

**SEXUAL HARASSMENT**

Under Title IX, sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following: (1) An employee of LACOE conditioning the provision of a LACOE aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Outside of the Title IX context, sexual harassment is defined as unwelcome attention of a sexual nature that interferes with the educational performance, learning environment and/or full participation in a LACOE program or activity by any individual. Sexual harassment may, for example, be physical (including but not limited to pinching, touching, patting, or blocking movements), visual (including but not limited to posters, cartoons, sketches, gestures or other visual displays of a clearly sexual nature), or verbal (including but not limited to spoken or written comments of a clearly sexual nature) and may be used to intimidate or to coerce.

**Student Sexual Harassment**

LACOE is committed to maintaining a safe school environment that is free from harassment and discrimination. LACOE prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. This includes student-to-student or peer sexual harassment as well as harassment between a student and any LACOE participant. Law enforcement will be contacted in actions involving suspected abuse. LACOE shall take all complaints of sexual harassment seriously, investigate and address identified sexual harassment, and if the investigation results in the determination that sexual harassment has occurred, take reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment. LACOE also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment. To the extent possible, complaints shall be kept confidential. For situations of harassment or suspected harassment involving LACOE staff, Superintendent Policy on Personnel is applicable.

*(cf. 5141.4 – Child Abuse Prevention And Reporting)*

*(cf. 0410 - Nondiscrimination in LACOE Programs and Activities)*

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

**SEXUAL HARASSMENT** (continued)

Sexual harassment can occur on school grounds, at a school-sponsored or school-related activity, or off-campus. Sexual harassment falls under Title IX if it occurs in a LACOE education program or activity, which includes locations, events, or circumstances over which LACOE exercises substantial control over both the respondent and the context in which the sexual harassment occurs. “Respondent” is defined by 34 CFR 106.30 to mean an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Once notified of an off-campus instance of sexual harassment against a student, LACOE must assess whether there are any continuing effects on campus or in an off-campus education program or activity that are creating or contributing to a hostile environment; and, if so, address that hostile environment in the same manner in which it would address a hostile environment created by on-campus misconduct.

Examples of continuing effects of off-campus sexual harassment may include a perpetrator discussing off-campus harassing conduct with other students; anxiety caused by group assignments that subject a victim to additional contact with a perpetrator; or inappropriate social media posts that cross over into on-campus conversations. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. A single incident of off-campus sexual violence may create an on-campus hostile environment, where the perpetrator’s mere presence on campus has the continuing effect of subjecting the victim to continued anxiety or trauma.

The foregoing procedure relating to continuing effects on campus would not apply to sexual harassment falling under Title IX.

LACOE strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, LACOE’s Title IX Coordinator, or any other available school employee. Contacting law enforcement may also be appropriate depending on the circumstances. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 – Uniform Complaint Procedures, as applicable, and shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances. “Complainant” is defined by 34 CFR 106.30 to mean an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

## **SEXUAL HARASSMENT (continued)**

*Legal Reference: Title VI, Title VII, Title IX, Education Code 40, 41, 221.5 et seq., 33032.5, 35294 et seq., 48900 et seq.*

*(cf. 5141.4 – Child Abuse Prevention and Reporting)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and LACOE procedures specified in AR 1312.3 - Uniform Complaint Procedures or AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, as appropriate. Each LACOE site is responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 or AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, as appropriate, and where to obtain a copy of the procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*

LACOE shall inform students and parents/guardians of LACOE's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on LACOE's website, and including it in student and staff handbooks. All LACOE staff shall be trained regarding the policy.

In taking action to reinforce LACOE's sexual harassment policy, staff will take the following actions:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond

*(cf. 4131/4231/4331 - Staff Development)*

3. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5125 - Student Records)*

4. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

**SEXUAL HARASSMENT** (continued)**Instruction/Information**

LACOE will ensure that all LACOE students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed instances of sexual harassment, even when the victim of the harassment has not complained
4. A clear message that student safety is LACOE's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigation, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop and/or respond to any harassment, prevent recurrence, and address any continuing effect on students
6. Information about LACOE's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while LACOE's investigation of a sexual harassment complaint continues
8. A clear message that, when needed, LACOE will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

**SEXUAL HARASSMENT** (continued)

**Notice of LACOE Policy**

A copy of the LACOE's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of LACOE rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be posted on the LACOE and school web sites and, when available, on LACOE-supported social media
4. Be provided as part of any orientation program conducted for student enrollment (Education Code 231.5)
5. Appear in any publication that sets forth the program/school's or LACOE's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
6. Be included in the specialized high school LACHSA and IPoly's student handbook
7. Be made available to the County Superintendent for distribution to employees and employee organizations
8. This Notice will include a statement of policy, definitions, how to file a complaint, confidentiality of any investigations into complaints, LACOE's policy against retaliation for complaints, and the disciplinary consequences of substantiated claims of harassment and false claims

*Legal Reference: Title VI, Title IX, OCR Guidelines, Education Code 212.5, 221.5, 220, 230, 35294 et seq. [Stats. 1997, c. 736 (SB 187)], 48980.*

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

**SEXUAL HARASSMENT (continued)**

Upon investigation of a sexual harassment complaint, an employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

*(cf. 5131 - Conduct)*  
*(cf. 4117.7 - Employment Status Reports)*  
*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)*  
*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

To file a Title IX Complaint or for questions on this policy or related matters contact:

Dr. Diana Velasquez Title IX Coordinator  
9300 Imperial Highway, EC-222, Downey, CA 90242  
(562) 803-8451  
velasquez\_diana@lacoed.edu

*(cf. 5131 - Conduct)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

**Confidentiality and Record-Keeping**

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 5125 - Student Records)*

In accordance with law and district policies and regulations, LACOE will maintain a record of all reported cases of sexual harassment to enable LACOE to monitor, address, and prevent repetitive harassing behavior in the schools.

*(cf. 3580 – LACOE Records)*

*Legal References (see next page)*

**SEXUAL HARASSMENT (continued)**

*Legal References:*

*EDUCATION CODE*

200-262.4 *Prohibition of discrimination on the basis of sex*  
48900 *Grounds for suspension or expulsion*  
48900.2 *Additional grounds for suspension or expulsion; sexual harassment*  
48904 *Liability of parent/guardian for willful student misconduct*  
48980 *Notice at beginning of term*  
48985 *Notices, report, statements and records in primary language*

*CIVIL CODE*

51.9 *Liability for sexual harassment; business, service and professional relationships*  
1714.1 *Liability of parents/guardians for willful misconduct of minor*

*GOVERNMENT CODE*

12950.1 *Sexual harassment training*

*CODE OF REGULATIONS, TITLE 5*

4600-4687 *Uniform complaint procedures*  
4900-4965 *Nondiscrimination in elementary and secondary education programs*

*UNITED STATES CODE, TITLE 20*

1092 *Definition of sexual assault*

1221 *Application of laws*

1232g *Family Educational Rights and Privacy Act*

1681-1688 *Title IX of the Education Amendments of 1972*

*UNITED STATES CODE, TITLE 34*

12291 *Definition of dating violence, domestic violence, and stalking*

*UNITED STATES CODE, TITLE 42*

1983 *Civil action for deprivation of rights*

2000d-2000d-7 *Title VI, Civil Rights Act of 1964*

2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*

*CODE OF FEDERAL REGULATIONS, TITLE 34*

99.1-99.67 *Family Educational Rights and Privacy*

106.1-106.82 *Nondiscrimination on the basis of sex in education programs*

*COURT DECISIONS*

*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*

*Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736*

*Davis v. Monroe County Board of Education, (1999) 526 U.S. 629*

*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*

*Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447*

*Legal References (continued on next page)*

**SEXUAL HARASSMENT (continued)**

*Legal References (continued)*

*Management Resources:*

**CSBA PUBLICATIONS**

*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*

**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

*Questions and Answers on Title IX and Sexual Violence, April 2014*

*Dear Colleague Letter: Sexual Violence, April 4, 2011*

*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*

**WEB SITES**

*CSBA: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

*U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>*



**SEXUAL HARASSMENT**

LACOE designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and/or resolve sexual harassment complaints processed under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator may be contacted at:

Dr. Diana Velasquez Title IX Coordinator  
9300 Imperial Highway, EC-222, Downey, CA 90242  
(562) 803-8451  
velasquez\_diana@lacoedu.edu

*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*

LACOE shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of its Title IX Coordinator. (34 CFR 106.8)

**Definitions**

1. Complainant: the person(s) subject to sexual harassment.
2. Alleged Harasser: person(s) identified as sexually harassing the Target.
3. LACOE Participant: includes students, employees of LACOE, guests and other individuals involved in LACOE programs and activities.
4. Unwelcome: unwanted and inappropriate.
5. Program: any program sponsored by LACOE.
6. Activity: any activity sponsored by LACOE.
7. Sexual harassment: unwelcome attention of a sexual nature that interferes with the educational performance, learning environment and/or full participation in a LACOE program or activity by any individual. Sexual harassment may, for example, come in physical (including but not limited to pinching, touching, patting, or blocking movements), visual (including but not limited to posters, cartoons, sketches, gestures or other visual displays of a clearly sexual nature), or verbal (including but not limited to spoken or written comments of a clearly sexual nature) forms and may be used to intimidate or to coerce.

*Legal Reference: Title VI, Title IX, OCR Guidelines, Education Code 212.5, 221.5, PC 243.4*

**SEXUAL HARASSMENT** (continued)**Prohibited Conduct**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any LACOE program or activity

Examples of types of conduct that are prohibited at LACOE and that may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation, including subjecting students and/or staff to details about sexual exploits or conduct
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body

**SEXUAL HARASSMENT** (continued)

8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of LACOE's policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, *sexual harassment* is defined as any of the following forms of conduct that occurs in an education program or activity in which a LACOE school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A LACOE employee conditioning the provision of a LACOE aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to LACOE's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

*(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*

**Instruction/Information**

Students in all LACOE programs shall receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance

**SEXUAL HARASSMENT** (continued)

3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is LACOE's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about LACOE's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while LACOE's investigation of a sexual harassment complaint continues
8. A clear message that, when needed, supportive measures will be implemented to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

**Notifications**

The County Superintendent or designee shall notify students and parents/guardians that LACOE does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to LACOE may be referred to LACOE's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

A copy of LACOE's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

*(cf. 5145.6 - Parental Notifications)*

2. Be displayed in a prominent location in the main administrative building or other area where notices of LACOE rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

**SEXUAL HARASSMENT** (continued)

3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)
4. Be posted, along with the name, title, and contact information of the Title IX Coordinator, in a prominent location on LACOE's web site in a manner that is easily accessible to parents/guardians and students.
5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
6. Appear in any school or district publication that sets forth the school's or LACOE's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
7. Be included, along with the name, title, and contact information of the Title IX Coordinator, in any handbook provided to students or parents/guardians (34 CFR 106.8)

The County Superintendent or designee shall also post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on LACOE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

**SEXUAL HARASSMENT (continued)****Reporting Complaints**

Any student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal or program administrator, LACOE's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal/program administrator or other school employee shall forward the report to LACOE's Title IX Coordinator. Any school employee who observes any incident of sexual harassment involving a student shall, within one school day, report this observation to the principal/program administrator or LACOE's Title IX Coordinator. The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality.

In any case of sexual harassment involving the principal/program administrator, Title IX Coordinator, or any other person to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead forward the report to Labor Relations.

If the Title IX Coordinator determines a complaint of sexual harassment involves off-campus conduct and the conduct may create or contribute to the creation of a hostile school environment, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the student or parent/guardian shall be informed of the right to file a formal written complaint in accordance with the applicable COE complaint procedure.

**Complaint Procedures**

All complaints and allegations of sexual harassment by and against students shall be investigated and resolved in accordance with law and LACOE procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved under AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to BP/AR 1312.3 - Uniform Complaint Procedures.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.