

Policy 5145.7**Sex Discrimination and Sex-Based Harassment Programs And Activities**

The Board of Education is committed to maintaining a welcoming, safe, and supportive school environment that is free from harassment and discrimination. The Board of Education prohibits, at school or at school-sponsored or school-related activities, sex discrimination sexual-and sex-based harassment ~~targeted at any student by anyone~~ as defined in the accompanying administrative regulation, targeted at any student, based on the student's actual or perceived sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; and, parental, marital, and family status.

Additionally, The Board of Education ~~also~~ prohibits retaliatory behavior or action against any person who ~~reports, files a complaint~~ complains or testifies about, ~~or otherwise supports a complainant in alleging~~ conduct that reasonably may constitute sex discrimination, including sexual-sex-based harassment reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

The District strongly encourages students who feel that they are being or have been experienced sex discrimination, including sex-based-sexually harassed ment, on school grounds or at a school-sponsored or school-related activity ~~by another student or an adult, or who have experienced, or~~ off-campus sexual harassment that when the conduct has a continuing effect on campus, to immediately contact their teacher, the principal, the District's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sex discrimination, including sexual sex-based harassment by or against a student in a district education program or activity shall report the incident to shall notify the Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment complaint procedures, ~~or uniform complaint procedures, as applicable, and~~ The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant.

The Superintendent or designee shall ~~inform students and parents/guardians~~ ensure that all staff are trained regarding the of the sex discrimination and-District's sexual sex-based harassment policy ~~by disseminating it through parent/guardian notifications, publishing it on the District's web site, and including it in student and staff handbooks. All District staff shall be trained regarding the policy. and that all employees receive training related to their duties under Title IX as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment. (34 CFR 106.8)~~

Instruction/Information

The Superintendent or designee shall ensure that all District students receive age-appropriate information on [sex discrimination and ~~sexual~~ sex-based](#) harassment. Such instruction and information shall include:

1. What acts and behavior constitute [sex discrimination and ~~sexual~~ sex-based](#) harassment, including the fact that [sex discrimination and ~~sexual~~ sex-based](#) 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 [sex discrimination or ~~sexual~~ sex-based](#) harassment under any circumstance
3. Encouragement to report observed incidents of [sex discrimination and ~~sexual~~ sex-based](#) harassment even when the alleged victim of the [discrimination or](#) harassment has not complained
4. A clear message that student safety is the District's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a [sex discrimination and ~~sexual~~ sex-based](#) harassment incident will be addressed separately and will not affect the manner in which the [sex discrimination and ~~sexual~~ sex-based](#) 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 [sex discrimination and ~~sexual~~ sex-based](#) harassment allegation that involves a student, whether as the complainant, respondent, or victim of the [discrimination or](#) 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 the District's procedures for investigating complaints and the person(s) to whom a report of [sex discrimination and/or ~~sexual~~ sex-based](#) 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 the District investigation of a [sex discrimination or ~~sexual~~ sex-based](#) harassment complaint continues
8. A clear message that, when needed, the District will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of [sex discrimination or ~~sexual~~ sex-based](#) harassment and/or other students during an investigation

Disciplinary Actions

Upon completion of an investigation of a [sex discrimination and/or ~~sexual~~ sex-based](#) harassment ~~or sexual 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.

Upon investigation of a [sex discrimination and/or sexual sex-based harassment complaint](#), any employee found to have engaged in [sex discrimination against, and/or sexual sex-based 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.

Record-Keeping

In accordance with law, the Superintendent or designee shall maintain a record of all reported cases [including in accordance with 34 CFR 106.8 as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, and district policies and regulations, of all reported cases](#) of [sexual sex-based harassment](#) to enable the District to monitor, address, and prevent repetitive harassing behavior in District schools.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

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