



LOS ANGELES UNIFIED SCHOOL DISTRICT
MEMORANDUM

TITLE: Nondiscrimination Required Notices and Ordering of Student Brochures

NUMBER: MEM-5818.6

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

DATE: March 15, 2018

ROUTING
All Employees
Administrators

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 mandate that Districts annually publish and disseminate nondiscrimination notices. This memorandum is issued annually to remind schools/offices to publish and disseminate 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-5818.5 *Nondiscrimination Required Notices and Ordering of Student Brochures*, issued March 15, 2017, by the Office of the General Counsel. State law requires Districts to provide to certificated school employees who serve pupils in any of grades 7 to 12, inclusive, information on existing school and community resources related to the support of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) pupils or related to the support of pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation. Further, State law is amended effective January 1, 2018, to explicitly include language regarding immigration status as a protected characteristic. Finally, conspicuous posting of Title IX coordinator information and rights and responsibilities now extends to school Internet websites.

- GUIDELINES:**
- I. Distribution of Nondiscrimination Notices and Student Brochures
 - A. Posting of Nondiscrimination Notices
The following publications must be posted in all schools/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 (Attachments A, B) in English and Spanish to be duplicated as necessary.



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2. *Sexual Harassment Policy* poster (Attachments C, D) in English and Spanish to be duplicated as necessary.
3. *Title IX/Bullying Complaint Manager* poster (Attachments E, F) in English and Spanish to be duplicated as necessary.

Schools needing translated copies of *Nondiscrimination Statement* and *Sexual Harassment Policy* posters in Armenian, Chinese, Farsi, Korean, Polish, Russian or Tagalog may contact the Educational Equity Compliance Office (EECO) at (213) 241-7682 to obtain translation templates 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/offices annually. State law additionally requires that certificated school employees who serve pupils in grades 7 to 12 be provided information on existing school and community resources related to the support of LGBTQ pupils or to pupils who may face bias or bullying on the basis of religious affiliation or perceived religious affiliation. Resources are updated regularly and can be found at <http://achieve.lausd.net/eeco> and in the links provided above.

C. Students

1. All required nondiscrimination notices are provided in the District's *Parent Student Handbook* which is distributed to every student at the beginning of the school year or at initial enrollment. For how to obtain copies of the *Parent Student Handbook 2018-2019*, refer to the related memorandum issued annually by the Division of District Operations.
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 discrimination and/or sexual harassment complaints.
3. Elementary schools, at administrators' discretion, may distribute the *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 template is available at <http://achieve.lausd.net/eeco> and may be duplicated.



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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 template is available on the <http://achieve.lausd.net/eeco> for duplication or Reprographic Services [(562) 654-9052] provides duplication options using the District's General Stores Distribution Supplies and Equipment Catalog *Forms and Publications, Educational Equity Commodity Codes*:

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

D. Internet

Effective July 1, 2017, State law requires schools to post in a prominent and conspicuous location on their school websites:

1. Names and contact information of Title IX Complaint Managers for that school, including phone numbers and email addresses.
2. This website link, <http://bit.ly/TitleIXRequiredNotices>, which contains required postings regarding the rights of a pupil and the public and responsibilities of the District under Title IX.

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

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 template is available on the <http://achieve.lausd.net/eeco> for duplication or Reprographic Services [(562) 654-9052] provides duplication options using the District's General Stores Distribution Supplies and Equipment Catalog *Forms and Publications, Educational Equity Commodity Codes*:

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

B. Storage of Section 504 Related Documents

Section 504 related documents are to be maintained in a Section 504 file folder within each eligible student's cumulative record as applicable, in addition to electronic versions in Welligent.

Section 504 documentation may be stored in cum size file folders as determined by school need or Reprographics Services [(562) 654-



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9052] offers duplication options. Limited stock of Section 504 file folders is available by contacting EECO at (213) 241-7682.

**RELATED
RESOURCES:**

- Administrator Certification On-Line System, Memorandum issued annually by the Office of the Superintendent
- Mandatory Use of the Welligent Section 504 Program Module to Conduct all Section 504 Activities, REF-6241.3, Office of the General Counsel, 10/17/17
- Non-Discrimination and Anti-harassment (Including Sexual Harassment) Policy and Complaint Procedure, BUL-6612.0, Office of the General Counsel, 11/10/15
- Parent Student Handbook Distribution, Memorandum issued annually by the Division of District Operations
- Section 504 of the Rehabilitation Act of 1973, BUL-4692.6, Office of the General Counsel, 10/27/17
- Sexual Harassment Policy (Student-to-Student, Adult-to-Student, and Student-to-Adult), BUL-3349.1, Office of the General Counsel, 8/6/14
- Title IX Policy/Complaint Procedures, BUL-2521.2, Office of the General Counsel, 2/14/18

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 resources or additional information, please contact:

- Educational Equity Compliance Office (student-related matters) (213) 241-7682; <http://achieve.lausd.net/eeco>; LGBTQ resources; Celebrating Religious Diversity resources

Julie Hall-Panameño, Director
District Section 504 Coordinator
District Title IX Coordinator
333 South Beaudry, 20th Floor
Los Angeles, CA 90026

- Equal Opportunity Section (employee-related matters) (213) 241-7685; <http://achieve.lausd.net/Page/3056>
- General Stores Customer Service (562) 654-9009; <https://storescatalog.lausd.net>
- Reprographics Services (562) 654-9052; repro@lausd.net

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 actual or perceived race or ethnicity, gender/sex (including gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy related medical conditions), sexual orientation, religion, color, national origin, ancestry, immigration status, physical or mental disability, medical condition (cancer-related and genetic characteristics), military and veteran status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation (not union related), a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation in any program or activity it conducts or to which it provides significant assistance.

Discrimination is different treatment on the basis of a protected characteristic in the context of an educational program, work 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 a target is subjected to unwelcome conduct on the basis of a protected characteristic, which in turn rises to also creating a hostile environment when the harassment is both subjectively offensive to the target and would be offensive to a reasonable person of the same age and characteristics under similar circumstances, and 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 protected characteristics, 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. Complainants are protected from retaliation. The District prohibits retaliation against any person who files a complaint or an appeal, reports instances of noncompliance, discrimination, harassment, intimidation, and/or bullying, or who participates in the complaint-filing or investigation process.

This nondiscrimination policy applies to all acts related to school activity or school attendance within any school 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 actual or perceived protected characteristics, contact your school's administrator, the school's Title IX/Bullying Complaint Manager or:

**Julie Hall-Panameño
District Section 504 and Title IX Coordinator
Educational Equity Compliance Office
(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 Opportunity Section
(213) 241-7685**

Both Offices are located at:

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

DISTRITO ESCOLAR UNIFICADO DE LOS ÁNGELES

DECLARACIÓN DE PROHIBICIÓN A LA DISCRIMINACIÓN

El Distrito Escolar Unificado de Los Ángeles está comprometido a brindar un ambiente laboral y educativo libre de toda discriminación, acoso, intimidación y /o abuso. El Distrito prohíbe la discriminación, acoso, intimidación y/o abuso por razones, reales o percibidas, de raza, género/sexo (incluyendo identidad de género, expresión de género, embarazo, alumbramiento, amamantamiento y condiciones médicas relacionadas con el embarazo), orientación sexual, religión, color, origen nacional, ascendencia, estado de inmigración, discapacidad física o mental, condición médica (relacionada con cáncer y características genéticas), estatus militar o de veterano de guerra, estado civil, estado de pareja registrada, edad (mayores de 40 años), información genética, creencia o afiliación política (ajena a un sindicato), asociación de una persona con otra persona o grupo que tenga una o más de estas características reales o percibidas o por cualquier otra razón que cuente con la protección de ordenanzas o reglamentos, leyes federales, estatales o locales en los programas o actividades que ofrece el Distrito o para los cuales ofrece ayuda sustancial.

La discriminación es un trato distinto por razones de una característica en el individuo que está protegida por la ley dentro del contexto de un programa educativo, trabajo o actividad sin una razón legítima que se no discriminatoria e interfiere y limita la capacidad del individuo para participar o beneficiarse de los servicios, actividades o privilegios que brinda el Distrito.

El acoso ocurre cuando la persona, blanco de dicho acoso, está sujeta a una conducta desagradable por razones de características en el individuo que están protegidas por la ley y que a su vez también origina un ambiente hostil donde el acoso es tanto subjetivamente ofensivo en contra de la persona, blanco de dicho acoso, y también sería ofensiva para una persona razonable de la misma edad y características en circunstancias similares y es suficientemente severa, generalizada o persistente de tal manera que interfiere o limita la capacidad del individuo para participar o beneficiarse de los servicios, actividades u oportunidades que brinda el Distrito.

El personal escolar que observe discriminación, acoso, intimidación y /o abuso por razones, reales o percibidas, de un individuo con características que protege la ley, tiene la obligación de inmediato tomar las medidas para intervenir si existen las condiciones de seguridad necesarias. Una vez que el personal de una escuela u oficina ha sido notificado de una conducta de discriminación, acoso, intimidación y/o abuso, cometida ya que sea por empleados, estudiantes o terceras personas, deberá tomar las medidas necesarias e inmediatas para investigar o determinar lo que ocurrió y de manera razonable y bien pensada tomar pasos oportunos y efectivos para detener la conducta, eliminar un ambiente hostil, si se ha creado, y prevenir que la conducta ocurra una vez más. Estos pasos se deberán tomar ya sea que exista una persona que se quejó o pidió intervención por parte del personal o la dirección escolar. Los demandantes están protegidos contra represalias. El Distrito prohíbe las represalias contra cualquier persona que presente una queja o apelación, informa casos de incumplimiento, discriminación, acoso, intimidación y/o abuso, o que participe en el proceso de presentación de quejas o investigación.

Esta política de prohibición a la discriminación se aplica a todas las acciones relacionadas con actividad o asistencia escolar en de todas las escuelas u oficinas dentro de la jurisdicción del Superintendente del Distrito Escolar Unificado de Los Ángeles.

Si usted tiene alguna pregunta o queja relacionada con discriminación, acoso, intimidación y /o abuso de estudiantes por razones, reales o percibidas, de un individuo con características que protege la ley, comuníquese con su administrador escolar, el Administrador de Quejas por Intimidación/Título IX o con:

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

Si usted tiene alguna pregunta o queja relacionada con discriminación, acoso y/o intimidación entre empleados, entre un estudiante y empleado o de carácter laboral, comuníquese con su administrador escolar o con:

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

Ambas oficinas están ubicadas en:

**Los Angeles Unified School District
333 South Beaudry Avenue – 20th Floor
Los Angeles, 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 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 of or by students, 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 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 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 hacia y de parte de los estudiantes, 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!