

HARASSMENT AND SEXUAL HARASSMENT OF SCHOOL EMPLOYEES

Harassment of school employees because of age, sex, race, religion, color, marital status, familial status, physical or mental disability, national origin, ancestry, sexual orientation or genetic information is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

Harassment

Harassment includes but is not limited to verbal abuse, threats, physical assault and/or battery based on age, sex, race, religion, color, marital status, familial status, physical or mental disability, national origin, ancestry, sexual orientation or genetic information.

Sexual Harassment

Unwelcome sexual advances, suggestive or lewd remarks, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's work environment or employee benefits;
- B. Submission to or rejection of such conduct by an employee is used as the basis for decisions on employment benefits; and/or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Any employee who engages in harassment or sexual harassment will be subject to disciplinary action, up to and including discharge.

All complaints of harassment will be investigated in accordance with the Employee & Third Party Discrimination and Harassment Complaint Procedure.

Notice and Training

Annually, each employee shall receive a copy of this policy and the Employee & Third Party Discrimination and Harassment Complaint Procedure. This may be accomplished by including the policy/procedure with employee paychecks or by using other appropriate means to ensure that each employee receives a copy.

NEPN/NSBA Code: ACAB

Legal References: Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.)
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)
Americans with Disabilities Act (42 USC § 12101 et seq.)
Section 504 of the Rehabilitation Act of 1973 (29 USC § 794 et seq.); 34 CFR § 104.7
Title VII (42 USC § 2000c-2; 29 CFR § 1604.11)
Age Discrimination in Employment Act (29 USC §623)
Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)
NH RSA 354-A:7
NH Code Admin. R. Ed. 303.01(i) and (j)

Cross Reference: ACAB-R- Employee & Third Party Discrimination and Harassment
Complaint Procedure
AC- Nondiscrimination/Equal Opportunity

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