

Board of Education

POLICY GBAA

Las Cruces Public Schools

Related Entries: AC, ACA, ACA-R, GBAA-R; [cross-reference all Title VII policies], JBA, JBA-R, JBB, JBB-R, JICK, JICK-R, JICKA, JICKA-R

Responsible Office: Human Resources

GENDER EQUITY (STAFF)

I. PURPOSE

The purpose of policy GBAA is to affirm the Board of Education's commitment to nondiscrimination on the basis of sex to gender equity in all programs, activities, services, and practice; and to ensure that the Las Cruces Public Schools shall comply with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Pregnant Workers Fairness Act, and the New Mexico Human Rights Act.

The prohibition against discrimination because of sex includes discrimination on the basis of pregnancy, childbirth, or related medical conditions; sex discrimination on the basis of an employee's sexual orientation or gender identity; and sex discrimination based on gender stereotypes.

II. BACKGROUND

- A. The Board of Education is committed to creating and providing an education-centered work environment that does not tolerate gender-based or sex-based discrimination.
- B. In addition to a Gender Equity policy, the Board also expresses its commitment to employee nondiscrimination through the following policies: AC Nondiscrimination and ACA Sexual Harassment.

III. POSITION

- A. In accordance with applicable law, the School District will provide equivalence of employment opportunity, including with respect to compensation, terms, conditions, and privileges of employment, regardless of an employee's sex, gender, sexual orientation, gender identity, pregnancy, childbirth or related medical conditions.
- B. A copy of this policy shall be available in each school principal's office, in the Human Resources Development office, on the LCPS website, and shall be referenced in the employee handbook.

C. Sexual Harassment

The School District prohibits sexual harassment of its employees. Such behavior may constitute a basis for disciplinary action up to and including termination or discharge. The Las Cruces Public Schools will not tolerate such behavior, whether between members of the same or opposite sex. See ACA – Sexual Harassment.

D. Retaliation

1. Retaliation is prohibited against:
 - a. any employee or person for having made a report of alleged sex discrimination or inequity; and
 - b. any employee or person who has testified, assisted, or participated in the investigation of a report of sexual harassment discrimination or inequity.
2. Retaliation is a violation of state and federal laws prohibiting discrimination and may constitute a basis for disciplinary action up to and including termination or discharge.

E. Grievance Procedures

1. Grievance Procedures
 - a. The Superintendent or designee shall promulgate grievance procedures that allow any employee of the school district who believes they have been, on the basis of sex, excluded from participation in, denied the benefits of, or subjected to discrimination in employment including recruitment, consideration, or selection, whether full-time or part-time, under any education program or activity operated by the School District, to file a written complaint with the appropriate compliance official.
 - b. The Superintendent shall designate a Title IX Compliance Officer for District efforts to comply with Title IX, for employees. All contact information for the Title IX officer shall be posted in District regulation, on the LCPS website, in the employee handbook, and will be available in the Human Resources Division office.
2. The Title IX Compliance Officer, and all other designated compliance officers, shall:
 - a. be given sufficient authority to evaluate the School District's compliance with applicable law, conduct necessary investigations and issue reports to the Superintendent, 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; and
- c. be trained and possess comprehensive knowledge in all areas over which the Compliance Officer 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.

IV. REVIEW

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



Board of Education, President



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