

BULLYING - STUDENT SAFETY AND VIOLENCE PREVENTION POLICY

RSA 193 Pupil Safety and Violence Prevention Act

Adopted: February 2001

Revised: December 14, 2010

Definitions

Under NH RSA 193-F:3, 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 student that:

- Physically harms a student or damages the student's property,
- Causes emotional distress to a student,
 - Interferes with a student's educational opportunities,
- Creates a hostile educational environment, or
- Substantially disrupts the orderly operation of the school.

Bullying shall include actions motivated by an imbalance of power based on a student's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by a student's association with another person and based on the other person's characteristics, behaviors, or beliefs.

Cyberbullying: Cyberbullying is defined as any conduct listed as bullying above that is undertaken through the use of electronic devices. *For purposes of this policy, any reference to the term bullying shall include cyberbullying.*

Electronic devices: Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.

Perpetrator: Perpetrator refers to a student who engages in bullying.

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

Staff: Staff shall include school employees, SAU employees, or employees of a company under contract to the school who have significant contact with students.

Victim: Victim refers to a student against whom bullying has been perpetrated.

Statement prohibiting bullying (RSA 193-F:4)

The Profile School Board is committed to providing all students with a safe and secure school environment. This policy is intended to comply with RSA 193-F. Bullying will not be tolerated and is hereby prohibited.

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

- Occurs on school property
- Occurs at a school-sponsored activity, either on or off school property
- Occurs off school property or outside of a school-sponsored activity if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or school sponsored activity.

The Principal is responsible for ensuring that this policy is implemented.

Protection of all students (RSA 193-F:4, II (c))

This policy shall apply to all students and school-aged persons on or off school grounds while participating in school functions, regardless of whether or not such student or school-aged person is a student in the Profile School District.

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, intentionally and falsely accuses another student of bullying, or who retaliates against any student who provides information about an act of bullying.

In addition to imposing discipline under such circumstances, the Board encourages the Principal and staff to seek alternatives to traditional discipline, including but not limited to early intervention measures, alternative dispute resolution, conflict resolution, and other similar measures.

Distribution, notice and training of this policy (RSA 193-F:4, II(e) and RSA 193-F:5)

This policy will be made available on the school's website as well as in the policy manual at school.

Staff and Volunteers: All staff members will be provided with a copy of this policy annually. In addition, the Principal will ensure that all staff and volunteers receive annual evidence-based training on bullying and related issues.

Students: Students will participate in an age-appropriate anti-bullying program that sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying. Also included in this program will be the District's prohibition of such conduct and the reasons why the conduct is destructive and unacceptable. Students shall also be informed of the consequences of bullying.

Parents: All parents/legal guardians will be provided with a copy of this policy. Information will also be made available to parents for preventing, identifying, responding to, and reporting incidents of bullying.

Procedure for reporting bullying (RSA 193-F:4, II(f))

The Principal or his/her designee shall be responsible for receiving complaints of alleged violations of this policy.

Student Reporting: —Any student who believes he/she has been a victim of bullying should report the alleged acts immediately to the Principal or his/her designee. If the student is more comfortable making this report to an adult other than the Principal or his/her designee, the student may tell any staff member or volunteer about the alleged bullying.

—Any staff member or volunteer who receives a report of an alleged bullying incident from a student shall inform the Principal or his /her designee as soon as possible, but no later than the end of that school day.

—A bullying complaint form shall be filed with the Principal. Forms are available in the office at school. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.

—Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of the Investigative Procedure section of this policy.

Staff and Volunteer Reporting:

—Staff members and volunteers shall report acts or behaviors they witness that appear to constitute bullying.

—Staff members and volunteers shall encourage students to tell them about acts that may constitute bullying. A staff member will assist any student needing help with the reporting process.

—Any staff member or volunteer who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal or his/her designee as soon as possible, but no later than the end of that school day.

—A bullying complaint form shall be filed with the Principal. Forms are available in the office at school.

—Upon receipt of a report of bullying, the Principal shall begin an investigation consistent with the provisions of the Investigative Procedure section of this policy.

Parental notification of alleged bullying (RSA 193-F:4, II(h))

Within 48 hours of receiving a report of bullying, the Principal shall inform all parents of students involved in the bullying incident. Such notification may be made by telephone, in 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.)

Waiver of notification requirement (RSA 193-F:4, II(i))

The Superintendent may, within a 48 hour time period, grant the Principal 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. Granting of a waiver shall not negate the school's responsibility to adhere to the remainder of this policy.

Statement prohibiting retaliation (RSA 193-F:4, II (b))

The District will discipline and take appropriate action against anyone who retaliates against a victim, witness, or anyone else that makes a report of alleged bullying or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying.

If the alleged victim or any witness to the bullying incident 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.

Statement prohibiting false accusations (RSA 193-F:4, II (d))

The District will discipline and take appropriate action against anyone who falsely accuses another of bullying.

Investigative procedure (RSA 193-F:4, II(j))

Within five (5) school days of receipt of a bullying report, the Principal shall 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 staff member to conduct the investigation.

—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.

—If the alleged bullying incident involved cyberbullying, in whole or in part, the Principal may request printed copies of e-mails, text messages, website pages, or other similar electronic communications. If a printed copy is not available, the Principal shall request that the electronic device be brought to school for verification.

—The Principal shall complete the investigation within ten (10) school days of receiving the initial report. If the Principal needs more than ten (10) school days to complete the investigation, the Superintendent may grant an extension of up to seven (7) school days. If an extension is granted, the Principal shall notify all parties in writing of the extension.

Response to remediate substantiated instances of bullying (RSA 193-F:4, II(k))

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

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 the documented systematic problems related to bullying.

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 as soon as the Principal's investigation is completed.

Communication with parents upon completion of the investigation (RSA 193-F:4, II(m))

—Within five (5) school days of completing the investigation, the Principal will notify, in writing, the parents of the alleged victim and alleged perpetrator of the results of the investigation unless the Superintendent has granted a waiver of parental notification.

In accordance with the Family and Educational Rights and Privacy Act (FERPA) and other laws concerning student privacy, the staff will not disclose to a parent/legal guardian the student records, including the discipline and remedial action, of any other student involved in the bullying incident.

Procedure for state internal reporting requirements (RSA 193-F:6)

In order to satisfy the reporting requirements of RSA 193-F6, the Principal shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying on an annual basis.