

LAUSD POLICIES

ANTI-BULLYING POLICY [Bulletin No. 1038.1, August 16, 2004]

The Los Angeles Unified School District is committed to providing a safe working and learning environment; will not tolerate bullying or any behavior that infringes on the safety or well-being of students, employees, or any other persons within the District's jurisdiction; and will not tolerate retaliation in any form when bullying has been reported. District policy continues to require all schools and all personnel to promote among students and staff mutual respect, tolerance, and acceptance. "All students and staff of public primary, elementary, junior high and senior high have the inalienable right to attend campuses which are safe, secure and peaceful." [Article 1, Section 28 (c) of the California State Constitution]

Definition

Bullying is defined as aggressive behavior that involves an imbalance of real or perceived physical or psychological power among those involved. Typically, the behavior is repeated over time and includes the use of hurtful words and/or acts.

Indicators

Bullying behaviors may include, but are not necessarily limited to:

- Verbal
- Nonverbal
- Physical
- Emotional/Psychological
- Cyber Bullying

Staff Responsibilities

- Create an environment where students understand that bullying is inappropriate and will not be tolerated.
- Discuss with students all aspects of the antibullying policy and strategies to prevent bullying.
- Encourage students to report bullying incidents.
- Learn to recognize the indicators of bullying behavior.
- Intervene immediately and take corrective action when bullying is observed.
- Understand individual responsibility not only to intervene when bullying is observed, but also, to report incidents and actions to appropriate District offices or outside agencies, as required.
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CHILD ABUSE REPORTING

Section 11166 of The California Penal Code deals with child abuse reporting. Employees are considered to be mandated reporters. Any one of these specified employees who knows or reasonably suspects a child has been a victim of a child abuse incident must:

- 1. Report the incident to a child protective agency (police or sheriff's department, county probation department or a county welfare department) immediately by telephone.**
- 2. Send a written report of the incident to the same agency within 36 hours.**

It is the policy of the Los Angeles Unified School District that all employees shall comply with the law's reporting procedures whenever they have knowledge of or observe a child in the course of their employment whom they know or reasonably

suspect to have been the victim of child abuse.

The district will defend any employees who within the course of their employment make a report consistent with this policy against any actions or claims that may be made as a result of the report and will pay all expenses associated with such defense. Any failure to comply with this policy may subject an employee to school district disciplinary action and possible personal civil liability.

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

The federal government has adopted various anti drug regulations that require employers, including school districts, to take certain measures to ensure that the workplace is free from illicit drugs and alcohol. These regulations are included in the Drug-Free Workplace Act of the Drug-Free Schools and Communities Act Amendments of 1990 and the Title IV Safe and Drug-Free Schools and Communities Act of 1994.

As required by these acts, the Los Angeles Unified School District hereby notifies its employees as follows:

1. The manufacture, sale, distribution, dispensing, possession, or use of illicit drugs and alcohol is prohibited in any and all District workplaces;
2. Violation of paragraph 1 by any employee will result in appropriate administrative or disciplinary action, including, but not limited to, written reprimand, suspension, termination, and/or the requirement for satisfactory participation in and completion of a drug and alcohol abuse assistance or rehabilitation program;
3. Employees are required to notify the Employee Services Section, Personnel Division, at (213) 625-6245. of any criminal drug and alcohol statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
4. Within thirty (30) days of receiving the notice required by paragraph 3, the District shall take appropriate administrative or disciplinary action, as specified in paragraph 2.

NONDISCRIMINATION STATEMENT

The Los Angeles Unified School District does not discriminate on the basis of race, color, national origin, gender (including sexual harassment), physical or mental disability, or age in any of its policies, procedures, or practices, in compliance with federal civil rights laws: Title VI of the Civil Rights Act of 1964 (pertaining to race, color, and national origin), Title IX of the Education Amendments of 1972 (pertaining to gender), Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Title II (pertaining to disability), and the Age Discrimination Act of 1975. (State laws and District policies further provide that the District does not discriminate on the basis of religion, ancestry, marital status, sexual orientation, medical condition (cancer related), political belief or affiliation, or in retaliation.)

This nondiscrimination policy covers admission or access to, or treatment or employment in, the District's programs and activities, including vocational education. The lack of English language skills will not be a barrier to admission or participation in the District's programs.

Additional information in regard to the nondiscrimination statutes mentioned above may be found in District policy bulletins available in all schools and offices. Any inquiries regarding this District

nondiscrimination policy or the filing of discrimination grievances may be directed to:

Deanne Neiman, Director
Educational Equity Compliance
Los Angeles Unified School District
450 North Grand Avenue, Room H-235
Los Angeles, CA 90012-2100
(213) 229-5900

Inquiries regarding Federal laws and regulations concerning nondiscrimination in education or the District's compliance with those provisions may also be directed to:

Office for Civil Rights
United States Department of Education
Old Federal Building
50 United Nations Plaza, Room 239
San Francisco, CA 94102-4987
(415) 437-7700

POLICY STATEMENT REGARDING PREJUDICE AND DISCRIMINATION

The Los Angeles Unified School District reaffirms its belief in the worth and dignity of all people. It emphasizes the nature of democratic principles and regards as essential the guarantee of equal educational and employment opportunity for all. In keeping with these ideals, the following policy is to be enforced by all employees:

All employees will so conduct themselves in the course of their employment by word, gesture, act, and demeanor so as to assure that all others will be accorded just and equitable consideration, regard, and treatment. Prejudice or unlawful discrimination in any form is deemed to be unethical, as well as illegal, and will not be tolerated. Any violation of this policy will

POLITICAL ACTIVITY DURING WORK HOURS

(Memorandum No. QL-29-September 5, 2000)

While many of us may have strong opinions about candidates or measures in upcoming elections and may choose as responsible members of the community to actively engage in political processes during off-duty hours, it is important to note our legal obligation and individual responsibility as public employees to refrain from use of District resources for political activities and engagement in political activity during work hours.

Legal Prohibition and Board Policy

Education Code 7054 states, in part:

“No school district or community college district funds, services, supplies or equipment shall be used for the purpose of urging the support or defeat of any ballot measure or candidate, including, but not limited to, any candidates for election to the governing board of the district.”

“A violation of this section shall be a misdemeanor or felony punishable by imprisonment in the county jail not exceeding one year or by a fine not exceeding one thousand dollars (\$1,000), or by both or imprisonment in a state prison for 16 months, or two or three years.”

In addition, Board Rule 1267 prohibits any political activity on District premises except as provided under the Civic Center Act or as between employees during nonworking time, including duty-free lunch periods.

In particular, employees at school locations should be mindful of their role as authority figures relative to students, and should avoid the distribution or display of partisan materials, (e.g. posters, political buttons, apparel), in instructional settings, i.e. in the presence of students.

result in disciplinary action.

SERVING STUDENTS WITH DISABILITIES AND TO ELIMINATE HOSTILE ENVIRONMENTS

Under the *Chanda Smith v. Los Angeles Unified School District* Consent Decree, the terms of Implementation Plan No. 2, “Articulation of the Board’s and the Superintendent’s Commitment to Serve Students with Disabilities and to Eliminate Hostile Environments,” approved by the Board of Education on June 10, 1997, address the articulation of the Superintendent’s and the Board of Education’s commitment to educate all its students, including those with disabilities, and to serve their needs at every educational level.

The Board of Education is committed to implementing policies and practices throughout the District that will carry out its goals and purposes. Hostile environments include, but are not limited to, the creation and designation of labels and verbal, visual, or physical conduct which evidence a lack of acceptance or an inability or unwillingness to serve or accommodate students due to their disability. The Board of Education further acknowledges and recognizes that it has a legal responsibility to comply with the law and educational responsibility to provide a learning environment free from discriminatory hostility.

All employees will conduct themselves in the course of their employment by word, gesture, act, and demeanor so as to ensure that all students will be accorded just and equitable regard and treatment. Hostility in any form toward students on the basis of their disabilities is unacceptable, unethical, and shall not be tolerated. Any violation of their policy will be investigated and subject to disciplinary action.

SEXUAL HARASSMENT POLICY

It is the policy of the Los Angeles Unified School District to maintain a working and learning environment that is free from sexual harassment. Sexual harassment of or by employees or students is a form of gender discrimination in that it constitutes differential treatment on the basis of gender, and, for that reason, is a violation of state and federal laws and a violation of this policy.

The District considers sexual harassment to a major offense which can result in disciplinary action too the offending employee or the suspension or expulsion of the offending student. Suspension or expulsion as a disciplinary consequence for sexual harassment shall not apply to students enrolled in Kindergarten and grades one through three, inclusive.

Any student or employee of the District who believes that she or he has been a victim of sexual harassment is urged to bring the problem to the attention of the proper authority (whether in an office or a school) so that appropriate action may be taken to resolve the problem. The District prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process. Any such complainant is further advised that civil law remedies, including, but not limited to, injunctions, restraining orders, or other orders may also be available to them. Complaints will be promptly investigated in a way that respects the privacy of the parties concerned.

The California Education Code Section 212.5 defines sexual harassment as any verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Sexual harassment includes, but is not limited to:

- Verbal conduct such as suggestive comments, derogatory comments, sexual innuendoes, slurs, or unwanted sexual advances, invitations, or comments, or spreading rumors about or rating others as to sexual activity or performance.
- Visual conduct such as displays or sexually suggestive objects, pictures, posters, written material, cartoons, or drawings, graffiti of a sexual nature, or use of obscene gestures.
- Physical conduct such as unwanted touching, pinching, kissing, patting, hugging, blocking of normal movement, assault, or interference with work or study directed at an individual because of the individual's gender.
- Threats and demands or pressure to submit to sexual requests in order to keep a job or academic standing or to avoid other loss, and offers of benefits in return for sexual favors.
- Retaliation for opposing, reporting, threatening to report or participate in an investigation or proceeding on a claim of sexual harassment.

For further assistance (with student concerns), contact Deanne Neiman, Director, Educational Equity Compliance, at (213) 229-5900.

For further assistance (with employee concerns), contact Equal Opportunity Section, at (213) 633-7735.

SOFTWARE POLICY AND CODE OF ETHICS

(Bulletin No. 716-January 8, 2004)

The Los Angeles Unified School District licenses the use of computer software from a number of third parties. The software developer normally copyrights such software. Federal law and District policy prohibit the unauthorized copying and use of computer software programs. Any employee found copying software (other than for backup purposes) and/or giving software to any other person is subject to appropriate administrative and/or disciplinary action, up to and including dismissal.

All employees and students shall use software only in accordance with its license agreement. Unless otherwise noted in the license, or in the event that software arrived without a license agreement, any duplication of copyrighted software, except for back up and archival purposes, is a violation of Federal law and District policy. This signed Code of Ethics will be filed with the Site Administrator.

1. I will use software according to the provisions of the license agreements.
2. I will not make unauthorized copies of software under any circumstances.
3. I recognize that the District will not tolerate the use of any illegal software copies on District computers.
4. I understand that anyone found copying software other than for back-up purposes is subject to administrative and/or disciplinary action, up to and including dismissal.
5. I understand that anyone found making illegal software copies may be subject to civil and criminal penalties up to \$250,000 per work copied and/or termination from the District.