

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES**NOTICE OF TITLE IX SEXUAL HARASSMENT POLICY**

The district shall not discriminate on the basis of sex 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 admission and employment. The district also prohibits retaliation against any employee for filing a complaint or exercising any right granted under Title IX.

The district shall 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 following employee serves as the district's Title IX Coordinator and is responsible for addressing concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment:

Assistant Superintendent for Human Resources

(name and/or title/position)

1717 4th St., Santa Monica, CA 90401

(address)

(310) 450-8338

(telephone number)

Any individual may report sex discrimination, including sexual 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 sexual harassment, the Title IX Coordinator shall 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 sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see Board Policy/Administrative Regulation 4119.11/4219.11/4319.11 - Sexual Harassment, and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, on the district's website at <https://www.smmusd.org/community/complaints>.

To inspect or obtain a copy of the district's sexual harassment policies and administrative regulations, please visit: <https://www.smmusd.org/board-of-education/board-policies>.

Materials used to train the Title IX Coordinator, investigator(s), decisionmaker(s), and any person(s) who facilitates an informal resolution process, are also publicly available on the district's website or at the district office upon request.

Legal References:

State	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	<u>Liability of parent/guardian for act of willful misconduct by a minor</u>
Civ. Code 51.9	<u>Liability for sexual harassment; business, service and prof.relationships</u>

<i>Ed. Code 200-262.4</i>	<u><i>Prohibition of discrimination</i></u>
<i>Ed. Code 48900</i>	<u><i>Grounds for suspension or expulsion</i></u>
<i>Ed. Code 48900.2</i>	<u><i>Additional grounds for suspension or expulsion; sexual harassment</i></u>
<i>Ed. Code 48985</i>	<u><i>Notices to parents/guardians in language other than English</i></u>
<i>Gov. Code 12950.1</i>	<u><i>Sexual harassment training</i></u>
Federal	Description
<i>20 USC 1092</i>	<u><i>Definition of sexual assault</i></u>
<i>20 USC 1221</i>	<u><i>Application of laws</i></u>
<i>20 USC 1232g</i>	<u><i>Family Educational Rights and Privacy Act (FERPA) of 1974</i></u>
<i>20 USC 1681-1688</i>	<i>Title IX of the Education Amendments of 1972; discrimination based on sex</i>
<i>34 CFR 106.1-106.82</i>	<u><i>Nondiscrimination on the basis of sex in education programs or activities</i></u>
<i>34 CFR 99.1-99.67</i>	<u><i>Family Educational Rights and Privacy</i></u>
<i>34 USC 12291</i>	<u><i>Definition of dating violence, domestic violence, and stalking</i></u>
<i>42 USC 1983</i>	<u><i>Civil action for deprivation of rights</i></u>
<i>42 USC 2000d-2000d-7</i>	<i>Title VI, Civil Rights Act of 1964</i>
<i>42 USC 2000e-2000e-17</i>	<i>Title VII, Civil Rights Act of 1964, as amended</i>
Management Resources	Description
<i>Court Decision</i>	<i>Tennessee v. Cardona (2024) 737 F.Supp.3d 510</i>
<i>Court Decision</i>	<u><i>Reese v. Jefferson School District (2001, 9th Cir.) 208 F.3d 736</i></u>
<i>Court Decision</i>	<u><i>Davis v. Monroe County Board of Education (1999) 526 U.S. 629</i></u>
<i>Court Decision</i>	<u><i>Gebser v. Lago Vista Independent School District (1998) 524 U.S. 274</i></u>
<i>Court Decision</i>	<u><i>Oona by Kate S. v. McCaffrey (1998, 9th Cir.) 143 F.3d 473</i></u>
<i>Court Decision</i>	<u><i>Doe v. Petaluma City School District (1995, 9th Cir.) 54 F.3d 1447</i></u>
<i>Court Decision</i>	<u><i>Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567</i></u>
<i>Court Decision</i>	<u><i>Flores v. Morgan Hill Unified School District (2003, 9th Cir.) 324 F.3d 1130</i></u>
<i>Federal Register</i>	<u><i>Nondiscrimination on the Basis of Sex in Ed Programs or Activities Receiving Fed Financial Assist., 5/19/20, Vol. 85, No. 97, pg 30026-30579</i></u>
<i>U.S. DOE, Office for Civil Rights Publication</i>	<u><i>Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025</i></u>
<i>U.S. DOJ, FBI Publication</i>	<u><i>National Incident-Based Reporting System</i></u>
<i>Website</i>	<u><i>U.S. Department of Justice, Federal Bureau of Investigation</i></u>
<i>Website</i>	<u><i>CSBA District and County Office of Education Legal Services</i></u>
<i>Website</i>	<u><i>CSBA</i></u>
<i>Website</i>	<u><i>California Department of Education</i></u>
<i>Website</i>	<u><i>U.S. Department of Education, Office for Civil Rights</i></u>

Exhibit
Adopted: May 7, 2026
Revised:

Santa Monica-Malibu Unified School District