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5 **EMPLOYEE DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL HARASSMENT COMPLAINT**  
6 **PROCEDURES**

7 The Board has adopted these employee procedures in order to provide prompt and equitable resolution  
8 of employee complaints of discrimination and harassment, including sexual harassment, as described in  
9 AC – Nondiscrimination/Equal Opportunity and ACAB – Harassment and Sexual Harassment of School  
10 Employees.

11 The complaint procedure in Section 2 may also be used, to the extent applicable, by visitors, including  
12 parents, volunteers and others having lawful access to the schools who wish to make a complaint of  
13 discrimination or harassment.

14 Complaints alleging harassment or discrimination against students based on a protected category should  
15 be addressed through the Board’s Student Discrimination/Harassment and Title IX Sexual Harassment  
16 Complaint Procedures (ACAA-R).

17 Any individual who is unsure about whether discrimination or harassment has occurred and/or or which  
18 complaint procedure applies is encouraged to contact the District Title IX Coordinator.

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24  
25 **Section 1. Definitions**

26 For purposes of these complaint procedures, the following definitions will be used. The District Title IX  
27 Coordinator shall assess all reports and complaints to ensure that they are addressed under the  
28 appropriate policy and complaint procedure.

29 ***A. Discrimination/Harassment Complaint Procedure Definitions***

- 30 1. “Discrimination or harassment”: Discrimination or harassment on the basis of an individual’s  
31 membership in a protected category, which, for employees, includes race, color, sex, sexual  
32 orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability.  
33  
34 2. “Discrimination”: Treating individuals differently, or interfering with or preventing them from  
35 enjoying the advantages or privileges afforded to others because of their membership in a protected  
36 category.  
37

- 38 3. "Harassment": Oral, written, graphic, electronic or physical conduct relating to an individual's actual  
39 or perceived membership in a protected category that is sufficiently severe, pervasive or persistent  
40 so as to interfere with or limit that individual's ability to participate in the school district's programs  
41 or activities by creating a hostile, intimidating or offensive environment.  
42
- 43 4. "Sexual harassment": Under New Hampshire law, this means unwelcome sexual advances, requests  
44 for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:  
45
- 46 a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's  
47 educational benefits;
  - 48 b. Submission to or rejection of such conduct by a student is used as the basis for decisions on  
49 educational benefits; or
  - 50 c. Such conduct has the purpose and effect of substantially interfering with a student's academic  
51 performance or creates an intimidating, hostile or offensive environment.  
52
- 53 5. "Sexual orientation": Under New Hampshire law, this means "having or being perceived as having an  
54 orientation for heterosexuality, bisexuality, or homosexuality."  
55
- 56 6. "Gender identity": Under New Hampshire law, this means "a person's gender-related identity,  
57 appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is  
58 different from that traditionally associated with the person's physiology or assigned sex at birth."  
59
- 60 7. "Complaint" is defined as an allegation that an employee or other third party has been discriminated  
61 against or harassed on the basis of race, color, sex, sexual orientation, gender identity, age, religion,  
62 ancestry, national origin, genetic information or disability (and in regard to sex, conduct not otherwise  
63 addressed in the Title IX regulations and Section 3 of ACAB-R).  
64
- 65 8. "Employee": Whenever the term "employee" is used in Section 2, it includes visitors or others who  
66 have a lawful basis to make a complaint of discrimination or harassment.

67 ***B. Title IX Sexual Harassment Complaint Procedure Definitions***

- 68 1. "Title IX sexual harassment": Under the federal Title IX regulations, sexual harassment includes the  
69 following conduct on the basis of sex which takes place within the context of the school district's  
70 education programs and activities:  
71
- 72 a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or  
73 service (such as a promotion or favorable evaluation) on an individual's participation in  
74 unwelcome sexual conduct;
  - 75 b. "Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable  
76 person would determine is so severe, pervasive and objectively offensive that it effectively denies  
77 an individual's equal access to the school district's education programs and activities; or
  - 78 c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in  
79 federal laws.  
80

- 81 2. "Report": Under the Title IX regulations, any individual may make a report of sexual harassment  
82 involving an employee, whether the individual is the alleged victim or not. A report must be made to  
83 the Human Rights Officer/Title IX Coordinator. A report triggers certain actions by the District Title IX  
84 Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless  
85 a "Formal Complaint" is filed.  
86
- 87 3. "Formal Complaint": Under Title IX, the alleged victim of sexual harassment can file a written  
88 complaint that triggers the complaint procedure in Section 3 of ACAB-R. Only a school employee (and  
89 in certain circumstances, Title IX Coordinator) may file a formal complaint.  
90
- 91 4. "Employee": For the purpose of this procedure, "employee" means an applicant for employment or a  
92 current employee of the school district.

93 **Section 2. Discrimination/Harassment Complaint Procedure**

94 This procedure should be used for any complaint of unlawful harassment or discrimination based on a  
95 protected category which does not involve Title IX sexual harassment.

96 ***A. How to Make a Complaint***

- 97 1. An employee who believes they have been unlawfully harassed or discriminated against (as such  
98 terms are defined in Section 1.A.1-3) is encouraged to try to resolve the problem by informing the  
99 individual(s) that the behavior is unwelcome or offensive, and requesting that the behavior stop. This  
100 shall not prevent the employee from making an immediate complaint to the District Title IX  
101 Coordinator.  
102
- 103 2. Any employee who believes they have been harassed or discriminated against should report their  
104 concern promptly to the District Title IX Coordinator. A written complaint must include basic  
105 information concerning the allegation of harassment or discrimination (i.e., date, time, location,  
106 individual(s) who alleged engaged in harassment or discrimination, description of allegation).  
107
- 108 3. Employees who are unsure as to whether unlawful discrimination or harassment has occurred, or who  
109 need assistance in preparing a written complaint, are encouraged to discuss the matter with the  
110 District Title IX Coordinator.  
111
- 112 4. Employees will not be retaliated against for reporting suspected discrimination or harassment, or for  
113 participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws,  
114 and any retaliation will result in disciplinary measures, up to and including discharge.  
115
- 116 5. Any employee who believes they have been discriminated against or harassed is encouraged to utilize  
117 the school district's complaint procedure. However, employees are hereby notified that they also  
118 have the right to report incidents of discrimination or harassment to the New Hampshire Commission  
119 for Human Rights and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post  
120 Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).  
121

122 ***B. Complaint Handling and Investigation***

- 123 1. The District Title IX Coordinator will promptly inform the Superintendent and the person who is the  
124 subject of the complaint (respondent) that a complaint has been received.  
125
- 126 2. The District Title IX Coordinator may pursue an informal resolution of the complaint with the  
127 agreement of the parties involved. Any party to the complaint may decide to end the informal  
128 resolution process and pursue the formal process at any point. Any informal resolution is subject to  
129 the approval of the parties and the Superintendent, who shall consider whether the resolution is in  
130 the best interest of the school district and the parties in light of the particular circumstances and  
131 applicable policies and laws.  
132
- 133 3. The District Title IX Coordinator may implement supportive measures (consistent with any applicable  
134 collective bargaining agreement provisions) to reduce the risk of further discrimination or harassment  
135 while an investigation is pending. Examples of supportive measures include, but are not limited to,  
136 ordering no contact between the individuals involved; changing a work location or changing a work  
137 schedule.  
138
- 139 4. The complaint will be investigated by a trained internal or external individual designated by the  
140 Superintendent and the District Title IX Coordinator. Any complaint about an employee who holds a  
141 supervisory position shall be investigated by a person who is not subject to that supervisor's authority.  
142 Any complaint about the Superintendent should be submitted to the Chair of the Board, who should  
143 consult with legal counsel concerning the handling and investigation of the complaint.  
144
- 145 5. The investigator shall consult with the District Title IX Coordinator as agreed during the investigation  
146 process.  
147
- 148 6. The respondent will be provided with an opportunity to be heard as part of the investigation. The  
149 complainant shall not be required to attend meetings with the respondent, but may choose to do so  
150 as part of an informal resolution process.  
151
- 152 7. The complainant and the respondent may suggest witnesses and/or submit materials they believe are  
153 relevant to the complaint.  
154
- 155 8. If the complaint is against an employee of the school district, any rights conferred under an applicable  
156 collective bargaining agreement shall be applied.  
157
- 158 9. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state  
159 and federal laws.  
160
- 161 10. The investigation shall be completed within 40 business days of receiving the complaint, if practicable.  
162 Reasonable extensions of time for good reason shall be allowed.  
163
- 164 11. The investigator shall provide a written report and findings to the District Title IX Coordinator.

165 ***C. Findings and Subsequent Actions***

- 166 1. The District Title IX Coordinator shall consult with the Superintendent concerning the investigation  
167 and findings.  
168
- 169 2. If there is a finding that discrimination or harassment occurred, the District Title IX Coordinator, in  
170 consultation with the Superintendent:  
171
- 172 a. Shall determine what remedial action, if any, is required to end the discrimination or harassment,  
173 remedy its effect and prevent recurrence; and  
174 b. Determine what disciplinary action should be taken against the individual(s) who engaged in  
175 discrimination or harassment, if any.  
176
- 177 3. Inform the complainant and the respondent in writing of the results of the investigation and its  
178 resolution (in accordance with applicable state and federal privacy laws).

179 ***D. Appeals***

- 180 1. After the conclusion of the investigation, the complainant or respondent may seek an appeal of the  
181 findings solely on the basis of either:  
182
- 183 a. Prejudicial procedural error; or  
184 b. Discovery of previously unavailable relevant evidence that could significantly impact the outcome.  
185
- 186 2. Appeals must be submitted in writing to the Superintendent within five business days after receiving  
187 notice of the resolution.  
188
- 189 3. Upon receipt of a valid appeal, the Superintendent shall provide notice to the other party, along with  
190 an opportunity to provide a written statement within five business days.  
191
- 192 4. The Superintendent shall review the available documentation and may conduct further investigation  
193 if deemed appropriate.  
194
- 195 5. The Superintendent's decision on the appeal shall be provided to the parties within 10 business days,  
196 if practicable. The Superintendent's decision shall be final.

197 ***E. Records***

198 The District Title IX Coordinator shall keep a written record of the complaint process.

199 **Section 3. Title IX Sexual Harassment Complaint Procedure**

200 This section should be used only for complaints of Title IX sexual harassment as defined in Section 1.B.1.  
201

202 ***A. How to Make a Report***

- 203 1. Any individual who believes an employee has been sexually harassed (as this term is defined in Section  
204 1.B.1) may make a report to the District Title IX Coordinator.

- 205
- 206 2. If the individual making the report is the alleged victim, or if the alleged victim is identified by the
- 207 individual making the report, the District Title IX Coordinator will meet with the alleged victim to
- 208 discuss supportive measures that may be appropriate in the particular circumstances and explain the
- 209 process for filing a formal complaint.
- 210
- 211 a. Supportive measures are individualized measures designed to ensure the employee can continue
- 212 to access and perform their work (such as requiring no contact between individuals, temporarily
- 213 moving work locations or changing schedules, etc.).
- 214 b. Supportive measures may be continued even if the alleged victim chooses not to file a formal
- 215 complaint, if appropriate under the particular circumstances.
- 216
- 217 3. The school district cannot provide an informal resolution process for resolving a report until a formal
- 218 complaint is filed.
- 219
- 220 4. Employees will not be retaliated against for reporting sexual harassment, or for participating in an
- 221 investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation
- 222 will result in disciplinary actions, up to and including discharge.
- 223
- 224 5. Any employee who believes they have been the victim of sexual harassment is encouraged to utilize
- 225 the school district's complaint procedures. However, employees are hereby notified that they also
- 226 have the right to report sexual harassment to the New Hampshire Commission for Human Rights
- 227 and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th
- 228 Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).
- 229
- 230 6. The Superintendent shall be informed of all reports and formal complaints of sexual harassment.

231 ***B. How to Make a Formal Complaint***

- 232 1. An alleged victim may file a formal written complaint requesting investigation of alleged Title IX sexual
- 233 harassment. The written complaint must include basic information concerning the allegation of sexual
- 234 harassment (i.e., date, time, location, individual(s) who alleged engaged in sexual harassment,
- 235 description of allegation). Employees who need assistance in preparing a formal written complaint,
- 236 are encouraged to consult with the District Title IX Coordinator.
- 237
- 238 2. In certain circumstances, the District Title IX Coordinator may file a formal complaint even when the
- 239 alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in
- 240 sexual harassment) has been found responsible for previous sexual harassment or there is a safety
- 241 threat within the school district). In such cases, the alleged victim is not a party to the case, but will
- 242 receive notices as required by the Title IX regulations at specific points in the complaint process.
- 243
- 244 3. In accordance with the Title IX regulations, the District Title IX Coordinator must dismiss a formal
- 245 complaint under this Title IX procedure if:
- 246

- 247 a. Conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX  
248 regulations and this policy;
- 249 b. Conduct alleged did not occur within the scope of the school district's education programs and  
250 activities, or
- 251 c. Did not occur in the United States.
- 252
- 253 4. In accordance with the Title IX regulations, the Title IX Coordinator may dismiss a formal complaint  
254 under this Title IX procedure if:
- 255
- 256 a. a complainant withdraws the formal complaint, or withdraws particular allegations within the  
257 complaint;
- 258 a. the respondent is no longer employed by the school district; or c) there are specific  
259 circumstances that prevent the school district from gathering evidence sufficient to reach  
260 a determination regarding the formal complaint.
- 261
- 262 5. If a formal complaint is dismissed under this Title IX procedure, the District Title IX Coordinator will  
263 promptly and simultaneously send written notices to the parties explaining the reasons. Parties have  
264 the opportunity to appeal dismissals in accordance with subsection I below.
- 265
- 266 6. If the conduct alleged potentially violates other laws, Board policies and/or professional expectations,  
267 the school district may address the conduct under Section 2 or another applicable policy/procedure.

#### 268 **C. Administrative Leave**

- 269 1. The Superintendent may place an employee respondent on administrative leave during the complaint  
270 procedure in accordance with any applicable State laws, school policies and collective bargaining  
271 agreement provisions.
- 272
- 273 2. Any decision to place an employee respondent on administrative leave shall be made in compliance  
274 with any applicable disability laws, including Section 504 of the Rehabilitation Act and the Americans  
275 with Disabilities Act.

#### 276 **D. Notice to Parties of Formal Complaint**

- 277 1. The Title IX Coordinator will provide to the parties written notice of the formal complaint and  
278 allegations of sexual harassment potentially constituting prohibited conduct under the Title IX  
279 regulations and this procedure. The notice will include:
- 280
- 281 a. Notice regarding the complaint procedure and the availability of an informal resolution process;
- 282 b. Sufficient details known at the time (including identities of parties, if known; the conduct alleged;  
283 and the date and location of the alleged incident, if known), with sufficient time to prepare before  
284 any initial interview (not less than five business days);
- 285 c. As required by the Title IX regulations, a statement that the respondent is presumed not  
286 responsible for the alleged conduct and that a determination of responsibility will be made at the  
287 conclusion of the complaint); and that the parties may inspect and review evidence;

- 288 d. Notice that the parties may each have an advisor of their choice (who may be an attorney), and  
289 that the parties may inspect and review evidence;  
290 e. Notice that knowingly making false statements or submitting false information during the  
291 complaint procedure is prohibited and may result in disciplinary action; and  
292 f. Notice of the name of the investigator, with sufficient time (no less than three business days) to  
293 raise concerns of conflict of interest or bias.  
294
- 295 2. If additional allegations become known at a later time, notice of the additional allegations will be  
296 provided to the parties.  
297
- 298 3. The District Title IX Coordinator will discuss supportive measures with each party and implement such  
299 measures as appropriate.

### 300 ***E. Informal Resolution Process***

- 301 1. After a formal complaint has been filed, and if the District Title IX Coordinator believes the  
302 circumstances are appropriate, the District Title IX Coordinator may offer the parties the opportunity  
303 to participate in an informal resolution process to resolve the complaint without completing the  
304 investigation and determination process. Informal resolutions cannot be used to resolve a formal  
305 complaint where a student is the complainant and the respondent is an employee.  
306
- 307 2. Informal resolutions can take many forms, depending on the particular case. Examples include, but  
308 are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of  
309 responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement  
310 to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing  
311 to participate in an informal resolution process, and either party can withdraw from the process at  
312 any time. The Superintendent must agree to the terms of any informal resolution reached between  
313 the parties. If an informal resolution agreement is reached, it must be signed by both parties and the  
314 school district. Any such signed agreement is final and binding according to its terms.  
315
- 316 3. If an informal resolution process does not resolve the formal complaint, nothing from the informal  
317 resolution process may be considered as evidence in the subsequent investigation or determination.

### 318 ***F. Investigation***

- 319 1. The complaint will be investigated by a trained internal or external individual designated by the  
320 Superintendent and District Title IX Coordinator. Any complaint about an employee who holds a  
321 supervisory position shall be investigated by a person who is not subject to that supervisor's authority.  
322 Any complaint about the Superintendent should be submitted to the Chair of the Board, who should  
323 consult with legal counsel concerning the handling and investigation of the complaint.  
324
- 325 2. The investigator shall consult with the District Title IX Coordinator as agreed during the investigation  
326 process.  
327

- 328 3. If the complaint is against an employee of the school district, rights conferred under an applicable  
329 collective bargaining agreement shall be applied, to the extent they do not conflict with the Title IX  
330 regulatory requirements.  
331
- 332 4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state  
333 and federal laws.  
334
- 335 5. The investigator will:  
336
- 337 a. Meet with each party after they have received appropriate notice of any meeting and its  
338 purpose, with sufficient time to prepare.
  - 339 b. Allow parties to have their advisor at all meetings related to the complaint, although advisors  
340 may not speak on behalf of a party or interfere with the process.
  - 341 c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and  
342 unfavorable evidence.
  - 343 d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site  
344 visits, review of documents, etc.).
  - 345 e. Consider evidence that is relevant and directly related to the allegations in the formal  
346 complaint.
  - 347 f. During the course of the investigation, provide both parties with an equal opportunity to  
348 inspect and review any evidence that is obtained in the investigation that is directly related  
349 to the allegations in the formal complaint (including evidence which the school district does  
350 not intend to rely upon in reaching a determination of responsibility), and favorable and  
351 unfavorable evidence.
  - 352 g. Prior to completion of the investigation report, provide each party and advisor (if any) the  
353 evidence subject to inspection and review, and provide the parties with ten business days to  
354 submit a written response.
  - 355 h. Consider the parties' written responses to the evidence prior to completing the investigation  
356 report.
  - 357 i. Create an investigative report that fairly summarizes relevant evidence and send the report  
358 to the parties and advisors (if any), for their review and written responses within ten business  
359 days of receipt.
  - 360 j. After receipt of the parties' written responses (if any), forward the investigation report and  
361 party responses to the assigned decision maker.
  - 362 k. The investigation shall be concluded within 40 business days if practicable. Reasonable  
363 extension of time for good reason shall be allowed.

#### 364 ***G. Determination of Responsibility***

- 365 1. The decision maker shall provide the parties with the opportunity to submit written, relevant  
366 questions that the party wants asked of another party or witness within five business days of when  
367 the decision maker received the investigation report and party responses.  
368
- 369 a. The decision maker shall explain to a party proposing questions if the decision maker excludes  
370 a question as not relevant.

- 371  
372 2. Each party shall be provided the opportunity to review the responses of another party and/or  
373 witness, and to ask limited written follow-up questions within five business days of receiving the  
374 answers.  
375  
376 3. Each party will receive a copy of the responses to any follow-up questions.  
377  
378 4. The decision maker shall review the investigation report, the parties' responses and other relevant  
379 materials, applying the preponderance of the evidence standard ("more likely than not").  
380  
381 5. The decision maker shall issue a written determination, which shall include the following:  
382  
383 a. Identification of all the allegations potentially constituting sexual harassment as defined in  
384 the Title IX regulations and this policy;  
385 b. A description of the procedural steps taken from receipt of the formal complaint through the  
386 determination, including notifications to the parties, interviews with parties and witnesses,  
387 site visits, methods used to gather other evidence, and meetings held;  
388 c. A determination regarding responsibility as to each allegation and findings of fact supporting  
389 the determinations;  
390 d. A statement of, and rationale for, the result as to each allegation, including a determination  
391 regarding responsibility, any disciplinary sanctions the school district imposes on the  
392 respondent, and whether remedies designed to restore or preserve equal access to the school  
393 district's programs and activities will be provided to the complainant;  
394 e. The school district's appeal procedure and permissible bases for the parties to appeal the  
395 determination.  
396  
397 6. The written determination shall be provided to the parties simultaneously. The determination  
398 concerning responsibility becomes final either on the date that the school district provides the parties  
399 with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not  
400 filed, the date on which the appeal would no longer be considered timely.

#### 401 ***H. Remedies, Discipline and Other Actions***

##### 402 1. Remedies:

403 Remedies are measures used to ensure that the complainant has equal access to the school district's  
404 education programs and activities following the decision maker's determination. Such remedies may  
405 include supportive measures, and may include other appropriate measures, depending upon the  
406 determination and the needs of the complainant. The District Title IX Coordinator is responsible for  
407 implementing remedies and providing any needed assistance to the Complainant.

##### 408 2. Discipline and Other Actions:

409 The following are examples of the types of disciplinary actions that may be imposed on an employee when  
410 there is a determination that they are responsible for one or more violations involving sexual harassment:

- 411 a. Written warning.

- 412 b. Probation.
- 413 c. Demotion.
- 414 d. Suspension without pay.
- 415 e. Discharge.

416 The following are examples of other types of actions that may be imposed on an employee when there is  
417 a determination of responsibility:

- 418 a. Performance improvement plan.
- 419 b. Counseling.
- 420 c. Training.
- 421 d. Loss of leadership/stipend position.

#### 422 ***I. Appeals***

423 The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals  
424 of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

- 425 1. A procedural irregularity that affected the outcome of the matter;  
426
- 427 2. New evidence that was not reasonably available at the time the determination regarding  
428 responsibility or dismissal of the formal complaint was made, that could affect the outcome of the  
429 matter; or  
430
- 431 3. The District Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for  
432 or against complainants or respondents generally, or the individual complainant or respondent that  
433 affected the outcome of the matter.

434 An appeal must be filed in writing within five business days of receiving the determination, stating the  
435 grounds for the appeal and including any relevant documentation in support of the appeal. Appeals  
436 submitted after this deadline are not timely and shall not be considered.

- 437 1. Appeals must be filed with the Superintendent, who will consider the appeal.  
438
- 439 2. The Superintendent shall conduct an impartial review of the appeal, including consideration of the  
440 written record of the matter, and may consult with legal counsel or other school district officials in  
441 making their decision.  
442
- 443 3. The Superintendent shall issue a written decision describing the result of the appeal and rationale for  
444 the result, and provide the written decision simultaneously to the parties. The decision will either  
445 deny the appeal; grant the appeal and remand to the decision maker for further consideration; or  
446 grant the appeal by revising the disciplinary action(s).  
447

#### 448 ***J. Records***

449 Records in connection with sexual harassment reports and the complaint process shall be maintained for  
450 a minimum of seven years.

451 **Legal References:**

- 452 • Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); 34 C.F.R. Part 106
- 453 • Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)
- 454 • Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. §
- 455 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8)
- 456 – definition of domestic violence)
- 457 • Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
- 458 • Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended
- 459 • Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended
- 460 • Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29 C.F.R. § 1604.11)
- 461 • Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)
- 462 • Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)
- 463 • RSA 186:11; and 354-A
- 464 • NH Code Admin. R. Ed. 303.01(i) and (j)

465 **See Also:**

- 466 • AC – Nondiscrimination/Equal Opportunity
- 467 • ACAB – Harassment and Sexual Harassment of School Employees
- 468 • Title IX ACAB Checklist