

**HOOKSETT SCHOOL DISTRICT
NONDISCRIMINATION, EQUAL OPPORTUNITY EMPLOYMENT AND DISTRICT ANTI-
DISCRIMINATION PLAN**

A. Prohibition Against Discrimination in Educational Programs and Activities.

No person shall be excluded from, denied the benefits of, or subjected to discrimination in the District's schools, educational programs or activities because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, physical or mental disability, religion, national origin, pregnancy or related conditions, genetic information, or veteran status. Discrimination, including harassment, against any person in the District's education programs or activities, on the basis of any of the above classes, or a person's creed, is prohibited. Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status.

"Race" means immutable traits associated with race including hair texture and protective hairstyles which are hairstyles or hair type including braids, locs, tight coils or curls, cornrows, Bantu knots, Afros, twists, and headwraps.

Harassment of students other than on the basis of any of the classes or categories listed above is prohibited under Board policy JICK Pupil Safety and Violence Prevention.

B. Equal Opportunity of Employment and Prohibition Against Discrimination in Employment.

The District is an Equal Opportunity Employer. The District ensures equal employment opportunities without regard to age, color, creed, disability, gender identity, marital status, national origin, pregnancy, race, religion, sex, sexual orientation, gender identity, equal pay, or genetic information including family medical history or genetic tests or services and prohibits retaliation for filing a charge of discrimination or participating in a discrimination lawsuit, investigation or proceeding. The District will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established as necessary for the performance of the job as specified in the pertinent job description(s).

Discrimination against and harassment of school employees because of age, sex, race, creed, religion, color, marital status, familial status, physical or mental disability, genetic information, national origin, ancestry, sexual orientation, gender identity, pregnancy or related conditions, or genetic information are prohibited. Additionally, the District will not discriminate against any employee who is a victim of domestic violence, harassment, sexual assault, or stalking.

C. Title IX Notice of Nondiscrimination.

Hooksett School District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.

Inquiries about Title IX may be referred to Hooksett School District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both.

Hooksett School District's Title IX Coordinator is:
Kimberly Sarfde, Assistant Superintendent
SAU #15
90 Farmer Road
Hooksett, NH 03106
(603) 622-3731 x 4012
ksarfde@sau15.net

Office for Civil Rights
U.S. Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921

Telephone: (617) 289-0111; Fax: (617) 289-0150; Email: OCR.Boston@ed.gov

Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.

Hooksett School District's nondiscrimination policy and grievance procedures are in Policies GBAA and JBAA and are located on the district's website.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to Policies GBAA and JBAA on the district's website.

D. USDA Nondiscrimination Statement.

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the District is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- a. **Mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
- b. **fax:**
(833) 256-1665 or (202) 690-7442; or
- c. **email:**
Program.Intake@usda.gov

E. Policy Application.

This Policy is applicable to all persons employed or served by the District. It applies to all sites and activities the District supervises, controls, or where it has jurisdiction under the law, including where it (a) occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event, as set forth in Board policy JICK, Pupil Safety and Violence Prevention. Examples of sites and activities include all District buildings and grounds, school buses and other vehicles, field trips, and athletic competitions.

F. District Anti-Discrimination Plan.

The Superintendent shall develop and provide to the Board for approval, a coordinated written District Anti-Discrimination Plan (the "Plan") to include guidelines, protocols and procedures intended to prevent, assess the presence of, intervene in, and respond to incidents of discrimination.

Among other things, the Plan should include provisions, and recommendations with respect to resources, policies, complaint procedures, student education programs, Plan dissemination and training appropriate to carrying out the Plan objectives stated in the preceding paragraph.

In developing the Plan, the Superintendent is encouraged to seek input from appropriate groups of the school and local community and coordinate with the District's Human Rights [*Non-Discrimination*] Officer and Title IX and 504 Coordinators.

No less than once every two years (off years from review of the District's Suicide Prevention Plan per Policy JLDDB), the Superintendent shall update the District Anti-Discrimination Plan, and present the same to the Board for review. Such Plan updates should be submitted to the Board in time for appropriate budget consideration.

G. Human Rights [or Non-Discrimination], Title IX, 504 and other Coordinators or Officers.

The following personnel are assigned to the positions listed below.

Human Rights [or Non-Discrimination] Officer

Director of Human Resources
SAU #15
90 Farmer Road
Hooksett, NH 03106
(603) 622-3731 x 4018

Title IX - Coordinator Superintendent of Schools

Kimberly Sarfde, Assistant Superintendent
SAU #15
90 Farmer Road
Hooksett, NH 03106
(603) 622-3731 x 4016
ksarfde@sau15.net

504 Coordinator –School Counselors

Fred C. Underhill School Counselor, Carley Wentzell
(603) 623-7233
Hooksett Memorial School Counselor, Donna Ellis
(603) 485-9890
David R. Cawley Middle School Counselors:
Leah Maguire and Kimberly Ackles (603) 518-5047

H. Complaint and Reporting Procedures.

Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should contact the District Human Rights Officer, or otherwise as provided in the Policies referenced below under this same heading.

Any employee who has witnessed, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying in violation of this Policy has a duty to report such conduct to his/her immediate supervisor, the District Human Rights Officer, or as provided in one of the policies or administrative procedures referenced below under this same heading. Additionally, employees

who observe an incident of harassment or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination, harassment, or bullying and the employee fails to report the conduct or take proper action or knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

All information will be maintained on a confidential basis to the greatest extent possible.

A complaint alleging harassment or discrimination, whether written or oral, should include the specific nature of the incident, date, and place of the incident, names of all parties involved, as well as a detailed report of all pertinent facts. Complaints of harassment or discrimination will be promptly and carefully investigated in accordance with the applicable policy. Investigations will include interviews with all relevant persons, including the accused and other potential witnesses. Appropriate remedial action will be taken in all cases where harassment or discrimination is found to have occurred. Disciplinary action up to and including discharge may be taken against any employee who violates this Policy. Disciplinary action up to and including expulsion may be taken against any student who violates this Policy.

Investigations and resolution of any complaints shall be according to the policies listed below and related administrative procedures or regulations. Complaints or reports regarding matters not covered in one or the other of those policies should be made to the District Human Rights Officer.

1. Reports or complaints of sexual harassment or sexual violence by employees or third party contractors should be made under Board Policy GBAA.
2. Reports or complaints of sexual harassment or sexual violence by students should be made under Board Policy JBAA.
3. Reports or complaints of discrimination on the basis of disability should be made under Board Policy ACE, except for complaints regarding facilities accessibility by disabled non-students or employees, which should be made under Board Policy KED.
4. Reports or complaints of bullying or other harassment of pupils should be made under Board Policy JICK.

I. Alternative Complaint Procedures and Legal Remedies.

At any time, whether or not an individual files a complaint or report under this Policy, an individual may file a complaint with the following agencies:

1. Office for Civil Rights
U.S. Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: (617) 289-0111; Fax: (617) 289-0150; Email: OCR.Boston@ed.gov
Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.
2. New Hampshire Commission for Human Rights
2 Industrial Park Drive
Concord, NH 03301
Telephone: (603) 271-2767; Email: humanrights@nh.gov
3. Office of Civil Rights
U.S. Dept of Agriculture
1400 Independence Avenue, SW
Washington, D.C., 20250-9410;
Telephone: (866)632-9992; Email – program.intake@usda.gov
4. New Hampshire Department of Justice
Civil Rights Unit

33 Capitol Street,
Concord, NH 03301;
Telephone: (603) 271-1181; Website: <https://www.doj.nh.gov/bureaus/civil-rights-unit>

5. New Hampshire Department of Education
Commissioner of Education
101 Pleasant Street
Concord, NH 03301,
Telephone: (603) 271-3494; Email - info@doe.nh.gov

Notwithstanding any other remedy, any person may contact the police or pursue a criminal prosecution under state or federal criminal law.

J. Retaliation Prohibited.

The District prohibits any form of reprisals or retaliation of any kind against the complainant or any other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed pursuant to this Policy. Any person who engages in retaliatory conduct prohibited by this Policy will be subject to appropriate disciplinary action, up to and including termination of employment or expulsion. However, if after investigating any complaint of harassment or unlawful discrimination, the District determines that any person has provided false information regarding the complaint, disciplinary action up to and including termination or expulsion may be taken against the individual who gave the false information.

K. Administrative Procedures and Regulations.

The Superintendent shall develop such other procedures and regulations as are necessary and appropriate to implement this Policy.

L. Notice of Compliance.

The Superintendent will provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents, and other interested persons, as required by law or as the Superintendent deems appropriate.

This policy will be reviewed every year.

Legal References:

RSA 186:11, XXXIII, Discrimination, RSA 193:38, Discrimination in Public Schools, RSA 193-F, Student Safety and Violence Protection Act, RSA 275:71, Prohibited Conduct by Employer, RSA 354-A, State Commission for Human Rights, The Age Discrimination in Employment Act of 1967, 29 U.S.C. 621, et seq. The Rehabilitation Act of 1973, 29 U.S.C. 705 and 794, Title II of The Americans with Disabilities Act of 1990, 42 U.S.C. 12101, et seq., Title IV of the Civil Rights Act of 1964, 42 U.S.C. §2000c, Title VII of The Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, Title IX of the Education Amendments of 1972, 20 U.S.C 1681, et seq, NH Dept of Ed. Rule 303.01 (i), School Board Substantive Duties, Non-Discrimination in Federally-assisted Programs of USDA, 7 CFR Part 15

Adopted: April 20, 1999

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