas inmediatas y eficaces, razonablemente calculadas, para poner fin a la conducta, y eliminar un entorno hostil, si es que ha sido creado y evitar que la conducta vuelva a ocurrir. Estas medidas se deben tomar aunque el individuo no presente una queja, o bien si éste pide al plantel escolar u oficina que tome medidas.

Esta política antidiscriminatoria se aplica a todos los actos relacionados con la actividad escolar o asistencia dentro de cualquier plantel escolar u oficina bajo la jurisdicción del Superintendente del Distrito Escolar Unificado de Los Ángeles.

Para consultas o quejas relacionadas con la discriminación, hostigamiento, intimidación y/o acoso escolar basado en las características reales o percibidas mencionadas arriba contacte a su director, la persona asignada al Título

IX/Administrador de Quejas del Acoso Escolar o a la :

Oficina para el Cumplimiento de la Equidad Educativa

Julie Hall-Panameño

Coordinador de la Sección 504 y el Título IX del Distrito

(213) 241 7682

Para preguntas o quejas relacionadas con el empleado a empleado, estudiante a empleado, o discriminación u hostigamiento laboral contacte a su director o a la:

Sección de Igualdad de Oportunidad de Empleo

(213) 241 7685

Ambas oficinas están ubicadas en:

Distrito Escolar Unificado de Los Ángeles

333 South Beaudry Avenue - Piso 20

Los Ángeles, CA 90017

LOS ANGELES UNIFIED SCHOOL DISTRICT

SEXUAL HARASSMENT POLICY

The Los Angeles Unified School District (LAUSD) is committed to providing a working and learning environment free from sexual harassment. The District prohibits sexual harassment of or by employees, students, or persons doing business with or for the District on the basis of actual or perceived sex, sexual orientation, gender, gender identity or gender expression. Failure to follow this policy is a violation of state and federal law.

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

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

Upon witnessing an act of discrimination, harassment, intimidation and/or bullying based on actual or perceived characteristics of a protected category (as enumerated above), school personnel are required to take immediate steps to intervene when it is safe to do so. Reporting such conduct to an administrator or Title IX/Bullying Complaint Manager can be an appropriate intervention. Once a school or office has notice of discriminatory, harassing, intimidating or bullying conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred. School personnel are to take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created, and prevent the conduct from occurring again. These steps should be taken whether or not an individual makes a complaint or asks the school or office to take action. This policy applies to all acts related to school activity or school attendance within any school or office under the jurisdiction of the Superintendent of the Los Angeles Unified School District.

Any student or employee of the District who believes that she or he has been a victim of sexual harassment should bring the problem to the attention of the school-site administrator or the school's Title IX/Bullying Complaint Manager so that appropriate action may be taken to resolve the problem. The District prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process. Complaints must be promptly investigated in a way that respects the privacy of the parties concerned.

For inquiries about District policies and procedures related to sexual harassment, including how to file a sexual harassment complaint contact:

Educational Equity Compliance Office
Julie Hall-Panameño
LAUSD Section 504 and Title IX Coordinator
(213) 241-7682

For inquiries or complaints related to employee-to-employee, student-to-employee, or work/employment related discrimination or harassment, contact:

Equal Employment Opportunity Section
(213) 241-7685

Both Offices located at:
Los Angeles Unified School District
333 South Beaudry Avenue - 20th Floor
Los Angeles, CA 90017

DISTRITO ESCOLAR UNIFICADO DE LOS ÁNGELES

POLÍTICA SOBRE EL ACOSO SEXUAL

El Distrito Escolar Unificado de Los Ángeles está comprometido a proporcionar un ambiente laboral y de aprendizaje libre del acoso sexual. El Distrito prohíbe el acoso sexual hacia y de parte de los empleados, los estudiantes o las personas haciendo negocios con o para el Distrito en base al sexo real o percibido, orientación sexual, identidad de género o expresión de género. El incumplimiento a esta política es una violación a las leyes estatales y federales.

El acoso sexual es definido por el Código de Educación de California § 212.5 como cualquier conducta de índole sexual no deseada, pedir favores sexuales y otra conducta verbal, visual o física de naturaleza sexual hecha por un trabajador o cualquier otra personal en el plantel educativo, bajo cualquiera de las siguientes condiciones:

- La rendición a la conducta se hace explícita o implícitamente como una condición de empleo, estatus académico o ascenso laboral.
- La rendición a la conducta del individuo o el rechazo de la misma, es usado como plataforma del empleo o de las decisiones académicas que afectan al individuo.
- La conducta tiene el propósito o efecto de causar un impacto negativo en el trabajo, en el rendimiento académico o el efecto de crear un ambiente de trabajo o de estudio intimidante, hostil u ofensivo para el individuo.
- La rendición a la conducta del individuo o el rechazo de la misma se usa como base para cualquier decisión que afecte al individuo con respecto a las prestaciones, servicios, reconocimientos, programas o actividades disponibles en o a través del plantel educativo.

Al presenciar un acto de discriminación, hostigamiento, intimidación y/o acoso escolar basado en las características reales o percibidas de una categoría protegida (como se enumeraron arriba), el personal del plantel educativo está obligado a tomar medidas inmediatas para intervenir siempre y cuando sea seguro hacerlo. Al reportar tal conducta a un administrador o a la persona asignada al Título IX/Administrador de Quejas del Acoso Escolar puede hacer una intervención apropiada. Una vez que el plantel escolar u oficina tenga conocimiento de conductas discriminatorias, de hostigamiento, de intimidación o de acoso escolar, ya sean realizadas por los empleados, estudiantes, o por terceras personas, debe tomar medidas inmediatas y apropiadas para investigar y determinar lo sucedido. El plantel escolar debe tomar medidas inmediatas y eficaces, razonablemente calculadas, para poner fin a la conducta, y eliminar un entorno hostil, si es que ha sido creado y evitar que la conducta vuelva a ocurrir. Estas medidas se deben tomar aunque el individuo no presente una queja, o bien si éste pide al plantel escolar u oficina que tome medidas. Esta política se aplica a todos los actos relacionados con la actividad escolar o asistencia dentro de cualquier plantel escolar u oficina bajo la jurisdicción del Superintendente del Distrito Escolar Unificado de Los Ángeles.

Cualquier estudiante o empleado del Distrito que cree que ha sido víctima de acoso sexual debe llevar la queja al administrador del plantel escolar o la persona asignada al Título IX/Administrador de Quejas del Acoso Escolar para que se tomen las medidas adecuadas para resolver el problema. El Distrito prohíbe las represalias en contra de cualquier persona que presente una queja de acoso sexual o cualquier participante en el proceso de la investigación de la queja. Las quejas deberán ser investigadas con prontitud de una manera que respete la privacidad de las partes involucradas.

Para consultas sobre las políticas del Distrito y los procedimientos relacionados al acoso sexual, que incluye cómo presentar un queja de acoso sexual, contacte:

Oficina para el Cumplimiento de la Equidad Educativa
Julie Hall-Panameño
Coordinador de la Sección 504 y el Título IX del Distrito
(213) 241 7682

Para preguntas o quejas relacionadas con el empleado a empleado, estudiante a empleado, o discriminación u hostigamiento laboral, comuníquese a:

Sección de Igualdad de Oportunidad de Empleo
(213) 241 7685

Ambas oficinas están ubicadas en:

Distrito Escolar Unificado de Los Ángeles
333 South Beaudry Avenue - Piso 20
Los Ángeles, CA 90017

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

ROOM #

ROOM #

ROOM #

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

THEY CAN HELP!

**LOS ADMINISTRADORES DEL
TÍTULO IX/
ADMINISTRADORES DE
QUEJAS DE ACOSO ESCOLAR
DE NUESTRA ESCUELA SON:**

SALÓN #

SALÓN #

SALÓN #

**Reportar la discriminación, hostigamiento,
intimidación y el acoso escolar a cualquiera de las
personas mencionadas aquí o a los
administradores de la escuela.**

¡ELLOS PUEDEN AYUDARLE!