

Category: Priority/Required by Law

**PUPIL SAFETY AND VIOLENCE PREVENTION**  
**Prohibiting Bullying and Cyber-Bullying**

The North Hampton School Board believes that students are entitled to learn in a school environment that is safe and secure. Students are expected to conduct themselves with respect for others and in accordance with this policy and other Board policies and school rules governing student conduct. The North Hampton School Board will take reasonable steps to protect all students from the harmful effects of bullying and cyber-bullying that occurs at school and/or that interferes with student learning and orderly school operations.

The Superintendent is responsible for implementing this policy, but may delegate specific responsibilities to administrators and others as he/she deems appropriate.

**A. Prohibited Conduct**

Students are prohibited from bullying and cyber-bullying actions or communications directed toward other students which:

1. Occur on, or are delivered to, school property or a school-sponsored activity or event on or off school property; or
2. Occur off school property or outside of a school-sponsored activity or event, if the conduct interferes with a student’s educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event.

Students are further prohibited from retaliating against or making false accusations against a victim, witness or anyone else who in good faith provides information about an alleged act of bullying or cyber-bullying.

**B. Definitions**

For the purposes of this policy, the following definitions shall apply:

1. “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 student which:
  - a) Physically harms a student or damages the student’s property;
  - b) Causes emotional distress to a student. For the purposes of this policy, the term “emotional distress” means distress that materially impairs the student’s participation in academic or other school-sponsored activities. The term “emotional distress” does not include the unpleasantness or discomfort that accompanies an unpopular viewpoint;

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- c) Interferes with a student’s educational environment and/or opportunities;
- d) Creates a hostile educational environment; or
- e) Substantially disrupts the orderly operation of the school.

“Bullying” shall also include actions motivated by an imbalance of power based on a student’s actual or perceived personal characteristics, behaviors or beliefs, or motivated by the student’s association with another person and based on the other person’s characteristics, behaviors or beliefs if those actions cause one or more of the results in paragraphs (a) through (d) above.

Bullying or cyber-bullying of a student on the basis of sex, sexual orientation, race, color, ancestry, national origin, religion, age, marital status, familial status, pregnancy, physical or mental disability may constitute illegal discrimination under federal and/or state laws. Complaints regarding such conduct may be processed through the Board’s Sexual Harassment and Sexual Violence (JBAA).

- 2. “Cyber-bullying” means conduct defined in Paragraph 1 that takes place through the use of electronic devices.
- 3. “Electronic devices” and/or communications include but are not limited to telephones, cellular telephones, computers, pagers, electronic mail, instant messaging, text messaging and websites.
- 4. “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” means a student who engages in bullying or cyber-bullying.
- 6. “Victim” means a student against whom bullying or cyber-bullying has been perpetrated.
- 7. “Social Response Team” includes the principal, assistant principal, Guidance Counselor, Nurse, Primary Grade Mental Health Counselor, classroom/staff member(s) knowledgeable about the perpetrator and the victim, and other personnel as needed.

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**C. Reporting Bullying and Cyber-bullying**

1. In order to support a safe school environment, students who are subjected to bullying or cyber-bullying, or who observe bullying/cyber-bullying by or against other students are expected to report it to the building principal, guidance counselor and/or teachers. Parents and other adults are also expected to report any concerns about possible bullying or cyber-bullying of students to the building principal.
2. School staff and volunteers are required to report possible incidents of bullying or cyber-bullying to the building principal as soon as practicable.
3. If a student knowingly files a false report, disciplinary consequences could range from a parent (guardian)/student conference to an out-of-school suspension.
4. In cases requiring cooperation with the Police Department, pursuant to Policy JICD-R Memorandum of Understanding (January 16, 2014) with the North Hampton Police Department shall be used to provide a safe and healthy environment for students, staff and visitors.

**PROCEDURES for the IMPLEMENTATION of NORTH HAMPTON  
POLICY JICK PUPIL SAFETY VIOLENCE PREVENTION  
PROHIBITING BULLYING AND CYBER-BULLYING**

**A. Report Handling and Investigation**

1. The school protocols (USE A HOTLINK HERE) will be followed for the initial handling of communications/complaints about bullying and/or cyber-bullying.
2. The building principal shall notify the parents/guardians of the alleged victim(s) and perpetrator(s) that a bullying/cyber-bullying report has been made within 48 hours of the report and in accordance with applicable privacy laws. However, the building principal, in consultation with the SRT, may request a waiver of this 48 hour parent notification requirement from the Superintendent. The Superintendent may waive parent/guardian notification at this stage of the procedure if he/she determines this to be in the best interest of the victim(s) and/or the perpetrator(s). Any such waiver of the parent notification requirement shall be made in writing.

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3. An investigation of the bullying/cyber-bullying report will be initiated by the building principal and the SRT within three school days using the investigation rubric (Attachment B).
  - a) The alleged perpetrator(s) will be provided the opportunity to be heard as part of the investigation.
  - b) Privacy rights of all parties shall be maintained in accordance with applicable laws.
  - c) A written record of the investigation process shall be kept.
  - d) The building principal may take interim remedial measures to reduce the risk of further bullying/cyber-bullying, retaliation and/or to provide assistance to the alleged victim while the investigation is pending.
  - e) The building principal and the SRT shall inform the Superintendent concerning the investigation and any remedial measures or assistance provided.
  - f) The investigation shall be completed expeditiously, but within 21 school days of receipt of the report, if practicable. The Superintendent may grant in writing an extension of time to complete the investigation of up to 7 additional school days if necessary. The Superintendent shall notify all parties involved of any such extension.
  - g) If the building principal and the SRT substantiates the bullying/cyber-bullying report, they shall determine what remedial and/or disciplinary actions should be taken against the perpetrator(s) and determine what further assistance should be provided the victim(s), if any. The Superintendent, upon completion of the report, shall be informed of the disposition of the investigation and proposed actions
  - h) The building principal and the SRT shall inform the victim(s), the perpetrator(s) and their parents/guardians verbally within one school day of the findings in the report of the investigation and in writing of the results of the investigation and any remedies and/or assistance provided by the school, including strategies for protecting students from retaliation. Such communication shall be provided within five school days of the completion of the investigation by registered mail and shall be in compliance with applicable privacy laws.

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**B. Disciplinary Consequences and Intervention Programs**

Administrators, consistent with the procedures, shall determine appropriate disciplinary consequences and/or interventions for violations of this policy based upon the relevant facts and circumstances in a particular case, including but not limited to the age and maturity of the students involved; the type and frequency of the behavior; a student's willingness to cooperate in the investigation and correct behavior; disability; and the student's prior record.

Disciplinary consequences may include detention, suspension or expulsion from school. In addition, students may be required to participate in education programs, mediation, counseling and/or other programs and/or activities to address and prevent recurrence of bullying and cyber-bullying behavior.

**C. Training**

**NOTE: The law requires that initial training on this policy must occur within nine months of the effective date of the law (in other words, no later than April 1, 2011) and annually thereafter.**

1. The school administration shall provide appropriate training on this policy for school employees, school volunteers, law enforcement personnel assigned to the school and any employees of companies contracted to provide services directly to students. The purpose of the training is to educate school employees, school volunteers, applicable law enforcement personnel and any employees of companies contracted to provide services directly to students on how to properly identify, respond to and report incidents of bullying/cyber-bullying.
2. The school administration shall provide age-appropriate education programs for students and parents regarding this policy, bullying/cyber-bullying prevention, how to identify, respond to and report bullying/cyber-bullying.

All training and education programs shall be initially approved by the Superintendent. Building administrators are responsible for scheduling and documenting the required training and education programs each year.

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**D. Annual Report to New Hampshire Department of Education**

The Superintendent shall prepare and submit an annual report of substantiated bullying/cyber-bullying incidents on the form provided by the New Hampshire Department of Education. Such reports shall not contain personally identifiable information regarding students.

**E. Immunity**

Any employee of the school unit or contract company, school volunteer, assigned law enforcement officer, and student or parent/guardian shall be immune from civil liability for good faith conduct arising out of or pertaining to the reporting, investigation, findings, and the development or implementation of any recommended response under this policy.

**F. Policy Dissemination**

This policy shall be posted on the district website and included in student and employee handbooks, as well as volunteer handbooks. It shall also be provided to employees of any company contracted to provide services directly to students, including assigned law enforcement officers. The policy may also be disseminated by other means as determined by the Superintendent.

***Legal References:***

*NH RSA 193-F:2-F:10*

***Cross References:***

*AC - Nondiscrimination/Equal Opportunity*  
*JBAA – Sexual Harassment and Sexual Violence*  
*JRA – Student Records and Information*

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