PUPIL SAFETY AND VIOLENCE PREVENTION POLICY
(Bullying Policy In Compliance With RSA 193-F)

1. **Objective**

It is the policy of the Oyster River Cooperative School District that its students have an educational setting that is safe, secure, and free from student harassment, also known as bullying. The district will not tolerate unlawful harassment of any type and conduct that constitutes bullying as defined herein is prohibited by this Policy, in accordance with RSA 193-F.

2. **Definition**

"Bullying" for purposes of this policy is defined as insults, taunts, or challenges, whether verbal or physical in nature, which are likely to intimidate or provoke a violent or disorderly response from the student being treated in this manner. Bullying in violation of this policy may not rise to the level of unlawful harassment or discrimination under Title IX of the Education Acts of 1972, the Americans With Disabilities Act, Title VI, the Rehabilitation Act of 1974 or the district's sexual harassment policy. Further, reporting may be required under New Hampshire's Child Abuse Protection Act (RSA 169-C).

3. **Notice of Policy**

At the beginning of each school year, the Superintendent or designee shall, in writing, inform parents, legal guardians, or other persons responsible for the welfare of a pupil of the district's pupil safety and violence prevention policy and the appeals process available at the local and state levels.

Each District school shall provide notice to students and staff of this policy through appropriate references in the student and employee handbooks, or through other reasonable means. The Superintendent shall also make all contractors aware of this policy.

4. **Reporting Requirements and Procedures**

Any student who believes he/she has been a victim of bullying shall report the alleged act to the building principal or the principal's designee. If a student is more comfortable reporting the alleged act to a person other than the building principal, the student may contact any School District employee.

Any school employee, or employee of a company under contract with the school or School District, who has witnessed or has reliable information that a pupil has been subjected to insults, taunts or challenges, whether verbal or physical in nature, which are likely to intimidate or provoke a violent or disorderly response shall report the incident to the principal, or designee.

Any parent or other individual who has witnessed or has reliable information that a student has been the victim of bullying should report the incident to the student's principal or a designee.

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Upon receipt of a report of bullying, the principal or designee shall notify the Superintendent and within twenty-four hours forward a written report to the Superintendent of the incident and the principal's or designee's response to the incident. The Superintendent shall in turn notify the School Board of the incident.

Additionally, the principal, or designee, shall by telephone and in writing by first-class mail, report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all pupils involved within 48 hours of the occurrence of such incident unless this requirement is waived by the superintendent when such a waiver is deemed to be in the best interests of the student. Any waiver granted shall be in writing and any such notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). The notice shall advise the individuals involved of their due process rights including the right to appeal to the State Board of Education.

5. <u>Investigation, Resolution and Remediation of Bullying Reports</u>

The principal or designee shall investigate alleged acts of bullying.

The principal will take such disciplinary action as is deemed justified including, but not limited to, reprimand, detention, in-school suspension, out-of-school suspension, long-term suspension or expulsion in order to end bullying and prevent its recurrence.

Any such disciplinary action shall be taken in accord with applicable School Board policy and legal requirements.

6. <u>Right to Appeal</u>

The parent or legal guardian may appeal the principal's decision to the superintendent within 10 days of notification. If the parent or legal guardian is not satisfied with the superintendent's decision, they may appeal in writing within 10 days to the school board.

If the parent or legal guardian is not satisfied with the local school board's decision, they may appeal to the State Board of Education pursuant to 193-F. Such an appeal shall be in writing and filed with the Commissioner of Education with a copy to the superintendent of schools and mailed to Stephen Berwick, NH Department of Education, 101 Pleasant Street, Concord, NH 033012. The State Board of Education shall notify in writing all parties involved of its decision.

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7. <u>Training</u>

Appropriate methods of discussing the meaning, substance, and application of this policy with staff and students shall be developed by each principal and staff in order to effectively prevent bullying, minimize the occurrence of bullying and respond to any such incidents.

8. <u>Immunity</u>

A school employee, or employee of a company under contract with a school or School District, who has reported violations of bullying to the principal or designee shall be immune from any cause of action which arise from making the report or the failure of the school to remedy the reported incident.