

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ROB BONTA
Attorney General of California
MICHAEL L. NEWMAN
Senior Assistant Attorney General
LAURA L. FAER
Supervising Deputy Attorney General
BRANDY DOYLE
LUKE FREEDMAN
NICHOLAS KEATS
ALEXANDER SIMPSON (SBN 235533)
Deputy Attorneys General
300 South Spring Street
Los Angeles, CA
Telephone: (619) 738-9411
Fax: (916) 732-7920
E-mail: alexander.simpson@doj.ca.gov
*Attorneys for Attorney General, State of California
Bureau of Children's Justice*

*Exempt from filing fees pursuant to
Government Code section 6103*

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

**THE PEOPLE OF THE STATE OF CALIFORNIA,
EX REL. ROB BONTA, ATTORNEY GENERAL
OF THE STATE OF CALIFORNIA,**

Plaintiff,

v.

EL MONTE UNION HIGH SCHOOL DISTRICT,

Defendant.

Case No.
**COMPLAINT FOR INJUNCTIVE
RELIEF**

Date:
Time:
Dept:
Judge:
Trial Date:
Action Filed:

1 The People of the State of California, by and through Rob Bonta, Attorney General of the
2 State of California, allege on information and belief as follows:

3 INTRODUCTION

4 1. This complaint results from the Office of the Attorney General’s (OAG) investigation
5 of the compliance of El Monte Union High School District (the District) with laws and
6 regulations that concern prevention of and response to notice and allegations of sexual
7 harassment, assault, and abuse. As this complaint describes in greater detail below, the OAG’s
8 investigation identified multiple violations of these laws and regulations, which have resulted in
9 harm to students.

10 JURISDICTION AND VENUE

11 2. The Court has jurisdiction over the allegations, which arise under the Constitution,
12 laws, and regulations of the State of California, and subject matter of this complaint. The Court
13 has jurisdiction over the parties to this action and venue is proper in this County. The Court has
14 jurisdiction to enter the judgment sought by this Complaint.

15 PARTIES

16 3. Plaintiff Rob Bonta is the Attorney General of the State of California. The Attorney
17 General is the State’s chief law officer. (Cal. Const., art. V, § 13.) It is the Attorney General’s
18 duty to see that the laws of the State are uniformly and adequately enforced for the protection of
19 public rights and interests. (*Ibid.*; see also *Pierce v. Super. Ct.* (1934) 1 Cal.2d 759, 761-62.)

20 4. Defendant El Monte Union High School District (District) is a public school district
21 organized and existing under the laws of the State of California. The District is responsible for
22 providing public education to its students. The District receives state and federal education funds.

23 5. Plaintiff and Defendant may be referred to collectively herein as the “Parties.”

24 BACKGROUND

25 I. LEGAL BACKGROUND

26 6. In California, the right to education is a fundamental right. (*Serrano v. Priest* (1971) 5
27 Cal.3d 584, 608-609.) And “[i]t is the policy of the State of California to afford all persons in
28 public schools . . . equal rights, and opportunities in the educational institutions of the state,”

1 regardless of, among other protected grounds, their “gender, gender identity, [and] gender
2 expression[.]” (Ed. Code, § 200.)

3 7. Consistent with that policy, state law and regulations create a comprehensive
4 framework requiring school districts to take specific steps to prevent, respond to, and remedy
5 sexual harassment, assault, and abuse of students.

6 8. Sexual harassment is a form of discrimination on the basis of sex or gender. As such,
7 it is prohibited, under Education Code section 220, “in any program or activity conducted by an
8 educational institution that receives, or benefits from, state financial assistance[.]” (Ed. Code, §§
9 220, 212.5.) And Title IX of the Education Amendments of 1972 (Title IX) similarly prohibits
10 discrimination and harassment “on the basis of sex” in “any education program or activity
11 receiving Federal financial assistance.” (20 U.S.C. § 1681(a); see also Cal. Code Regs., tit. 5, §
12 4620 [giving school districts “the primary responsibility to ensure compliance with applicable
13 state and federal laws and regulations” and requiring districts to “investigate complaints alleging
14 failure to comply with applicable state and federal laws and regulations”].)

15 9. Among other legal requirements intended to stop, prevent, and remedy sexual
16 harassment, assault, and abuse in schools, school districts must create and disseminate to staff,
17 students, and parents/guardians notices and policies regarding these prohibitions on
18 discrimination and sexual harassment. (See Ed. Code, §§ 221.61, 231.5, subd. (b), 231.6; 34
19 C.F.R. § 106.8(b)(1) (2020).)

20 10. School districts must also enact policies and procedures for receiving, investigating,
21 and resolving complaints alleging sexual harassment, assault, and abuse in their educational
22 programs and activities. (See Ed. Code, § 33315, subd. (a)(1)(F); Cal. Code Regs., tit. 5, § 4620;
23 34 C.F.R. § 106.44 (2020).) Those policies and procedures must satisfy certain minimum
24 requirements. (See Cal. Code Regs., tit. 5, § 4621, subd. (a); 34 C.F.R. § 106.45(b) (2020).)

25 11. For example, school district policies and procedures must require that the school
26 district investigate complaints of sexual harassment, assault, and abuse and issue an
27 “investigation report” to the complainant within 60 days. (Cal. Code Regs., tit. 5, § 4631, subd.
28 (e).) And the policies and procedures must also require that all investigation reports include,

1 among other things: (1) findings of fact and conclusions as to the merits of each allegation in the
2 complaint; (2) if an allegation is sustained, corrective actions and/or remedies; and (3)
3 information about the right to appeal the outcome of the investigation to the California
4 Department of Education. (*Ibid.*)

5 12. And for complaints alleging “sexual harassment” as defined in 34 C.F.R. § 106.30
6 (2020), the Title IX implementing regulations require districts to have a grievance process that
7 “[i]nclude[s] reasonably prompt time frames” for resolving complaints. (34 C.F.R. §
8 106.45(b)(1)(v) (2020).)

9 13. A district’s Title IX grievance process must also require a “written determination”
10 that includes, among other things: (1) a “description of the procedural steps taken from the receipt
11 of the formal complaint through the determination”; (2) findings of fact; (3) an explanation of the
12 district’s determination of each allegation, including any sanctions imposed or remedies issued;
13 and (4) an explanation of any appeals process. (34 C.F.R. § 106.45(b)(7)(ii) (2020).)

14 14. If a school district enacts policies and procedures that involve additional safeguards
15 or guarantees than those which are required as a baseline, then the district is legally required to
16 follow those more-rigorous procedures when investigating and resolving complaints of sexual
17 harassment, assault, and abuse. (Cal. Code Regs., tit. 5, § 4620.)

18 15. School districts are also required to designate a specific employee to oversee and
19 ensure the district’s compliance with the laws and regulations that require the district to prevent
20 and respond to notice and allegations of sexual harassment, assault, and abuse. (*Id.*, § 4621, subd.
21 (b) [district is required to designate person “responsible for receiving complaints, investigating
22 complaints and ensuring” compliance]; 34 C.F.R. § 106.8 (2020) [Title IX Coordinator].)

23 16. Any employee designated as compliance officer must also be “knowledgeable about
24 the laws/programs that he/she is assigned to investigate.” (See Cal. Code Regs., tit. 5, § 4621,
25 subd. (b).)

26 17. And the Title IX Coordinator must receive specific training on, among other things,
27 “the definition of sexual harassment[,], how to conduct an investigation and grievance process[,]
28

1 and] how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of
2 interest, and bias.” (34 C.F.R. § 106.45(b)(1)(iii) (2020).)

3 18. When a school district disciplines a credentialed employee due to misconduct,
4 including for sexual harassment, assault, or abuse, or when a credentialed employee resigns or
5 retires amid pending allegations of such misconduct, the superintendent must notify the
6 Commission on Teacher Credentialing within 30 days. (Ed. Code, § 44030.5, subd. (a).)

7 19. Additionally, the Education Code bars school districts from hiring individuals
8 convicted of certain qualifying offenses, including individuals convicted of sexual assault and
9 sexual abuse. (*Id.*, §§ 44010 [enumerated sex offenses, including sexual assault, rape, sexual
10 intercourse with a minor under the age of 18 and solicitation of a minor], 44830.1, subd. (a),
11 44836; Pen. Code, §§ 667.5 [violent felonies, including rape, sodomy, oral copulation, and lewd
12 and lascivious acts], 1192.7 [serious felonies, including sexual penetration by means of force or
13 fear].) And it also requires that all credentialed employees, non-credentialed applicants for
14 employment, and contractors who will be with minors outside of the supervision of their parents
15 obtain a criminal records check. (Ed. Code., §§ 44340, 44341, 45125, 45125.1.)

16 20. As concerns sexual abuse, the Child Abuse and Neglect Reporting Act (CANRA)
17 imposes on school district employees who are “mandated reporters” the obligation to report to
18 law enforcement or the relevant child-welfare agency if they know of or reasonably suspect that a
19 child has been abused “immediately or as soon as is practicably possible.” (Pen. Code, § 11166,
20 subd. (a).)

21 21. Districts must also provide annual training on CANRA’s requirements to mandated
22 reporters in their employ (Ed. Code, § 44691, subd. (b)(1)), as well as to other district employees
23 who are not mandated reporters, including human resources employees and employees whose
24 duties require direct contact with and supervision of minors. (Ed. Code, § 11165.7, subd. (c)(2)).

25 **II. THE OFFICE OF THE ATTORNEY GENERAL’S INVESTIGATION AND** 26 **FINDINGS**

27 22. In August 2024, the OAG opened an investigation under Government Code section
28 11180, et seq. to determine whether the District has complied with laws and regulations related to

1 its obligations to prevent and respond to notice and/or allegations of sexual harassment, assault,
2 or abuse of its students. The OAG's investigation focused on the period of time between 2018 to
3 the fall of 2025.

4 23. During its investigation, the District was cooperative and diligent in providing
5 documents and information requested. The OAG reviewed over 88,000 pages of documents and
6 199,000 e-mails. The OAG also interviewed or examined 26 District administrators, staff
7 members, current and former students, parents/guardians, and other witnesses.

8 24. And the OAG conducted an in-depth review of actions taken by the District in
9 responding to notice or allegations of sexual harassment, assault, or abuse of District students in
10 113 complaints involving 72 different respondents, including 38 respondents between the time
11 period of 2018 and 2025.

12 25. The OAG also reviewed anonymous complaints from the District's reporting system,
13 Catapult. Nine of these involved allegations of sexual harassment, assault, or abuse.

14 26. At the conclusion of its investigation, the OAG found that the District has not
15 complied with laws and regulations that require it to: (1) respond in a legally compliant manner to
16 notice of sexual harassment, assault, or abuse of students; (2) develop and disseminate a legally
17 adequate notice of nondiscrimination; (3) promulgate legally adequate sexual harassment, assault,
18 and abuse procedures and policies; (4) train and provide appropriate oversight to a Uniform
19 Complaint Procedures (UCP) Compliance Officer/Title IX Coordinator to handle, coordinate, and
20 track complaints of sexual harassment, assault, and abuse; and (5) adequately create, maintain,
21 and retain documents and records of complaints of sexual harassment, assault, or abuse.

22 27. The Parties worked together cooperatively to negotiate a comprehensive remedial
23 plan that addresses the violations found and concerns identified by the Attorney General during
24 the investigation. Throughout the negotiations, the District engaged in productive discussions and
25 was willing to agree to necessary reforms.

26 28. The remedial plan includes, but is not limited to: (1) a permanent injunction barring
27 the District from violating any law or regulation, including those included in this complaint; (2) a
28 minimum four-year term; (3) revisions to policies and procedures; (4) training of and providing

1 oversight to a UCP Compliance Officer/Title IX Coordinator; (5) training for staff, students, and
2 parents/guardians regarding how to prevent and stop sexual harassment, assault, and abuse of
3 students; and (6) review by the OAG of the District’s investigation and response to notice and
4 allegations of sexual harassment, assault, and abuse for compliance with all laws and regulations,
5 and its own policies.

6 **A. The District Has Systemically Failed to Prevent and Adequately Respond**
7 **to Notice and Allegations of Sexual Harassment, Assault, and Abuse of**
8 **Students in Its Educational Programs and Activities.**

9 21. The OAG’s investigation found systemic deficiencies in the District’s efforts to
10 prevent sexual harassment, assault, and abuse and respond to notice and allegations of sexual
11 harassment, assault, and abuse of students participating in its educational programs and activities.

12 **1. The District has failed to provide appropriate oversight authority to**
13 **and train a UCP Compliance Officer/Title IX Coordinator, and has**
14 **failed to ensure that the District’s UCP Compliance Officers/Title IX**
15 **Coordinators carries out their duties.**

16 22. The District is required, under Education Code section 33315, to “establish and
17 implement a system of complaint processing, known as the Uniform Complaint Procedures”
18 (UCP), for complaints alleging, among other things, “sexual harassment” as defined in Education
19 Code section 212.5.

20 23. Regulations set forth the minimum procedural attributes that the District’s UCP must
21 have. (See Cal. Code regs., tit. 5, § 4621, subd. (a) [noting that school districts are required to
22 “adopt policies and procedures consistent with sections 4600 through 4694 of this chapter for the
23 investigation and resolution of complaints”].)

24 24. The District must also include in its UCP “employee(s) or agency position(s) or
25 unit(s) responsible for receiving complaints, investigating complaints and ensuring LEA
26 compliance.” (Cal. Code regs., tit. 5, § 4621, subd. (b).) And the District’s UCP “shall ensure that
27 the person(s), employee(s), position(s) or unit(s) responsible for compliance and/or investigations
28 shall be knowledgeable about the laws/programs that he/she is assigned to investigate.” (*Ibid.*)

1 25. The District’s Administrative Regulation (AR) 1312.3—Uniform Complaint
2 Procedures designate both the Assistant Superintendent of Human Resources and the Assistant
3 Superintendent of Education Services as the District’s UCP Compliance Officers.

4 26. Section 4621, subdivision (b) of title 5 of the California Code of Regulations also
5 requires that the District abide by the requirement, found in Title IX implementing regulations,
6 that the District “designate and authorize at least one employee to coordinate its efforts to comply
7 with [the Title IX regulations],” and that this employee be referred to as the ‘Title IX
8 Coordinator.’” (34 C.F.R. § 106.8(a) (2020).)

9 27. The Title IX Coordinator must receive training on “the definition of sexual
10 harassment in [34 C.F.R.] § 106.30 [(2020)], the scope of the [District’s] education program or
11 activity, how to conduct an investigation and grievance process including hearings, appeals, and
12 informal resolution processes, as applicable, and how to serve impartially, including by avoiding
13 prejudgment of the facts at issue, conflicts of interest, and bias.” (*Id.*, § 106.45(b)(1)(iii) (2020).)

14 28. Upon the District’s receipt of notice or allegations of sexual harassment, the Title IX
15 Coordinator “must promptly contact the complainant to discuss the availability of supportive
16 measures,” must “consider the complainant’s wishes with respect to supportive measures, inform
17 the complainant of the availability of supportive measures with or without the filing of a formal
18 complaint, and explain to the complainant the process for filing a formal complaint.” (*Id.*, §
19 106.44(a) (2020).) In the event that a formal complaint is filed, “[t]he Title IX Coordinator is
20 responsible for effective implementation of any remedies” ultimately awarded. (*Id.*, §
21 106.45(b)(7)(iv) (2020).)

22 29. Individuals designated as investigators or decision-makers must also receive training
23 on the definition of sexual harassment, the investigation and grievance process, including
24 hearings, appeals, and informal decision-making processes, and how to serve impartially,
25 including avoiding prejudgment, conflicts of interest, and bias. (34 C.F.R. § 106.45(b)(1)(iii)
26 (2020).)

1 30. Decision-makers must receive training on hearing technology and on issues of
2 relevance of questions and evidence, including when questions and evidence about the
3 complainant’s sexual predisposition or prior sexual behavior are not relevant. (*Ibid.*)

4 31. Investigators must also receive training on issues of relevance to create an
5 investigative report. (*Ibid.*)

6 32. The District’s AR 5145.7—Sexual Harassment designates both the Assistant
7 Superintendent of Human Resources and the Assistant Superintendent of Education Services as
8 the District’s Title IX Coordinators.

9 33. The OAG found that neither UCP Compliance Officer/Title IX Coordinator had been
10 adequately trained in the receipt, investigation, or resolution of complaints alleging sexual
11 harassment, assault, or abuse, or in tracking and logging such complaints to assess the District’s
12 overall compliance and assess for patterns. The OAG also found that individuals designated as
13 investigators and decision-makers had similarly not been adequately trained in responding to
14 complaints alleging sexual harassment, assault, or abuse as required by those designations.

15 34. The failure to adequately train these employees has created inherent systemic failures,
16 such as the District’s designation of one of its Title IX Coordinators, the Assistant Superintendent
17 of Human Resources, as the District’s decision-maker, in violation of Title IX. (34 C.F.R. §
18 106.45(b)(7)(i) (2020) [decision-maker cannot be Title IX coordinator].)

19 35. Beginning in the 2024-2025 academic year, after the OAG opened its investigation,
20 the District began training these employees on their role in receiving, investigating and/or
21 resolving complaints under Title IX. However, the OAG found that these individuals continued to
22 fail to follow the governing laws and regulations and District policies and procedures in some
23 cases.

24 36. No employees had received training on the UCP or their responsibilities under the
25 UCP.

26 37. Accordingly, the OAG found that the District had no employee who was sufficiently
27 knowledgeable about the relevant laws to properly discharge their duties as required by law, and
28

1 those assigned to serve in required roles often did not discharge their duties, as discussed more
2 fully below.

3 **2. The District has failed to investigate and resolve complaints alleging**
4 **sexual harassment, assault, and abuse in conformity with the**
5 **Uniform Complaint Procedures regulations.**

6 38. The UCP regulations set forth minimum procedural requirements that school districts
7 must follow when investigating and resolving UCP complaints. (Cal. Code Regs., tit. 5, § 4621,
8 subd. (a); see also *id.*, § 4600, subd. (e) [defining “complaint” for purposes of the UCP
9 regulations].)

10 39. The OAG found that the District failed to comply with those minimum requirements
11 in 49 cases reviewed involving UCP complaints alleging sexual harassment, assault, and or abuse
12 of District students.

13 40. For example, in 2018, District administrators received detailed written allegations
14 about a teacher’s sexual misconduct with students, spanning a number of years.

15 41. Despite being notified of these allegations, the District failed to conduct any
16 investigation.

17 42. Over a year later, new allegations surfaced about the same teacher engaging in
18 additional sexual misconduct.

19 43. The District investigated and terminated the employee, but still did not conduct
20 required steps under the UCP, such as preparing an investigation report, providing the
21 complainant with the report within the statutory timeframe, or providing an explanation of the
22 procedures for initiating an appeal.

23 44. Section 4620 of title 5 of the California Code of Regulations makes the District
24 responsible for following federal law and regulations when investigating and resolving
25 complaints alleging sexual harassment, assault, or abuse. Such applicable federal regulations
26 include the requirement that, upon the District’s receipt of notice of allegations of “sexual
27 harassment” as defined in 34 C.F.R. § 106.30 (2020), the Title IX Coordinator must: (1) promptly
28 contact the complainant to discuss potential supportive measures; (2) explain the formal Title IX

1 Complaint process to the complainant; and (3) implement supportive measures for the parties as
2 appropriate. (34 C.F.R. § 106.44(a) (2020).)

3 45. Upon receiving a formal Title IX complaint, the District is required to investigate and
4 resolve the complaint in accordance with the procedures set forth at 34 C.F.R. § 106.45(b) (2020).

5 46. Once the investigation is initiated, among other things, the District is required to: (1)
6 provide the parties with an equal opportunity to present witnesses and evidence during the
7 investigation; (2) provide the parties with the opportunity to review and respond to all evidence
8 gathered during the investigation; (3) prepare an investigation report summarizing the relevant
9 evidence and provide the report to the parties 10 days before the District determination; and (4)
10 issue a comprehensive written decision that makes findings of fact, conclusions, and a rationale as
11 to the merits of each allegation in the complaint, awards remedies or sanctions as appropriate, and
12 describes the applicable appellate procedures. (See *ibid.*)

13 47. The OAG found that in 68 cases reviewed, the District failed to follow the Title IX
14 regulations, as incorporated into state law via California Code of Regulations, title 5, section
15 4620.

16 48. For example, the District received notice that a teacher had sexually abused a District
17 student from roughly October 2021 to April 2022. OAG did not receive any evidence or
18 information to show that the District's Title IX Coordinator had met with the alleged victim to
19 discuss supportive measures or the procedure for filing a formal complaint, in violation of 34
20 C.F.R. § 106.44(a) (2020).

21 49. In another example, during the 2023-2024 academic year, the District received notice
22 of allegations that a student brandished a knife at another student and sexually assaulted her.

23 50. The District's Title IX Coordinator never discussed supportive measures or the
24 formal complaint process with the complainant in violation of 34 C.F.R. § 106.44(a) (2020).

25 51. The District also never conducted an investigation under Title IX, and did not provide
26 the parties with either an investigation report or written decision containing the required
27 information in violation of Title IX's requirements. (34 C.F.R. § 106.45(b) (2020).)
28

1 52. The OAG also found that the District has an unwritten policy that—in cases wherein
2 sexual harassment, assault, or abuse of a student was alleged against a staff member—the
3 District’s practice is to employ a third-party investigation firm to investigate the allegations for
4 the purpose of assessing the extent of the District’s civil liability in lieu of conducting a legally
5 compliant investigation. The District has claimed that these third-party investigations, and any
6 evidence they uncover, are attorney-client privileged, and has refused to disclose such evidence to
7 the parties.

8 53. For example, in October 2022, a District teacher and coach resigned after being
9 placed on administrative leave following complaints of inappropriate conduct with students and
10 grooming behavior over more than a decade. Employees informed administrators that the teacher
11 had propositioned students and ex-students for sex, including underage students, over the years.
12 The District conducted a third-party investigation and substantiated many of the complaints; some
13 of the District’s findings were even incorporated into draft termination documents. Despite this,
14 the District failed to provide any findings to complainants, investigative reports, or final written
15 determinations in violation of the UCP, Title IX, and the District’s own policies and regulations.

16 54. In 4 cases, the District did not follow-up with law enforcement to determine whether
17 law enforcement had concluded its investigation or to assess whether law enforcement had any
18 concerns about the District proceeding with its separate legal obligations. The OAG found that
19 this informal policy resulted in violations of the requirements that the District: (1) complete its
20 investigation within 60 days of receiving a UCP complaint (see Cal. Code Regs., tit. 5, § 4631,
21 subd. (e)); (2) conduct a “reasonably prompt” investigation of the allegations in a Title IX
22 complaint (see 34 C.F.R. § 106.45(b)(1)(v) (2020)); and (3) offer and provide supportive
23 measures to the complainant (see *id.*, § 106.44(a) (2020)), among other violations.

24 55. The OAG further found that in six complaints alleging sexual harassment against
25 substitutes, volunteers, contractors, and other third parties, the District failed to provide a legally
26 adequate response, violating the prohibition on discrimination in the District’s educational
27 programs and activities by any individual. (See Ed. Code, § 220 [prohibiting discrimination]; see
28 also 20 U.S.C. § 1681(a) [same]; 34 C.F.R. §§ 100.3(b)(1) (2020) [prohibiting discrimination by

1 contractors], 106.30 (2020) [defining “respondent” as “an individual who has been reported to be
2 the perpetrator of conduct that could constitute sexual harassment”].)

3 56. The OAG also found that while a finding of sexual harassment, assault, or abuse
4 might lead to a substitute teacher being “blocked” from a particular school site, the District lacked
5 procedures for ensuring that substitutes found to have committed sexual harassment, assault, or
6 abuse were not utilized at other school sites in the District.

7 57. The OAG also found that the District failed to provide a legally adequate response to
8 notice or allegations of sexual harassment, assault, or abuse that it received through the District-
9 maintained complaint-submission platform Catapult, or that was memorialized in school-site
10 incident reports or written mandated reports under CANRA.

11 **3. The District has failed to investigate and resolve complaints alleging**
12 **sexual harassment, assault, or abuse in conformity with its own**
13 **policies and regulations.**

14 58. In addition to setting minimum procedures to follow in investigating or resolving
15 complaints of sexual harassment, assault, or abuse, the UCP regulations also require the District
16 to resolve complaints “in accordance with [its own] policies and procedures.” (Cal. Code Regs.,
17 tit. 5, § 4620.)

18 59. The District’s policies and procedures provide critical additional procedural rights
19 and protections for students. Yet, the OAG found that in 77 cases, the District failed to adhere to
20 its own policies and procedures in investigating and resolving notice or allegations of sexual
21 harassment, assault, or abuse.

22 60. For example, in 2019, the District received information that a teacher had previously
23 been engaged in a sexual relationship with a former student while she was then a student and
24 under the age of 18. The District later determined that the teacher had engaged in a pattern of
25 sexual harassment and abuse for years, and had been involved in at least three other sexual
26 relationships with students as far back as 1998.

27 61. The District’s administrative regulations, AR 1312.3—Uniform Complaint
28 Procedures and AR 5145.71—Title IX Sexual Harassment Complaint Procedures, required the
District to, among other things: (1) investigate these allegations; (2) provide and document

1 interim/supportive measures to complainants; and (3) provide reports summarizing the District’s
2 findings, conclusions, corrective actions, remedies, and appeal rights to the parties.

3 62. The OAG found, however, that the District never resolved these complaints under AR
4 1312.3 or AR 5145.71. While the regulations both required a final written decision, appropriate
5 interim or supportive measures for complainants, and notice of the complainant’s appeal rights,
6 the OAG found that the District did none of these things.

7 63. The OAG found that the District’s unwritten policy of enlisting a third-party
8 investigator, discussed in greater detail above, to investigate allegations of sexual harassment,
9 assault, or abuse only for the purpose of assessing third-party liability also resulted in violations
10 of the District’s own policies.

11 **4. District staff have failed to comply with CANRA.**

12 64. “Mandated reporters” under CANRA include teachers, administrators, instructional
13 aides, and all classified employees of public schools. (Pen. Code, § 11165.7.)

14 65. CANRA requires that mandated reporters, upon learning of or forming a reasonable
15 suspicion of child abuse—which includes sexual abuse—“make an initial report by telephone” to
16 law enforcement or the relevant child-welfare agency “immediately or as soon as is practicably
17 possible.” (*Id.*, § 11166, subd. (a).)

18 66. The mandated reporter must then “prepare and send, fax, or electronically transmit a
19 written followup report within 36 hours of receiving the information concerning the incident.”
20 (*Ibid.*)

21 67. In 30 cases in which District staff knew of or had a reasonable suspicion of the sexual
22 abuse of minor District students, the OAG did not receive evidence that District staff fully
23 complied with its requirements under CANRA.

24 68. In certain cases, the OAG did not find any evidence that District staff submitted any
25 mandated report.

26 69. In other cases, the OAG found that staff made the required initial report, but OAG did
27 not find any evidence that the necessary written follow-up report was filed.

28

1 70. The OAG identified five cases in which District staff should have, but did not, make a
2 mandated report about suspected sexual abuse of students by other District staff who then
3 continued abusing the student in question and/or harassed or abused additional students. Had
4 District staff discharged their duties under CANRA in the first instance, that further abuse may
5 have been avoided.

6 71. Among other things, this noncompliance raises a concern as to whether the District
7 adequately trained its employees who are mandated reporters on their responsibilities under
8 CANRA, as Education Code section 44691, subdivision (b)(1) requires.

9 **5. The District failed to notify the Commission on Teacher
10 Credentialing of the resignation of several teachers amid pending
11 allegations of misconduct; the Superintendent impermissibly
12 delegated this responsibility to another employee.**

13 72. Education Code section 44030.5, subdivision (a) provides that the superintendent of a
14 school district must notify the Commission on Teacher Credentialing (CTC) within 30 days of
15 certain discipline imposed on credentialed employees or when a credentialed employee resigns or
16 retires amid pending allegations of misconduct.

17 73. In six cases, the District did not provide required notifications to the CTC. For
18 example, in September 2025, the OAG found that the District did not notify the CTC that it had
19 terminated a credentialed teacher following allegations that he had sexually harassed students
20 until months after the required time period, and only after the OAG inquired.

21 74. Further, the OAG found that the District's practice was not for the Superintendent to
22 notify the CTC as required (Ed. Code, § 44030.5, subd. (a)), but for the District's Assistant
23 Superintendent of Human Resources to do so.

24 **B. The District Has Failed to Enact Policies and Procedures for Preventing
25 and Responding to Notice or Allegations of Sexual Harassment, Assault, or
26 Abuse of Students in Its Educational Programs and Activities that Fully
27 and Legally Comply with the UCP Regulations and Title IX Regulations,
28 as Incorporated in State Regulations.**

29 75. The requirement under state regulation (see Cal. Code Regs., tit. 5, § 4620) that the
30 District adhere to applicable federal law and regulations concerning notice or allegations of
31 sexual harassment, assault, or abuse incorporates the requirement set forth in 34 C.F.R. §

1 106.44(b)(1) (2020) that in resolving formal Title IX complaints, the District “must follow a
2 grievance process that complies with § 106.45 [(2020)].”

3 76. The District’s AR 5145.71—Title IX Sexual Harassment Complaint Procedures
4 establishes its formal Title IX complaint process. The OAG found that AR 5145.71 does not fully
5 comply with several provisions of 34 C.F.R. § 106.44(b) (2020) and therefore is not compliant
6 with section 4620 of Title 5 of the California Code of Regulations.

7 77. Among other areas of noncompliance, AR 5145.71 does not expressly require the
8 investigation of the allegations in a formal complaint or provide that the “Title IX Coordinator is
9 responsible for effective implementation of any remedies.” (See 34 C.F.R. § 106.45(b)(3)(i),
10 (b)(7)(iv) (2020).)

11 78. The District is also required to adopt policies and procedures for resolving complaints
12 alleging sexual harassment, assault, or abuse that are consistent with the UCP regulations. (Cal.
13 Code Regs., tit. 5, § 4621, subd. (a).) The District has done so through its AR 1312.3—Uniform
14 Complaint Procedures. The OAG found that AR 1312.3 is mostly compliant with the
15 requirements set forth in the UCP regulations, except that it does not include required protections
16 for complainants against retaliation. (See Cal. Code Regs., tit. 5, § 4621, subd. (a).)

17 **C. The District Has Failed to Adequately Disseminate Its Notice of**
18 **Nondiscrimination and Written Policy on Sexual Harassment.**

19 79. Under Education Code section 234.1, subdivision (a), the District must adopt “a
20 policy that prohibits discrimination, harassment, intimidation, and bullying based” among other
21 things on “gender, gender identity, [and] gender expression.”

22 80. That policy must be posted “in school office lobbies, staff lounges, [and] pupil
23 government meeting rooms.” (*Id.*, § 234.1, subd. (e).)

24 81. The OAG found that the District did not post a policy complying with Education
25 Code section 234.1 in all District schools and offices. In addition, in some offices, the posted
26 policy was inaccurate or outdated.

27 82. Education Code section 231.5, subdivision (b) provides that the District “shall have a
28 written policy on sexual harassment.” A copy of that policy “shall be displayed in a prominent

1 location in the main administrative building or other area of the campus or schoolsite.” (*Id.*, §
2 231.5, subd. (d).) And a poster notifying students of that policy “shall be prominently and
3 conspicuously displayed in each bathroom and locker room at [each] schoolsite.” (*Id.*, § 231.6,
4 subd. (g)(1).)

5 83. Although the District has complied with the requirement that it have a written policy
6 on sexual harassment, the District has not created a poster summarizing its policy on sexual
7 harassment as required by Education Code section 231.6, subdivision (g).

8 84. The OAG found during its site visit that none of the bathrooms or locker rooms at the
9 school sites it inspected contained a poster summarizing the District’s policy on sexual
10 harassment, and copies of the policy were not displayed in all prominent locations, as required.

11 85. The OAG likewise did not find sufficient evidence of the District’s historical
12 compliance with these requirements at all school sites.

13 **D. The District Has Violated Laws and Regulations Governing the Retention**
14 **of Documents and the Maintenance of Records of Sexual Harassment,**
Assault, and Abuse.

15 86. State and federal laws and the District’s own policies and regulations require that the
16 District maintain records of sexual harassment, assault, and abuse against students. (See 34 C.F.R.
17 § 106.45(b)(10) (2020); Cal. Code Regs., tit. 5, §§ 4631, 4633; BP/AR 1312.3; BP 5145.7; AR
18 5145.71.)

19 87. The OAG found numerous problems with the District’s records retention practices
20 regarding sexual harassment, assault, and abuse complaints, including: (1) failures to document
21 any steps or determinations in the District’s investigation, including offers/implementation of
22 supportive measures, decisions not to file formal complaints, interview notes, findings of fact,
23 conclusions of law, and other District actions; (2) documents retained at school sites and not sent
24 to the District; and (3) legally required documents not being kept in the correct personnel file or
25 in personnel files.

26 88. For example, between December 2017 to August 2020, the District received multiple
27 written and signed complaints alleging that a male teacher inappropriately touched different
28 female students’ thighs, shoulders, and hands, making them uncomfortable. The District placed

1 the teacher on administrative leave on three separate occasions to investigate the allegations, and
2 substantiated many of the complaints, but allowed the teacher to return to teaching.

3 89. In January 2022, the District received additional complaints regarding the teacher,
4 who was again placed on administrative leave. However, District administrators in 2022 admitted
5 that they were not aware of the prior incidents, as the documents relating to those prior
6 complaints had been mis-filed in another employee's records.

7 90. As an additional example, the District received notice via email in 2018 of an
8 allegation that an athletic coach was engaged in sexual activity with a student. The District met
9 with the coach, but did not document the interview or retain notes of the interview, and did not
10 document any additional steps the District took to resolve the complaint, including whether it
11 removed the coach from campus or implemented supportive measures for students involved.
12 Seven months later, law enforcement officials arrested the coach on charges of engaging in sex
13 with a minor.

14 91. Overall, the OAG found that the District's practice regarding retention of records of
15 sexual harassment, assault, and abuse was not centralized or well-maintained, and relied heavily
16 on physical, not electronic, documents and records, leading to breakdowns in institutional
17 knowledge and further compliance failures.

18 CAUSES OF ACTION

19 FIRST CAUSE OF ACTION

20 **(Discrimination on the Basis of Sex and Gender, in Violation of Education Code** 21 **sections 210.7, and 220, et seq.)**

22 92. The Attorney General re-alleges all earlier paragraphs in this Complaint and
23 incorporates them by reference as though they were fully set forth in this cause of action.

24 93. Education Code section 220 prohibits sexual harassment "in any program or activity
25 conducted by an educational institution that receives, or benefits from, state financial assistance."

26 94. The District receives state financial assistance.
27
28

1 104. Injunctive relief is the appropriate remedy for these violations.

2 **THIRD CAUSE OF ACTION**

3 **(Failure to Comply with Applicable Federal Laws and Regulations, in Violation of**
4 **Education Code section 33315 and California Code of Regulations, Title 5, Section 4600 et**
5 **seq.)**

6 105. The Attorney General re-alleges all earlier paragraphs in this Complaint and
7 incorporates them by reference as though they were fully set forth in this cause of action.

8 106. The District has violated Education Code section 33315 and California Code of
9 Regulations, Title 5, section 4620 by failing to designate, provide appropriate oversight authority
10 to, and train a Title IX Coordinator, and ensure that the Title IX Coordinator carries out their
11 duties, as 34 C.F.R. § 106.8(a) (2020) requires.

12 107. The District has violated California Code of Regulations, Title 5, section 4620 by
13 failing to implement procedures governing formal Title IX complaints that fully comply with
14 Title IX and the implementing regulation codified at 34 C.F.R. § 106.45(b) (2020).

15 108. The District has violated California Code of Regulations, Title 5, section 4620 by
16 failing to respond to notice and allegations of sexual harassment, assault, or abuse as required
17 under Title IX and its implementing regulations at 34 C.F.R. §§ 106.44 and 106.45(b) (2020).

18 109. Injunctive relief is the appropriate remedy for these violations.

19 **FOURTH CAUSE OF ACTION**

20 **(Failure to Notify the Commission on Teacher Credentialing of the Resignation of a**
21 **Credentialed Employee Amid Pending Allegations of Misconduct, in Violation of Education**
22 **Code Section 44030.5, Subdivision (a))**

23 110. The Attorney General re-alleges all earlier paragraphs in this Complaint and
24 incorporates them by reference as though they were fully set forth in this cause of action.

25 111. The District has violated Education Code section 44030.5, subdivision (a) by failing
26 to notify the CTC in all cases when a credentialed employee has been disciplined due to or retired
27 or resigned during the pendency of allegations that the employee had sexually harassed, assaulted,
28 or abused a student.

1 112. Injunctive relief is the appropriate remedy for these violations.

2 **FIFTH CAUSE OF ACTION**

3 **(Failure to Properly Disseminate a Legally Adequate Notice of Nondiscrimination and**
4 **Written Policy on Sexual Harassment, in Violation of Education Code Sections 221.61,**
5 **231.5, and 231.6)**

6 113. The Attorney General re-alleges all earlier paragraphs in this Complaint and
7 incorporates them by reference as though they were fully set forth in this cause of action.

8 114. The District has violated Education Code section 231.5 by failing to post in all
9 schools and offices a notice of nondiscrimination that complies with Education Code sections
10 234.1, subdivision (a) and 234.6.

11 115. The District has violated Education Code section 231.5, subdivision (b) by failing to
12 display its written policy on sexual harassment in a prominent location in the main administrative
13 building or other area of all of its school sites.

14 116. The District has violated Education Code section 231.6 by failing to prominently and
15 conspicuously display a poster in each bathroom and locker room at each school site that includes
16 the rules and procedures for reporting a charge of sexual harassment; the name, phone number,
17 and email address of an appropriate schoolsite official to contact to report a charge of sexual
18 harassment; and the rights of the reporting pupil, the complainant, and the respondent, and the
19 responsibilities of the schoolsite in accordance with the applicable written policy on sexual
20 harassment.

21 117. The District has violated Education Code section 221.61 by failing to post and
22 maintain information about the Title IX Coordinator, the rights of students and responsibilities of
23 the District, and a description of how to file a complaint under Title IX in a manner that complies
24 with that section.

25 118. Injunctive relief is the appropriate remedy for these violations.

26 **PRAYER FOR RELIEF**

27 WHEREFORE, Plaintiff respectfully prays for the Court to enter judgment as follows:
28

1 119. For the Court to issue an order: (1) enjoining the District from engaging in the
2 unlawful practices challenged in this Complaint; (2) requiring the District to implement the
3 injunctive relief provisions set forth in the proposed Stipulated Judgment to be submitted to the
4 Court; and (3) entering final judgment;

5 120. For the Court to exercise, pursuant to Code of Civil Procedure section 664.6,
6 subdivision (a), continuing jurisdiction over this action to ensure that the District complies with
7 the judgment as set forth in the proposed Stipulated Judgment; and

8 121. For such other and further relief as the Court deems just and proper.

9 Dated: March 20, 2026

Respectfully submitted,

10 ROB BONTA
11 Attorney General of California
12 MICHAEL L. NEWMAN
13 Senior Assistant Attorney General
14 LAURA L. FAER
15 Supervising Deputy Attorney General
16 BRANDY DOYLE
17 LUKE FREEDMAN
18 NICHOLAS KEATS

/s/ Alexander Simpson

ALEXANDER SIMPSON
Deputy Attorney General
*Attorneys for the People of the State of
California*

28