

PUPIL SAFETY AND VIOLENCE PREVENTION POLICY

BULLYING

I. General Statement of Policy

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 cyber-bullying. 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.

It is the intent of this policy to protect pupils from physical, emotional and psychological harm by addressing bullying and cyber-bullying of any kind in our district/school, and to prevent the creation of a hostile educational environment. All pupils are protected under this policy, regardless of their legal status. While this policy applies to pupils only, school district employees, regular school volunteers, coaches, and persons who have contact with pupils in connection with school classes, activities and programs have responsibilities for reporting incidents of bullying to school administration. Bullying and cyber-bullying outside of school activities or off school premises is subject to this policy as set forth herein.

II. Bullying, Cyber-bullying and Retaliation Prohibited

It shall be a violation of this policy to engage in, or influence others to engage in, the bullying or cyber-bullying of a pupil. 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 cyber-bullying. There shall be disciplinary consequences or remediation or both for a person who commits an act of bullying or cyber-bullying, falsely accuses another of the same as a means of retaliation or reprisal, or otherwise violates this policy.

III. Definitions

Bullying means 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 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.

Cyber-bullying means bullying undertaken through the use of electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging and websites.

Perpetrator means a pupil who engages in bullying or cyber-bullying.

School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

Victim means a pupil against whom bullying or cyber-bullying has been perpetrated.

IV. Actionable Incidents of Bullying or Cyber-bullying

Bullying” or cyber-bullying shall occur when an action or communication as defined in the above “definitions” section:

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.

V. Reporting Procedures

A pupil may report bullying or cyber-bullying to any school district employee or agent. Any school employee or contracted agent, who receives a complaint of bullying or cyber-bullying or is otherwise aware of such conduct, must immediately report it to the principal.

The principal or a designee must report the incident to the parents or guardians of both the alleged victim and perpetrator within 48 hours of the report, and in a manner that protects the child’s privacy rights, unless the superintendent grants the principal or his designee a parental notification waiver in writing after determining that a waiver is in the best interests of either the alleged victim or perpetrator. The principal or designee must promptly report all substantiated incidents of bullying or cyber-bullying to the superintendent or designee.

The principal or designee shall provide a written communication to the parents or guardians of the victim and perpetrator of confirmed bullying incidents regarding the school’s remedies and actions within the boundaries of applicable law. The principal or designee shall provide an oral communication to the parents or guardians of students involved in alleged bullying cases not substantiated. The school district shall annually report substantiated incidents of bullying or cyber-bullying to the Department of Education using the Department’s standard form. Such reports shall not contain any personally identifiable information pertaining to any pupil.

VI. Investigation

The principal or designee must initiate an investigation within five (5) school days of the reported incident of bullying or cyber-bullying. 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 reviewing 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.

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. The superintendent or superintendent's designee shall notify in writing all parties involved of the granting of an extension.

VII. Appeals

A parent or guardian who is aggrieved by the investigative determination letter by the principal or his/her designee may appeal the determination to the Superintendent for review. The appeal shall be in writing addressed to the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek. The Superintendent shall not be required to re-investigate the matter and shall conduct such review as he/she deems appropriate under the circumstances.

It is in the best interests of students, families and the District that these matters be promptly resolved. Therefore, any such appeal to the Superintendent shall be made within ten (10) calendar days of the parent/guardian's receipt of the investigative determination letter of the principal or his/her designee. The Superintendent shall issue his/her decision in writing.

If the parent or guardian is aggrieved by the decision of the Superintendent, they may appeal the decision of the School Board within ten (10) calendar days of the date of the parent/guardian's receipt of the Superintendent's decision. An appeal to the Superintendent shall be a prerequisite to any appeal to the School Board. The appeal to the School Board shall be in writing, addressed to the School Board Chair, in care of the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek.

An aggrieved parent/guardian has the right to appeal the final decision of the local School Board to the State Board within thirty (30) calendar days of receipt of the written decision of the local School Board in accordance with RSA 541-A and State of New Hampshire Department of Education Regulations set forth in ED 200. The State Board may waive the thirty-day requirement for good cause shown, including, but not limited to, illness, accident, or death of a family member.

VIII. Training

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 cyber-bullying.

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

IX. 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 provisions of Policies EEAA, EEAE, and ECAF.

In the event and 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 does become part of a student's education record, the provisions of Policy JRA shall apply. The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.

X. Notice of Policy

This policy shall be provided to school employees, regular school volunteers, pupils, parents, legal guardians or employees of a company under contract through handbooks and website posting.

Adopted: July 3, 2001

Revised: August 4, 2004, June 15, 2010, January 4, 2011, June 5, 2018