

JUSTICE NEWS**Department of Justice**

Office of Public Affairs

FOR IMMEDIATE RELEASE

Wednesday, July 24, 2013

United States Reaches Agreement with Arcadia, California, School District to Resolve Sex Discrimination Allegations

The United States entered into a settlement agreement with the Arcadia Unified School District in Arcadia, Calif., to resolve an investigation into allegations of discrimination against a transgender student based on the student's sex. Under the agreement, approved by the district's school board unanimously last night, the school district will take a number of steps to ensure that the student, whose gender identity is male and who has consistently and uniformly presented as a boy at school and in all other aspects of his life for several years, will be treated like other male students while attending school in the district.

The agreement, joined by the Department of Education's Office for Civil Rights, which participated in the investigation, resolves a complaint filed in October 2011. The complaint alleged that the district had prohibited the student from accessing facilities consistent with his male gender identity, including restrooms and locker rooms at school, as well as sex-specific overnight accommodations at a school-sponsored trip, because he is transgender. The United States investigated this complaint under Title IX of the Education Amendments of 1972 and Title IV of the Civil Rights Act of 1964. Both Title IX and Title IV prohibit discrimination against students based on sex.

Under the settlement agreement, the district will:

- work with a consultant to support and assist the district in creating a safe, nondiscriminatory learning environment for students who are transgender or do not conform to gender stereotypes;
- amend its policies and procedures to reflect that gender-based discrimination, including discrimination based on a student's gender identity, transgender status, and nonconformity with gender stereotypes, is a form of discrimination based on sex; and
- train administrators and faculty on preventing gender-based discrimination and creating a nondiscriminatory school environment for transgender students.

Additionally, the district will take a number of steps to treat the student like all other male students in the education programs and activities offered by the district. The district-wide provisions of the agreement will be in place until the end of the 2015-2016 school year. The student-specific provisions of the agreement will be in place as long as the student is enrolled in the district.

"All students, including transgender students, have the right to attend school free from discrimination based on their sex," said Jocelyn Samuels, Acting Assistant Attorney General for the Civil Rights Division. "We commend the district for taking affirmative steps to ensure that this student and his peers can continue to learn and thrive in a safe and nondiscriminatory environment."

"Our commitment to civil rights enforcement runs deep and nowhere is that commitment more meaningful than in our schools," said André Birotte, Jr., United States Attorney for the Central District of California. "This agreement helps ensure continued advancement towards equal rights under the law for all students."

In recent years, the Justice Department and the Department of Education resolved a number of cases

involving gender-based harassment in public schools. In 2012, the departments entered into a consent decree addressing harassment against students who do not conform to gender stereotypes in the Anoka-Hennepin School District, Minn. In 2011, the departments entered into an agreement with the Tehachapi Unified School District, Calif., to resolve a similar complaint of harassment against a gay student who did not conform to gender stereotypes.

Title IV of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 each prohibit harassment based on sex. The enforcement of Title IV and Title IX are top priorities of the Justice Department's Civil Rights Division. Additional information about the Civil Rights Division is available on its website at www.justice.gov/crt.

13-838

Civil Rights Division