

Receipt Date: 10/20/2014

Docket Number: 09-15-1027

Discrimination Complaint Form Details

1. Enter information about yourself.

First Name:

(b)(6),(b)(7)(C)

Last Name:

Address:

City:

State:

Zip Code:

Best Time to Call You:

Primary Phone Number:

Alternative Phone Number:

Your Email Address:

2. Who else can we call if we cannot reach you?

Contact's Name:

Daytime Phone Number:

Relationship to you:

3. Who was discriminated against?

Someone else

If someone other than yourself please include:

Injured Person's Name:

(b)(6),(b)(7)(C)

Daytime Phone Number:

Evening Phone Number:

Relationship to You son
(eg. son or daughter)

Injured Person's Address:

City:

State:

Zip Code:

4. What institution discriminated?

Institution Name: San Diego Unified School Dist

Address: 4100 Normal St

City: San Diego

State: CA
Zip Code: 92103

School or department involved:

5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

Yes

Agency Name: Quality Assurance Office

Date Filed: 04/2014

Current status of the complaint: Original investigation closed on 9/2014 and then re-opened and new report issued 10/2014.

6. Describe the discrimination

On what basis were you discriminated against?

sex;

Description of each discriminatory action:

(b)(6),(b)(7)(C)

Just recently we discovered that the school failed to report this sexual assault to the Title IX officer and that none of the Title IX procedures were followed. Furthermore, the school has specifically said that due to the kids age, they believe the Principal has acted as required.

Do you have written information that you think will help us understand your complaint?

Yes

7. When did the last act of discrimination occur?

Enter the date: 12/2013

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

Yes

Reason for not filing complaint before 180 days.

Reason:

(b)(6),(b)(7)(C)

and reported this incident the following day to the school Principal. After another sexual harrasment issue at our school in May of 2014, we called the San Diego Unified District Parent Liason Dept and notified them (b)(6),(b)(7)(C). They refered us to complete the Uniform Complaint Form. On May/2014 the District responded by letter saying the Uniform Complaint was not the correct form and would not apply to this type of issue. We were then directed to complete a Citizens Complaint against the Principal which was emailed to the Quality Assurance office about the same time as receiving the letter regarding the UC reply. On Sept/2014

2014 the District completed their investigation and gave us a report of their conclusions. After raising questions about statements made by the Principal, the District re-opened the investigation and re-issued an updated report dated Oct (b) 2014. It was only after reading these reports were we made aware of how TITLE IX should have been applied to this sexual assault. In the report, the Principal first states that "he logged the assault in the Sexual Harassment Log" and on the follow up report he states that "he is 100% sure that he asked his assistant to record it however she forgot to do so". The investigators findings regarding this was there was no evidence to support either of those statements.

8. What would you like the institution to do as a result of your complaint?

We are not sure what remedies are available, however we continue to be troubled by the hostile environment created by the schools failure to apply any of their own student protection policies or those afforded by Title IX. The District has stated several times that due to the age of the children, they do not have a policy that applies to Elementary students however they do have a policy for Mid Level and Senior High Level Students. However after reviewing the Title IX policy, I note that Title IX applies to ALL students and that there are several very specific steps in which the District should have followed that would have protected my son and the other students at (b)(6),(b)(7)(C) Elementary from the offending child.