

PUPIL SAFETY AND VIOLENCE PREVENTION - BULLYING

I. 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; 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.

- 2. **Cyberbullying.** Cyberbullying is defined as any conduct 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. **Perpetrator.** Perpetrator means a pupil who engages in bullying or cyberbullying.
- 6. **Victim.** Victim means a pupil against whom bullying or cyberbullying has been perpetrated.

Any reference in this policy to "parent" shall include parents or legal guardians

II. 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

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- (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.

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

III. Statement prohibiting retaliation or false accusations (RSA 193-F:4, II(b))

False Reporting

A pupil 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.

A school employee found to have wrongfully and intentionally accused a pupil of bullying shall face discipline or other consequences to be determined in accordance with applicable law, District policies, procedures and collective bargaining agreements.

Reprisal or Retaliation

The District will discipline and take appropriate action against any pupil, teacher, school administrator, school volunteer, or other school employee who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying.

The consequences and appropriate remedial action for a pupil, teacher, school administrator, school volunteer, or other school employee who engages in reprisal or retaliation shall be determined by the Principal or designee after consideration of the nature, severity and circumstances of the act, in accordance with law, Board policies and any applicable collective bargaining agreements.

Any pupil found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

Any teacher, school administrator, or other school employee found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.

Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

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 or designee shall develop a process or plan to protect that pupil from possible retaliation.

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Each process or plan may be developed on a case-by-case basis. Suggestions include, but are not limited to, re-arranging pupil class schedules to minimize their contact, stern warnings to alleged perpetrators, temporary removal of privileges, or other means necessary to protect against possible retaliation.

IV. 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 who are participating in school district functions, regardless of whether or not such pupil or school-aged person is a pupil within the District.

V. Disciplinary Consequences For Violations of This Policy (RSA 193-F:4, II(d))

The district reserves the right to impose disciplinary measures against any pupil who commits an act of bullying, falsely accuses another pupil of bullying, or who retaliates against any pupil 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 seek alternatives to traditional discipline, including but not limited to early intervention measures, alternative dispute resolution, conflict resolution and other similar measures.

VI. Distribution and Notice of This Policy (RSA 193-F:4, II(e))

Staff and Volunteers

All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, etc.)

Pupils

All pupils will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (pupil handbook, mailing, hard copy, etc.)

Pupils may participate in an annual education program which sets out expectations for pupil behavior and emphasizes an understanding of harassment, intimidation, and bullying of pupils, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Pupils may also be informed of the consequences of bullying conduct toward their peers.

The Superintendent, in consultation with staff, may incorporate pupil anti-bullying training and education into the district's curriculum, but shall not be required to do so.

Parents

All parents will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (parent handbook, mailing, etc.).

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VII. Procedure for Reporting Bullying (RSA 193-F:4, II(f))

At each school, the Principal or designee shall be responsible for receiving complaints of alleged violations of this policy.

Pupil Reporting

1. Any pupil who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the pupil is more comfortable reporting the alleged act to a person other than the Principal, the pupil may tell any school district employee or volunteer about the alleged bullying.
2. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of that school day.
3. Upon receipt of a report of bullying, the Principal or designee shall commence an investigation consistent with the provisions of Section XI 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. Any school employee or volunteers 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, but no later than the end of the that school day.
3. Upon receipt of a report of bullying, the Principal or designee shall commence an investigation consistent with the provisions of Section XI of this policy.

VIII. 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.

IX. Notifying Parents of Alleged Bullying (RSA 193-F:4, II(h))

The Principal or designee shall report to the parents of a pupil who has been reported as a victim of bullying and to the parents of a pupil 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. All notifications shall be consistent with the pupil privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

X. Waiver of Notification Requirement (RSA 193-F:4, II(i))

The Superintendent or designee 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

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perpetrator be notified of the filing of a report. A waiver may only be granted if the Superintendent or designee deems such a waiver to be in the best interest of the victim or perpetrator. Any waiver granted shall be in writing.

XI. Investigative Procedures (RSA 193-F:4, II(j))

1. Upon receipt of a report of bullying, the Principal or designee shall, within 5 school days, initiate an investigation into the alleged act.
2. The Principal or designee shall complete the investigation within 10 school days of receiving the initial report. If the Principal or designee needs more than 10 school days to complete the investigation, the Superintendent or designee may grant an extension of up to 7 school days. In the event such extension is granted, the Principal or designee shall notify in writing all parties involved of the granting of the extension.
- 3 Pupils who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Pupils facing discipline will be afforded all due process required by law.

XII. Response to Remediate Substantiated Instances of Bullying (RSA 193-F:4, II(k))

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

Consequences for a pupil 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 pupil, and the pupil'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.

XIII. Reporting of Substantiated Incidents to the Superintendent (RSA 193-F:4, II(l))

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

XIV. Communication With Parents Upon Completion of Investigation (RSA 193-F:4, II(m))

1. Within ten school days of completing an investigation, the Principal or designee will notify the parents of the pupils involved of his/her findings and the result of the investigation.
2. In accordance with the Family Educational Rights and Privacy Act and other law concerning pupil privacy, the District will not disclose educational records of pupils

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including the discipline and remedial action assigned to those pupils and the parents of other pupils involved in a bullying incident.

XV. School Officials (RSA 193-F:4, II(n))

The Superintendent of schools is responsible for ensuring that this policy is implemented. In order to facilitate the implementation of this policy, the Superintendent may establish further administrative rules or regulations.

Legal References:

RSA 193-F:3, Pupil Safety and Violence Prevention Act

RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed

NH Code of Administrative Rules, Section Ed 306.04(a)(8), Pupil Harassment

Proposed: 10/18/10

Adopted: 11/01/10