

PUPIL SAFETY AND VIOLENCE PREVENTION

Statement of Purpose

The School Board believes, and is committed to ensuring, that students and staff are entitled to learn and work in a school environment free of all forms of physical, emotional, and psychological bullying and/or cyberbullying.

Statement of Policy

Students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws. Conduct constituting bullying and/or cyberbullying will not be tolerated, and is prohibited. This policy is intended to comply with RSA 193-F:3.

The Superintendent is responsible for ensuring the implementation of this policy.

Definitions:

- I. “Bullying” is defined as a single significant incident, or a pattern of incidents, involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:
1. Physically harms a pupil or damages the pupil’s property;
 2. Causes emotional distress to a pupil;
 3. Interferes with a pupil’s educational opportunities;
 4. Creates a hostile educational environment; or
 5. Substantially disrupts the orderly operation of the school.

Bullying shall also include actions motivated by an imbalance of power based on a pupil’s actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil’s association with another person and based on the other person’s characteristics, behaviors, or beliefs. Historically, this has included actions shown to be motivated by a pupil’s actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, or emotional or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics, or based on association with any person identified in any of the above categories.

- II. “Cyberbullying” means conduct defined in paragraph I, undertaken through the use of electronic devices.

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- III. “Electronic devices” include, but are not limited to, telephones, cellular phones, smart phones, computers, pagers, electronic mail, instant messaging, text messaging, websites, and social networking sites.
- IV. “School property” means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
- V. “Perpetrator” means an individual who engages in bullying or cyberbullying.
- VI. “Victim” means a pupil against whom bullying or cyberbullying has been perpetrated.
- VII. “Parent” means parent or guardian when referenced within this policy.

Prohibited Conduct

- I. Students are prohibited from engaging in “bullying” or “cyberbullying” conduct defined in the “Definitions” section which occurs:
 - 1. On, or delivered to, school property or a school-sponsored activity or event, on or off school property; or
 - 2. Off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil’s educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event.
- II. It shall be a violation of this policy to engage in retaliation or false accusations against a victim, witness, or anyone else who in good faith provides information about an act of bullying or cyberbullying.
- III. There shall be disciplinary consequences or interventions, or both, for a person who commits an act of bullying or cyberbullying, falsely accuses another of the same as a means of retaliation or reprisal, or otherwise violates this policy.

Reporting Requirements

- I. Any person may report bullying or cyberbullying to any school district employee or agent.
- II. Any school employee or agent who receives a complaint of bullying or cyberbullying, or is otherwise aware of such conduct, must immediately report it to the building principal or designee.

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- III. The principal or designee, shall by telephone and in writing via first-class mail, report the incident to the parents or guardians of both the alleged victim and perpetrator within forty-eight (48) hours of the report. Any such notification under this policy must be consistent with student privacy rights under the applicable provisions of FERPA. The building principal or designee may request a waiver from the Superintendent. The Superintendent may waive parent/guardian notification if he/she determines this to be in the best interest of the victim(s) and/or the perpetrator(s). Any such waiver of the parent notification requirement shall be made in writing.
- IV. Within ten (10) school days of completion of the investigation of alleged bullying or cyberbullying, the principal or designee shall provide a written communication to the parents or guardians of the victim and perpetrator regarding the school's remedies and assistance, within the boundaries of applicable law.
- V. The school district shall annually report substantiated incidents of bullying or cyberbullying to the Department of Education using the standard reporting forms. Such reports shall not contain any personally identifiable information pertaining to any pupil.
- VI. Appropriate law enforcement authorities shall be notified of violations of this policy as required by state and federal law. Other violations not specifically required to be reported to law enforcement by law may be reported as deemed appropriate by the Superintendent.

Investigation

- I. The principal or designee must initiate an investigation within five (5) school days of the reported incident of bullying or cyberbullying. The investigation shall be completed within ten (10) school days of the reported incident, and should include speaking with the alleged victim, alleged perpetrator, known witnesses, and the review of other evidence available through reasonable good faith efforts. The results of the investigation shall be documented in writing and preserved in accordance with laws governing retention of educational records.
- II. The Superintendent or designee may grant in writing an extension of the time period for the investigation and documentation of reports for up to an additional seven (7) school days, if necessary. All parties involved must be notified in writing of an extension by the Superintendent or designee.

Remediation and Discipline

- I. If the building principal or designee substantiates the bullying/cyberbullying report, he/she shall, in consultation with the Superintendent determine what remedial and/or disciplinary actions should be taken against the perpetrator(s) and determine what further assistance should be provided the victim(s), if any.

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- II. The building principal or designee shall inform the victim(s), the perpetrator(s), and their parents in writing of the results of the investigation and any remedies and/or assistance provided by the school, including strategies for protecting pupils from retaliation. Such communication should be provided within ten (10) school days and shall be in compliance with applicable privacy laws.
- III. Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations and Board policies.

Training and Procedures

- I. The Superintendent is authorized to provide annual training for school employees, regular school volunteers, or employees of a company under contract to a school or school district who have significant contact with pupils. The purpose of this training will be to prevent bullying/cyberbullying and to educate staff on how to properly identify, respond to and report incidents of bullying/cyberbullying.
- II. The school administration shall provide an annual age-appropriate education program for students and which sets out expectations for student behavior regarding bullying/cyberbullying prevention, including how to identify, respond to and report bullying/cyberbullying.
- III. The school district shall provide educational programs for parents in preventing, identifying, responding to and reporting incidents of bullying or cyberbullying.

Distribution of Policy

This policy shall be disseminated to school employees, regular school volunteers, students and parents/legal guardians, or employees of a company under contract through staff and student handbooks, the district website, or other means deemed appropriate by the Superintendent.

Legal References:

20 U.S.C. § 7151 (No Child Left Behind Act)
NH RSA 193-D; 193-F
NH Code Admin. R. Ed. 303.01
RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed

Related Policies: JICG, JICH, JICI, JK

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