

**Derry Cooperative School District No. 1
N.H. School Administrative Unit #10
18 South Main Street
Derry, New Hampshire 03038**

EPS CODE: JLI

DISTRICT CODE:

Pupil Safety and Violence Prevention Policy Under RSA 193-F

It is the policy of the Derry Cooperative School District that its students have an educational setting that is safe, secure, peaceful, 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.

Bullying Defined

“Bullying” for the 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. Bullying in violation of this policy may not rise to the level of unlawful harassment under Title IX of the Education Acts of 1972, the Americans With Disabilities Act, Title VI, or the Rehabilitation Act of 1974 or the District’s sexual harassment policy (GBAA-JBA). Further reporting may be required under New Hampshire’s Child Abuse Protection Act, RSA 169-C.

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 level.

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 with the District aware of this policy.

Reporting Procedure

1. Any student who believes they have been a victim of bullying may 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.
2. 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 student has been subjected to bullying shall report the incident to the student’s principal or the principal’s designee.
3. 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.
4. Upon receipt of a report of bullying, the principal or designee shall within 24 hours forward a written report to the Superintendent of the incident and the principal 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 interest 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.

Investigation and Discipline

1. The principal or Superintendent (as appropriate) shall investigate alleged acts of bullying.
2. The principal, Superintendent or School Board (as appropriate) will take such disciplinary action deemed necessary and appropriate, including but not limited to detention, in-house suspension, out-of-school suspension or long-term suspension, or expulsion in order to end bullying and prevent its recurrence.
3. Any such disciplinary action shall be taken in accord with the applicable School Board policy and legal requirements.

Right to Appeal

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 are not satisfied with the Superintendent's decision, they may appeal in writing within 10 days to the School Board. The School Board shall adhere to the procedures set forth in ED 216 in resolving the dispute.

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 193:13. Such an appeal shall be in writing and filed with the Commissioner of Education with a copy of the superintendent of schools and mailed to New Hampshire Department of Education, 101 Pleasant Street, Concord, NH 033012. The State Board of Education shall notify in writing all parties involved of its decision.

Training

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.

Immunity

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

Statutory and Regulatory References

RSA 193:13, Suspension and Expulsion of Pupils

RSA 193-F, Pupil Safety and Violence Protection

NH Code of Administrative Rules, Section Ed 317, Procedures of Suspension and Expulsion of Pupils