

Exhibit 5145.71-E(1): Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

Status: DRAFT

Original Adopted Date: Pending

NOTICE OF TITLE IX NONDISCRIMINATION

The Code of Federal Regulations, Title 34, Section 106.8 requires the district to issue the following notification to students at all grade levels, and their parents/guardians or other authorized legal representative:

The district does not discriminate on the basis of sex and prohibits sex discrimination, including sex-based harassment, in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law (20 USC 1681-1688; 34 CFR Part 106) and extends to employment. The district also prohibits retaliation against any student for filing a complaint or exercising any right granted under Title IX.

The district is required, as specified in Title IX, to take prompt and equitable action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the district's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The district has designated and authorized the following employee(s) as the district's Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sex-based harassment:

Paul Hernandez
Director of Student Support Services
546 S. Citrus Ave
Azusa, CA 91702
(626) 858-6168
phernandez@azusa.org

Any individual may report sex discrimination, including sex-based harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon receiving an allegation of sex harassment, including sex-based harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable district complaint procedure.

To view an electronic copy of the district's policies and administrative regulations on sex discrimination, including sex-based harassment, including the grievance process that complies with 34 CFR 106.45, please see Board Policy/Administrative Regulation 5145.7 - Sex Discrimination and Sex-Based Harassment and Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures on the district's website at the Azusa Unified's District website at azusa.org.

To inspect or obtain a copy of the district's sex discrimination and sex-based harassment policies and administrative regulations, please contact: Paul Hernandez at (626) 967-6211 or email at phernandez@azusa.org.

Materials used to train employees; the Title IX Coordinator; investigator(s), decisionmaker(s), and other person(s) who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures; and any person(s) who facilitates an informal resolution process, are available at the district office upon request.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 4600-4670

5 CCR 4900-4965

Civ. Code 1714.1

Description

Uniform complaint procedures

Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

[Liability of parent or guardian for act of willful misconduct by a minor](#)

State References

Civ. Code 51.9
Ed. Code 200-270
Ed. Code 48900
Ed. Code 48900.2
Ed. Code 48985
Gov. Code 12950.1

Federal References

20 USC 1092
20 USC 1221
20 USC 1232g
20 USC 1681-1688
34 CFR 106.1-106.82
34 CFR 99.1-99.67
34 USC 12291
42 USC 1983
42 USC 2000d-2000d-7
42 USC 2000e-2000e-17
U.S. DOJ, FBI Publication

Management Resources References

Court Decision
Court Decision
Court Decision
Court Decision
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CSBA Publication
CSBA Publication
Federal Register
U.S. DOE, Office for Civil Rights Publication
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[Liability for sexual harassment; business, service and professional relationships](#)
[Prohibition of discrimination](#)
[Grounds for suspension or expulsion](#)
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[Notices to parents in language other than English](#)
[Sexual harassment training](#)

Description

Definition of sexual assault
Application of laws
Family Educational Rights and Privacy Act (FERPA) of 1974
Title IX of the Education Amendments of 1972; discrimination based on sex
Nondiscrimination on the basis of sex in education programs
Family Educational Rights and Privacy
Definition of dating violence, domestic violence, and stalking
Civil action for deprivation of rights
Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended
[National Incident-Based Reporting System](#)

Description

Davis v. Monroe County Board of Education (1999) 526 U.S. 629
Doe v. Petaluma City School District (1995, 9th Cir.) 54 F.3d 1447
Gebser v. Lago Vista Independent School District (1998) 524 U.S. 274
Oona by Kate S. v. McCaffrey (1998, 9th Cir.) 143 F.3d 473
Reese v. Jefferson School District (2000, 9th Cir.) 208 F.3d 736
Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District (2003, 9th Cir.) 324 F.3d 1130
[Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014](#)
[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)
[Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896](#)
[Sexual Harassment: It's Not Academic, September 2008](#)
[Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001](#)
[Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016](#)
[U.S. Department of Justice, Federal Bureau of Investigation](#)
[CSBA District and County Office of Education Legal Services](#)

Management Resources References

Website
Website
Website

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[California Department of Education](#)
[CSBA](#)
[U.S. Department of Education, Office for Civil Rights](#)

Cross References

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Cross References

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