

COBRE CONSOLIDATED SCHOOL DISTRICT

PROPOSED POLICY

TITLE IX AND SECTION 504 STUDENT GRIEVANCE PROCEDURE

AND GRIEVANCE FORM

The procedure below can be used by any school or department within the Cobre Consolidated School District for the processing of student complaints of discrimination on the basis of sex or handicap. This procedure provides for the processing of a grievance at four levels of progressive decision making. At Level I, a grievance is heard by an authority at the most immediate level. Level II decision making is at the administration level of the school or department overseeing the most immediate level in which the grievance originated. Level III is with the Superintendent of the Cobre Consolidated School District and Level IV calls for a final grievance resolution by the Cobre Consolidated Board of Education.

**PROCEDURE FOR TITLE IX
OF THE EDUCATION AMENDMENTS OF 1972
AND SECTION 504 OF THE REHABILITATION ACT OF 1973**

I. Filing of Grievance

- A. Eligibility for filing: Any student, or any individual or group acting on behalf of a student (male or female) may file any grievance of sex discrimination or sexual harassment with the Title IX Coordinator. Any student, or any individual or group acting on behalf of a handicapped student may file any grievance of discrimination on the basis of a physical or mental handicap with the Section 504 Coordinator.

Title IX Coordinator	504 Coordinator
Dr. Jose Carrillo	Cheryl Holland
Cobre Consolidated Administration BLDG.	Bayard Elementary School
900 A Central Avenue	100 Park Street
Bayard, NM 88023	Bayard, NM 88023
(575) 537-4010 EXT. 1102	(575) 537-4040 EXT. 1426

- B. Level I: Prior to the submission of a written grievance at the Coordinator's level, the grievant(s) may request an informal meeting with the parties and the building administrator for the purpose of resolving the matter promptly and informally. If the complaint or issue is not resolved at Level I, the grievant may file a written grievance on the Compliance Violation Form with the Title IX and/or Section 504 Coordinator(s).

The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal written complaint must be within fifteen (15) working days from the day of the event initiating the grievance or from the date the grievant became aware of the event causing the grievance. The grievant may request that a meeting concerning the complaint be held with the Title IX and or 504 Coordinator(s). A student, who is a minor, may be accompanied at the meeting by a

- parent or guardian. The Title IX and/or 504 Coordinator(s) shall investigate the complaint and attempt to resolve it.
- C. Level 2: If the complainant is not satisfied with the disposition of his/her grievance at Level 1 or if no decision has been rendered within five (5) working days after the presentation of the grievance in writing, the complainant may file a written appeal for a hearing by the Title IX and/or 504 Coordinator(s) within five (5) working days of either occurrence. The Coordinator(s) shall represent the administration at Level 2 of the grievance procedure. Within five (5) working days after receipt of the written appeal for a hearing by the Coordinator(s), the Coordinator(s) shall meet with the complainant for the purpose of resolving the grievance. A full record of the hearing shall be kept by the Coordinator(s). The Coordinator(s) shall within five (5) working days of the hearing render a decision and the reasons thereof, in writing to the complainant regarding the grievance.
- D. Level 3: If the complaint is not resolved at Level 2, the grievant may proceed to Level 3 by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the written decision from the Coordinator(s). The grievant may also request in the written appeal, a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant to discuss the written appeal or render a decision based on the recorded documentation including the Coordinator(s) written decision and the original complaint and written appeal by the grievant. A decision will be rendered by the Superintendent or his/her designee within ten (10) working days after receipt of the written appeal.
- E. Level 4: If the complainant is not resolved at Level 3, the grievant may proceed to Level 4 by presenting a written appeal to the President of the Board of Education of the District within ten (10) working days after the grievant receives the written decision and the reasons thereof, from the Superintendent. The grievant may request in writing a meeting with the Board of Education. The Board of Education has the option of meeting with the grievant to discuss the written appeal or to render a decision based on the recorded documentation including the Coordinator(s) and Superintendent's written decisions and the original complaint and written appeal by the grievant. A decision, in writing, will be rendered by the Board of Education at their next regularly scheduled meeting. The grievant will be notified in writing of the decision within ten (10) working days after the regularly scheduled meeting of the Board of Education. This procedure does not deter in any way the right of the grievant to file a formal complaint with the Office of Civil Rights, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination.

Grievance Form

A grievance form (attached) shall be prepared by the grievant and the Title IX and/or Section 504 Coordinator(s) who will facilitate the filing of the grievance. These forms may be obtained from the Title IX and/or 504 Coordinator upon request. The grievant shall have the right to request assistance from the Title IX and/or Section 504 Coordinator(s) or any individual, group, or organization to assist in the preparation of the form or in the filing of the grievance.