

PUPIL SAFETY AND VIOLENCE PREVENTION POLICY

I. Statement of Purpose and Intent

The Hopkinton School District is committed to providing all pupils a safe school environment. Conduct constituting bullying will not be tolerated and is prohibited by this policy in accordance with RSA 193-F. This policy applies to all students and school aged persons on school property or participating in school functions regardless of their status under the law.

II. Definitions

A. Bullying. Bullying is 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 also includes 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.

B. Cyberbullying: bullying (as defined above) undertaken through the use of electronic devices.

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

D. Perpetrator: a student who engages in bullying.

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

F. Victim: a pupil against whom bullying has been perpetrated.

In accordance with RSA 193-F: 4, the Hopkinton School District reserves the right to impose discipline for bullying that:

- Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property or

- Occurs off of school property or outside of a school sponsored activity or event, if the conduct interferes with a pupils' educational opportunity or substantially disrupts the orderly operation of a school or school sponsored activity or event

III. Reporting Procedure

The Principal of each school is responsible for receiving oral or written reports of bullying. The Principal may designate, in writing, an additional person to receive such reports.

Student or Parent Reports

Any student who believes that he or she has been the victim of bullying, as defined in Section II above should immediately report the alleged acts to the Principal; however, if the student prefers, he/she may inform any school employee or volunteer.

Students or parents who have witnessed or who have reliable information that a pupil has been subjected to bullying should immediately report the same to the Principal, or, if the student or parent prefers, he/she may inform any school employee or volunteer about the alleged bullying.

Reports by Staff, Volunteer, or Employee of A Company under contract with the Hopkinton School District or with any school in the Hopkinton School District.

Any school employee, volunteer, or employee of a company under contract with the Hopkinton School District, or any school within the Hopkinton School District, who has witnessed or has reliable information that a pupil has been subjected to bullying, as defined in Section II above, shall report such incident to the Principal (or his/her designee) as soon as possible.

Forms to report incidents of bullying shall be available electronically or at the Principal's office. Use of the form is encouraged, but not required. If the Principal (or his/her designee) receive the report verbally, he/she shall reduce the report received to writing within twenty-four hours of receiving information.

IV. Notice to Parents/Guardians

Within 48 hours of receiving a report of bullying, the Principal, (or his/her designee), shall give notice of the report of the alleged incident to the parent(s) or guardian(s) of the victim and the perpetrator. Any such notification under this policy must comply with the Family Educational Rights and Privacy Act (FERPA). In accordance with FERPA, the notice shall not contain any personally identifiable information obtained from student educational records.

V. Waiver of Notification Requirement.

The Superintendent may, within the 48 hour time period referenced in Section IV of this policy, grant the Principal (or his/her designee) a written waiver from the notification requirement in section IV of this policy, if the Superintendent (or his/her designee) deems such waiver to be in the best interest of either the victim or the perpetrator. The granting of a waiver does not negate the responsibility to follow the other procedures set forth in this policy.

IV. Investigation Procedures

The Principal or his/her designee is responsible for investigation reports of bullying.

Investigations shall be initiated within five (5) school days of the date that the incident is reported to the Principal (or his/her designee), and shall be completed within 10 school days from the date the investigation was initiated.

If the Principal (or his/her designee) requires additional time to complete the investigation, the Superintendent (or his/her designee) may extend the time period for investigation by up to seven (7) school days. Any such extension shall be in writing and the Superintendent (or his/her designee) shall provide all parties involved with written notice of the granting of the extension.

Upon completion of the investigation, the Principal (or his/her designee) shall draft a written investigation report.

VII. Response to Remediate Substantiated Incidents of Bullying.

The Principal (or his/her designee) shall develop a response to remediate any substantiated incident of bullying.

Within ten (10) school days of completion of the investigation, the Principal (or his/her designee) shall provide the parents/guardians of victims and perpetrators with written information about the available remedies and assistance. The notice shall comply with FERPA and other State and federal laws concerning student privacy.

VIII. Discipline and/or Intervention

If, after investigating pursuant to section VI of this policy, the Principal (or his/her designee) concludes that a pupil engaged in bullying that students may be subject to appropriate disciplinary action, which may include but is not limited to suspension and expulsion. Any such disciplinary action shall be taken in accordance to applicable board policy and legal requirements.

Students who falsely accuse other students of bullying may be also be subject to disciplinary action which may include but is not limited to suspension and expulsion. Any such disciplinary action shall be taken in accordance with applicable board policy and legal requirements.

At the discretion of the Principal (or his/her designee), students who commit an act of bullying or falsely accuse another of the same, as a means retaliation of reprisal, may either in addition to discipline, or in lieu of discipline, receive non disciplinary interventions. Interventions are not considered disciplinary in nature.

Nothing in this policy shall supersede the disciplinary procedures of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act, including the protections offered through the manifestation determination process.

X. Prohibition Against Retaliation and False Accusations

All individuals are prohibited from retaliating or making false accusation against a victim, witness or anyone else who in good faith (good faith defined as honestly and without deception) provides information about an act of bullying. The Principal (or his/her designee) shall investigate claims of retaliation or false accusation, and if substantiated, the retaliator and/or the false accuser may be subject to discipline, including but not limited to suspension or expulsion.

The Principal (or his/her designee) is responsible for developing a plan to protect all pupils from retaliation and/or false accusations. Plans may be developed on a case-by case basis.

XI. Training

The Superintendent shall ensure that school employees, regular school volunteers, and employees of a company under contract with the Hopkinton School District and/or any of the schools within the Hopkinton School District that have significant contact with pupils annually receive training on this policy for the purpose of identifying, responding to, and reporting incidents of bullying.

The Hopkinton School District shall provide age appropriate educational programs for pupils, parents, and community members, in preventing, identifying, responding to, and reporting incidents of bullying.

XII. Notice of Policy

The Superintendent (or his/her designee) shall provide written notice of this policy to students, parents, legal guardians, school employees, school volunteers, and employees of companies under contract with the Hopkinton School District, or any school within the Hopkinton School District.

XIII. Report to the Department of Education

The Principal (or his/her designee) is responsible for reporting substantiated incidences of bullying to the Superintendent (or his/her designee).

The Superintendent (or his/her designee) shall, on an annual basis, report substantiated incidences of bullying to the Department of Education. The reports shall not contain any personally identifiable information pertaining to any pupil.