

**SAN DIEGO UNIFIED SCHOOL DISTRICT**

**Date:** October 27, 2014

**To:** All Principals

**Subject:** TITLE IX, EDUCATIONAL EQUITY, STUDENT  
NONDISCRIMINATION, COORDINATED COMPLIANCE

**Department and/or  
Persons Concerned:** Principals

**Due Date:** As needed

**Reference:** Coordinated Compliance Review

**Action Requested:** Review and comply with requests and due dates outlined in this circular.

**Brief Explanation:**

In order to maintain compliance with Title IX, each principal is required to do the following:

1. All site Student Handbooks or new student orientation packets must include the district's Student Nondiscrimination and Sexual Harassment Policy. The exact wording of the policy is essential. The policy is available on-line in English and Spanish languages, and individual master copies (PDF format) can be obtained on the district web page under District/Administration/Policies/Title IX Educational Equity.
2. All sites are required to permanently post the Student Nondiscrimination and Sexual Harassment Policy poster in a prominent place i.e., office, staff lounge, or student government meeting room.
3. Provide an opportunity for students to discuss the Student Nondiscrimination and Sexual Harassment Policy.
4. Complete the Student Sexual Harassment Log for any sexual harassment case in which you had to discipline and/or counsel a student. Return the log(s) to the Title IX Coordinator at Room 2214, Eugene Brucker Education Center. The Sexual Harassment Log (PDF format) can be obtained on the district's Title IX Educational Equity web page.

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Questions concerning this circular should be directed to Joe Fulcher, Title IX Coordinator, at (619) 725-7085 or via email at [jfulcher@sandi.net](mailto:jfulcher@sandi.net).

APPROVED:

A handwritten signature in black ink that reads "Joe Fulcher". The signature is written in a cursive style with a large initial "J".

Joe Fulcher  
Chief Student Services Officer

MC:lc

Attachments (2)

Distribution: Lists A, D, E and F

**SAN DIEGO UNIFIED SCHOOL DISTRICT**  
Student Nondiscrimination and Sexual Harassment Policy

**NOTICE OF  
STUDENT NONDISCRIMINATION**

San Diego Unified School District is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color and mental or physical disability or any other unlawful consideration. The district shall promote programs which ensure that discriminatory practices are eliminated in all district activities and will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs.

Any student who engages in discrimination of another student or anyone from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in discrimination may be subject to disciplinary action up to and including dismissal.

Any student or parent/guardian who feels that discrimination has occurred should immediately contact a teacher or the principal for resolution at the site. If the issue cannot be resolved, the student or parent should contact: Joe Fulcher, Title IX Coordinator, Eugene Brucker Education Center, 4100 Normal St., Room 2214, San Diego, CA 92103. For questions or additional information please call (619) 725-7085.

**STUDENT SEXUAL  
HARASSMENT POLICY**

San Diego Unified School District is committed to making the schools free from sexual harassment. This means that the district prohibits harassment made by someone from or in the educational setting. Sexual harassment can be such actions as unwelcome sexual advances; requests for sexual favors; or verbal, visual, or physical conduct of a sexual nature made by someone from or in the educational setting.

The district prohibits conduct that 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.

The district further prohibits sexual harassment in which a student's grades, benefits, services, honors, program or activities are dependent on submission to such conduct.

Students should report any sexual harassment to their school principal, vice principal, counselor, or teacher. Students who violate this policy shall be disciplined appropriately. This includes suspension or possible expulsion. Employees who violate this policy shall be disciplined according to personnel procedures (AP 7110).

The district believes that it can resolve issues of harassment and discrimination at the school site.

If not, students or parents/guardian may contact: Joe Fulcher, Title IX Coordinator, Eugene Brucker Education Center, 4100 Normal St., Room 2214, San Diego, CA 92103. For questions or additional information please call (619) 725-7085.

**TO FILE A DISCRIMINATION OR  
SEXUAL HARASSMENT COMPLAINT**

1. **Filing a complaint:** A complaint may be filed by a student or parent/guardian by obtaining a copy of the Uniform Complaint Form, Administrative Procedure 1700 from the school or the district's Legal Office. Remedies available outside of the district are listed in this procedure. The complaint should be filed with the Legal office, Room 2148.
2. **Investigation:** San Diego Unified School District will immediately undertake an effective, thorough, and objective investigation of the harassment allegations and provide a written report within sixty (60) days of when the complaint is filed.
3. **Action:** If the district determines that its policies prohibiting sexual harassment or discrimination have been violated, disciplinary action, up to and including expulsion will be taken.

The person filing the complaint may also pursue action in civil court.

Complaints may be kept confidential.

The district prohibits retaliation against any participant in the complaint process. Each complaint shall be investigated promptly and in a way that respects the privacy of all parties concerned.

**A student who has a complaint of discrimination or sexual harassment should contact a teacher or principal for resolution at the school site. If the complaint cannot be resolved, the student should contact:**

**Joe Fulcher  
Title IX Coordinator  
Eugene Brucker Education Center  
4100 Normal Street, Rm. 2214  
San Diego, CA 92103**

**For questions or additional information please call (619) 725-7085.**

**DISTRITO ESCOLAR UNIFICADO DE SAN DIEGO**  
Política de No Discriminación y Hostigamiento Sexual para los Alumnos

**AVISO DE  
NO DISCRIMINACIÓN ESTUDIANTIL**

El Distrito Escolar Unificado de San Diego se compromete a brindar oportunidades equitativas a todos los individuos en la educación. En los programas y actividades del distrito no habrá discriminación basada en el sexo, orientación sexual, género, grupo étnico, raza, ascendencia, origen nacional, religión, color y discapacidad física o mental o cualquier otra consideración ilegal. El distrito promoverá programas que garanticen la eliminación de prácticas discriminatorias en todas sus actividades y tomará las medidas para cerciorarse de que el no hablar inglés no sea una barrera para que una persona sea admitida o pueda participar en sus programas.

Cualquier alumno que discrimine a otro alumno o a cualquier persona relacionada con el distrito escolar estará sujeto a medidas disciplinarias incluyendo la expulsión. Asimismo cualquier empleado que permita o practique la discriminación podría quedar sujeto a medidas disciplinarias, y podría ser despedido.

Si un alumno o un padre estima que ha habido discriminación, debe contactar inmediatamente al maestro o director para resolver el problema en el plantel. Si éste no se resolviera, la persona podrá comunicarse con: Joe Fulcher, Coordinadora de Title IX, Eugene Brucker Education Center, 4100 Normal Street Room 2214, San Diego, CA 92103. Para preguntas o información adicional, por favor llame al (619) 725-7085.

**HOSTIGAMIENTO SEXUAL**

El Distrito Escolar Unificado de San Diego se compromete a eliminar el hostigamiento sexual en las escuelas. Esto significa que se prohíbe practicar el hostigamiento sexual a cualquier persona que se encuentre en el entorno educativo o sea parte de éste. Este hostigamiento puede consistir en actos como: avances sexuales no deseados, solicitud de favores sexuales, conducta verbal, visual, o física de naturaleza sexual a cargo de alguna persona que se encuentre dentro del entorno educativo o forme parte de éste.

El distrito prohíbe la conducta cuyo resultado o propósito sea afectar negativamente el desempeño académico de un alumno, o crear un ambiente educativo en el que predomine la intimidación, hostilidad, u ofensa.

Además, el distrito prohíbe el hostigamiento sexual en el cual las calificaciones, beneficios, servicios, honores, programa o actividades de un alumno dependen de que éste se someta a dicha conducta.

Los alumnos deben reportar cualquier hostigamiento sexual a su director/a, subdirector/a, consejero/a, o maestro/a y si se violara esta política, los alumnos serán disciplinados debidamente. Esto incluye la suspensión o posible expulsión. Los empleados que violen esta política serán disciplinados de acuerdo al procedimiento aplicable al personal (AP 7110).

El distrito tiene la convicción de que los asuntos de hostigamiento se pueden resolver en el plantel. Si no fuera así, los alumnos pueden contactar a Joe Fulcher, Coordinadora de Title IX, Eugene Brucker Education Center, 4100 Normal Street Room 2214, San Diego, CA 92103. Para preguntas o información adicional por favor llamen al (619) 725-7085.

**PARA INTERPONER UNA QUEJA POR  
DISCRIMINACIÓN U  
HOSTIGAMIENTO SEXUAL**

1. **Para interponer una queja:** El/a alumno/a o el/a padre/madre/tutor puede interponer una queja obteniendo una copia del Formulario de Queja Uniforme, Procedimiento Administrativo 1700 en su escuela o en la oficina del departamento jurídico del distrito. En este procedimiento se da una lista de recursos disponibles fuera del distrito. La queja debe presentarse en la oficina del departamento jurídico del distrito en oficina 2148.
2. **Investigación:** El Distrito Escolar Unificado de San Diego inmediatamente efectuará una investigación eficiente, completa y objetiva del supuesto hostigamiento y proporcionará un informe escrito dentro de un período de sesenta (60) días a partir del momento de recibir la queja.
3. **Medidas:** Si el distrito determina que se han violado las políticas que prohíben el hostigamiento sexual o la discriminación, se tomarán medidas disciplinarias incluso la expulsión.

La persona que llene el formulario de queja también podría tomar medidas llevando el asunto a un tribunal civil.

Las quejas pueden ser confidenciales.

El distrito prohíbe las represalias en contra de cualquier participante en el proceso de la queja. Toda queja será investigada con prontitud y siempre se respetará la privacidad de todas las personas en cuestión.

**Si un alumno tiene alguna queja relacionada con discriminación u hostigamiento sexual, debe contactar a un maestro/maestra o al director/directora para resolver el problema dentro del plantel. Si la queja no quedara resuelta, el alumno debe comunicarse con:**

**Joe Fulcher  
Coordinadora de Title IX  
Eugene Brucker Education Center  
4100 Normal Street, Room 2214  
San Diego, CA 92103**

Si desea hacer preguntas u obtener mayores informes, por favor llame al (619) 725-7085

Person Completing Log: \_\_\_\_\_

**ATTACHMENT 2**

**CONFIDENTIAL STUDENT SEXUAL HARASSMENT LOG**

\_\_\_\_\_ School \_\_\_\_\_ Principal's Signature

Complete for any case in which you had to discipline and/or counsel a student. If you have not had a case, mark "None" across the form. Submit this form to the Title IX Coordinator at the Eugene Brucker Education Center, Room 2214.

Complainant(s): \_\_\_\_\_ Harasser(s): \_\_\_\_\_ Date of Incident: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Contacts Made: \_\_\_\_\_  
\_\_\_\_\_

Student(s) Informed of Complaint Procedure: Yes \_\_\_\_\_ No \_\_\_\_\_

Description of Incident: \_\_\_\_\_  
\_\_\_\_\_

Resolution: \_\_\_\_\_  
\_\_\_\_\_

Complainant(s): \_\_\_\_\_ Harasser(s): \_\_\_\_\_ Date of Incident: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Contacts Made: \_\_\_\_\_  
\_\_\_\_\_

Student(s) Informed of Complaint Procedure: Yes \_\_\_\_\_ No \_\_\_\_\_

Description of Incident: \_\_\_\_\_  
\_\_\_\_\_

Resolution: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_