

**PUPIL SAFETY AND VIOLENCE PREVENTION – BULLYING****I. STATEMENT OF PURPOSE AND INTENT**

1. All pupils have the right to attend school and school-sponsored activities that are safe, secure and peaceful environments. Pupils should be protected from all forms of physical, emotional, and psychological bullying and cyberbullying.
2. Bullying in schools has historically 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, 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.
3. It is the intent of this policy to protect children from physical, emotional and psychological harm by addressing bullying and cyberbullying of any kind in our district/school, and to prevent the creation of a hostile educational environment.
4. This policy applies to pupils, school district employees, regular school volunteers, coaches, and persons who have contact with pupils in connection with school classes, activities and programs. Bullying and cyberbullying outside of school activities or off school premises is subject to this policy as set forth herein.

**II. DEFINITIONS (RSA 193-F:3)**

1. Bullying. Bullying is hereby 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;
  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.

2. Cyberbullying. Cyberbullying is defined as "bullying" in this policy, that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.
3. Electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.
4. School property. School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
5. Victim. Victim means a pupil against whom bullying or cyberbullying has been perpetrated.
6. Perpetrator. Perpetrator means a pupil who engages in bullying or cyberbullying.

### III. STATEMENT PROHIBITING BULLYING OR CYBERBULLYING OF A PUPIL (RSA 193-F:4,II(a))

The Board is committed to providing all pupils a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.

Further, in accordance with RSA 193-F:4, the district reserves the right to address bullying and, if necessary, impose discipline for bullying that:

1. Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or
2. Occurs 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.

### IV. IMPLEMENTATION

The following school officials are responsible for ensuring that this policy is implemented: Superintendent of Schools, Principal or designee.

V. STATEMENT PROHIBITING RETALIATION OR FALSE ACCUSATIONS (RSA 193-F;4,II(b))

Retaliation

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.

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.

False Reporting

A student found to have wrongfully and intentionally accused another of bullying may face discipline or other consequences, ranging from positive behavioral interventions up to and including suspension or expulsion.

VI. PROCESS TO PROTECT PUPILS FROM RETALIATION

If the alleged victim or any witness expresses to the Principal or other staff member that he/she believes he/she may be retaliated against, the Principal shall develop a process or plan to protect that student from possible retaliation. Each process or plan may be developed on a case-by-case basis.

VII. PROTECTION OF ALL PUPILS (RSA 193-F;4,II(c))

This policy shall apply to all pupils and school-aged persons on school district grounds and participating in school district functions, regardless of whether or not such pupil or school-aged person is a student within the District.

VIII. DISCIPLINARY CONSEQUENCES FOR VIOLATIONS OF THIS POLICY (RSA 193-F;4,II(d))

The district reserves the right to impose disciplinary measures against any student who commits an act of bullying, falsely accuses another student of bullying, or who retaliates against any student or witness who provides information about an act of bullying.

In addition to imposing discipline under such circumstances, the board encourages the administration and school district staff to consider alternatives to traditional discipline, if appropriate to the situation.

IX. DISTRIBUTION AND NOTICE OF THIS POLICY (RSA 193-F;4,II(e))

This policy shall be made known annually to staff, volunteers, all other employees, students, and parents. This policy shall be provided to school employees, regular school volunteers, pupils, parents, legal guardians, or employees of a company under contract through paper copy/handbook, website and/or newsletters.

X. TRAINING

1. The school district shall 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 for the purpose of preventing, identifying, responding to and reporting incidents of bullying or cyberbullying.
2. The school district shall provide educational programs for pupils and parents in preventing, identifying, responding to, and reporting incidents of bullying or cyberbullying. Programs for pupils shall be written and presented in age-appropriate language.

XI. PROCEDURE FOR REPORTING BULLYING (RSA 193-F;4,II(f))

Student Reporting

1. Any student who believes he/she has been the victim of bullying should report the alleged acts immediately to the Principal or designee. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying.
2. Any school employee or volunteer who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal or designee as soon as possible.
3. The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.
4. Upon receipt of a report of bullying, the Principal or designee shall commence an investigation consistent with the provisions of Section XV of this policy.

Staff Reporting

1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.
2. All district employees and volunteers shall encourage students to tell them about acts that may constitute bullying. For young student, staff members may provide direct assistance to the student.
3. Any school employee or volunteer who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal or designee as soon as possible.
4. Upon receipt of a report of bullying, the Principal or designee shall commence an investigation consistent with the provisions of Section XV of this policy.

XII. PROCEDURE FOR INTERNAL REPORTING REQUIREMENTS (RSA 193-F;4,II(g))

In order to satisfy the reporting requirements of RSA 193-F;6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying.

Upon completion of such forms, the Principal or designee shall retain a copy for school records and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.

XIII. NOTIFYING PARENTS OF ALLEGED BULLYING (RSA-F;4,II(h))

The Principal or designee shall report to the parents of a student who has been reported as a victim of bullying and to the parents of a student who has been reported as a perpetrator of bullying **within 48 hours** of receiving the report. Such notification may be made by telephone, writing or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be noted in the report. All notifications shall be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

XIV. WAIVER OF NOTIFICATION REQUIREMENT (RSA 193-F;4,II(i)).

The Superintendent may, within a 48-hour time period, grant the Principal or designee a waiver from the requirement that the parents of the alleged victim and the alleged perpetrator be notified of the filing of a report. A waiver may only be granted if the Superintendent deems such a waiver to be in the best interest of the victim or perpetrator. Any waiver granted shall be in writing.

XV. INVESTIGATIVE PROCEDURES (RSA 193-F;4,II(j))

1. Upon receipt of a report of bullying, the Principal shall, **within 5 school days** initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.

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 7 school days, if necessary. The Superintendent or designee shall notify in writing all parties involved of the granting of an extension.

2. The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.

3. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications.
4. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal.
5. Students who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Students facing discipline will be afforded all due process required by law.

**XVI. RESPONSE TO REMEDIATE SUBSTANTIATED INSTANCES OF BULLYING (RSA 193-F;4,II(k))**

Consequences and appropriate remedial actions for a student who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students.

Consequences for a student who commits an act of bullying or retaliation shall be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Board encourages the Superintendent to work collaboratively with all staff members to develop responses other than traditional discipline as a way to remediate substantiated instances of bullying.

**XVII. REPORTING OF SUBSTANTIATED INCIDENTS TO THE SUPERINTENDENT (RSA 193-F;4,II(l))**

The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.

**XVIII. COMMUNICATION WITH PARENTS UPON COMPLETION OF INVESTIGATION (RSA 193-F;4II(m))**

1. The Principal will notify the students involved in person of his/her findings and the result of the investigation.
2. The Principal will notify the parents of the alleged victim and alleged perpetrator of the results of the investigation. The Principal will also send a letter to the parents **within 10 days** notifying them of the results of the investigation.
3. If the parents request, the Principal shall schedule a meeting with them to further explain his/her findings and reasons for his/her actions.
4. In accordance with the Family Educational Rights and Privacy Act and other law concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.

#### XIX. APPEAL

1. For non-disciplinary remedial actions where no other review procedures govern, the parents of the pupils involved in the bullying shall have the right to appeal the Principal's decision to the Superintendent in writing within five (5) school days. The Superintendent shall review the Principal's decision and issue a written decision within ten(10) school days. If the aggrieved party is still not satisfied with the outcome, the aggrieved party may file a written request for review by the School Board within ten (10) school days of the Superintendent's decision. The School Board will adhere to all applicable New Hampshire Department of Education administrative rules.
2. The procedures under RSA 193:13,Ed 317, and District policies establish the due process and appeal rights for students disciplined for acts of bullying.
3. The School Board or its designee will inform parents of any appeal rights they may have to the N.H. State Board of Education.

#### XX. SCHOOL OFFICIALS (RSA 193-F;4,II(n))

The Superintendent of Schools is responsible for ensuring that this policy is implemented.

XXI. USE OF VIDEO OR AUDIO RECORDINGS IN STUDENT DISCIPLINE MATTERS

The District reserves the right to use audio and/or video recording devices on district property (including school buses) to ensure the health, safety and welfare of all staff, students and visitors. Placement and location of such devices will be established in accordance with the provisions of Policies..... EEAA, EEAE.

In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply.

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