

STUDENT SAFETY AND VIOLENCE PREVENTION •
BULLYING

DEFINITIONS (RSA 193-F:3)

Bullying: 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, II(a))

The Lafayette Regional 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-F4, 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 Lafayette Regional 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))

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

Staff

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

Students

Students will participate in an age-appropriate 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

This policy will be included in the Parent Student Handbook. Additionally, the School Counselor will have information 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. Reports of bullying may be made anonymously. Although students, parents, and volunteers 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.

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 PROCEDURES (RSA 193-F:4, II(i))

- 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. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
- The Principal or other investigator may consider factors during the course of the investigation, including but not limited to:
 - Description of the incident, including the nature of the behavior
 - How often the conduct occurred
 - Whether there were past incidents or past continuing patterns of behavior
 - The characteristics of parties involved (name, grade, age, etc.)
 - The identity and number of individuals who participated in the bullying behavior
 - Where the alleged incident(s) occurred
 - Whether the conduct adversely affected the student's education or educational environment
 - Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident
 - The date, time, and method in which parents/legal guardians of all parties involved were contacted
- Consistent with applicable law, the District will not require a student to disclose or provide his/her user name, password, or other authenticating information for that student's personal social media account. However, the District may request from the student or the student's parent/guardian that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing District investigation.
- 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 as required by law.
- 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 two (2) days of completing an investigation, the Principal will notify the involved students, in person, of his/her findings and the result of the investigation.
- The Principal will notify the parents of the alleged victim and alleged perpetrator, via telephone or e-mail, regarding the results of the investigation. The Principal will also send a letter to the parents within 24 hours again notifying them of the results of the investigation.
- 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:4, II(g))

In order to satisfy the reporting requirements of RSA 193-F6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms

and reporting documents of substantiated incidents of bullying. Said forms shall be completed within ten (10) school days of any substantiated incident. Upon completion of such forms, the Principal/designee shall retain a copy and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.

APPEALS

A parent who is aggrieved by the investigative determination letter of the Principal 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's receipt of the investigative determination letter of the Principal. The Superintendent shall issue his/her decision in writing.

If the parent is aggrieved by the decision of the Superintendent, he/she may appeal the decision to the School Board within ten (10) calendar days of the date of 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 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.

AUDIO AND VIDEO RECORDINGS

Pursuant to RSA 570-A:2, the Board authorizes that audio recordings may be captured in conjunction with video recordings of the interior of school buses while students are being transported to and from school or school activities. The Superintendent shall ensure that prominently displayed signage on the school buses informs students that such recordings are occurring.

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

Legal Reference:

RSA 189:70, Educational Institution Policies on Social Media

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), Student Harassment

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