

# POLICY JBA

Board of Education  
Las Cruces Public Schools

**Related Entries:** AC, ACA, ACA-R, JBA-R, JBB, JBB-R, JICK, JICK-R, JICKA, JICKA-R

**Responsible Office:** Chief Academic Officer

## TITLE IX / GENDER EQUITY (Students)

### I. PURPOSE

The purpose of Policy JB is to affirm the Board of Education’s commitment to gender equity in all programs, activities, services and practice, and to ensure that the Las Cruces Public Schools shall comply with Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), which prohibits discrimination on the basis of gender.

### II. BACKGROUND

- A. The Board of Education is committed to the philosophy of equal opportunity/equal access in all its educational programs, activities and services. The Board is equally committed to a positive and productive learning environment free of sex or gender discrimination.
- B. In addition to a Title IX/Gender Equity Policy, the Board also expresses its commitment to nondiscrimination through the following Policies: Nondiscrimination Policy (AC); Sexual Harassment (ACA); Section 504 of the Rehabilitation of Act of 1973 (JBB); Sexual Harassment of Students (JICK); and Student Harassment Based on Protected Characteristics (JICKA).
- C. To ensure ongoing compliance with Title IX, the School District shall continuously self-evaluate its processes and practices.

### III. POSITION

- A. The School District must provide equivalence of benefits in all boys’ and girls’ athletics, academics, and training programs as required by Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), which prohibits discrimination on the basis of gender by educational institutions that directly or indirectly receive federal funds.
- B. The School District shall provide reports to the New Mexico Public Education Department, promulgate Title IX compliance data, and take other actions in order to comply with the provisions of the New Mexico Schools Athletics Equity Act, N.M. Stat. Ann. § 22-31-1 *et seq.* (2009), as amended or recodified in the future.

- C. A copy of this Policy shall be available in each school principal's office, on the LCPS website (lcp.k12.nm.us) and shall be referenced in the Student-Parent handbook.
- D. **Nondiscrimination Policy under Title IX**  
All students shall have the opportunity to participate in and receive benefits from all programs or activities including, but not limited to, course offerings, graduation requirements, athletics, counseling, employment assistance, extra-curricular and other school-related activities. [Also see Policy AC - Non-Discrimination]
- E. **Sexual Harassment Policy under Title IX**  
The School District prohibits sexual harassment of its students, whether committed by a coach, trainer, contractor, volunteer or employees or by other students. The Board addresses the sexual harassment of students in Policy JICK – Sexual Harassment of Students.
- F. **Title IX Coordinator and Grievance Procedures**
1. The Superintendent shall designate a Title IX Compliance Officer for the school district. All contact information for the Title IX officer shall be posted on the LCPS website, in the Student-Parent handbook, and be available through every school principal.
  2. The Title IX Compliance Officer shall:
    - a. be given sufficient authority to continuously evaluate the School District's compliance with Title IX, conduct necessary investigations and issue reports to the Superintendent regarding the School District's compliance with Title IX, and report on all written complaints of alleged violations of Title IX;
    - b. be responsible for coordinating the School District's responses to all complaints involving possible sex discrimination, including monitoring outcomes, identifying and addressing any patterns, and assessing effects on the District and campus climate;
    - c. be trained and possess comprehensive knowledge in all areas over which the Title IX Coordinator has responsibility in order to effectively carry out those responsibilities, including the District's policies and procedures on sex discrimination and all complaints raising Title IX issues throughout the District, and overlapping Federal and State laws, regulations and policies; and
    - d. assist the Superintendent with the School District's compliance with the provisions of the New Mexico Schools

Athletics Equity Act, N.M. Stat. Ann. § 22-31-1 *et. seq.* (2009), as amended or recodified in the future, including any associated regulations promulgated by the New Mexico Public Education Department.

3. Grievance Procedures
  - a. The Superintendent or designee shall promulgate grievance procedures that allow any student or parent of the school district who believes he/she or his/her child has been discriminated against, denied a benefit, or excluded from participation in any school district education program or activity on the basis of sex in violation of this Policy, to file a written complaint with the Title IX Coordinator. If a complaint was initially filed with another individual or office or the investigation will be conducted by another individual or office, the Title IX Coordinator will be informed of the complaint.
  - b. The Title IX Coordinator shall direct the investigation to the appropriate administrator consistent with Policy JICK investigation procedures.
  - c. The grievance procedures shall be consistent with Policy JICK grievance procedures and include an appeal to the Superintendent who shall be the final appeal authority.

#### IV. REVIEW

This Policy shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

*Maurice A. Flores*

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*Board of Education, President*

July 12, 2016

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*Date Approved*

**History:** Formerly Policy #480, Equal Educational Opportunities, and Policy #268, Federal Grievance; New Policy May 2016, Cuddy Review; 07.12.16, Walsh Gallegos Review.

**Legal Reference:** 20 U.S.C. § 1681; § 22-31-1, NMSA *et. seq.* (2009).