

## HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

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

Harassment includes but is not limited to verbal abuse based on age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion, or economic status. Complaints of bullying and cyberbullying not based on the characteristics described above are to be pursued under Board Policy JICK –Bullying and Cyberbullying.

### Sexual Harassment

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments and other physical, written, graphic, electronic or verbal conduct that is sexual in nature or is gender-based, and interferes with a student's education. School employees, fellow students, volunteers and visitors to the school, and other persons with whom students may interact in order to pursue school activities are required to refrain from such conduct.

Harassment/sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment/sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

The Superintendent, the employee designated as the Title IX Coordinator (or other designated individual) will investigate complaints of harassment in accordance with the Student Discrimination and Harassment Complaint Procedure. School employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.

#### *Legal Reference:*

*Americans with Disabilities Act (28 CFR § 35.07), as amended*  
*Section 504 of the Vocational Rehabilitation Act (29 USC § 794), as amended; 34 CFR § 104.7*  
*Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.)*  
*Title VI of the Civil Rights Act of 1964 (P.L. 88-352)*  
*NH RSA 186:11; 193:38; 193:39; 354-A*  
*NH Code Admin. R. Ed. 303.01(i) and (j)*

#### *Cross Reference:*

*ACAA-R/JBAA-R – Student Discrimination and Harassment Complaint Procedure*  
*AC – Nondiscrimination/Equal Opportunity*  
*JICK – Bullying and Cyberbullying*