

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

The Seacoast Charter School 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 Seacoast Charter 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 Head of School is responsible for implementing this policy, but may delegate specific responsibilities to others, as he/she deems appropriate.

**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.

**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;
  - c) Interferes with a student's educational environment and/or opportunities;
  - d) Creates a hostile educational environment; or

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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 policy.

(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” (SRT) includes the Head of School and classroom/staff member(s) knowledgeable about the perpetrator and the victim, and other personnel as needed.

**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 head of school, teachers and staff. Parents and other adults are also expected to report any concerns about possible bullying or cyber-bullying of students to the Head of School.

2. School staff and volunteers are required to report possible incidents of bullying or cyber-bullying to the Head of School as soon as practicable.

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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. Some cases may require cooperation with the Police Department in order to provide a safe and healthy environment for students, staff and visitors.

**PROCEDURES for the IMPLEMENTATION of SEACOAST CHARTER SCHOOL POLICY JICK PUPIL SAFETY VIOLENCE PREVENTION: PROHIBITING BULLYING AND CYBER-BULLYING**

Report Handling and Investigation

1. The school protocols will be followed for the initial handling of communications/complaints about bullying and/or cyber-bullying.

2. The Head of School 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 Head of school, in consultation with the SRT, may implement a waiver of this 48-hour parent notification requirement, if it is determined to be in the best interest of the victim(s) and/or perpetrator(s)

3. An investigation of the bullying/cyber-bullying report will be initiated by the head of school and the SRT within three school days using the investigation rubric

- 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 head of school 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 investigation shall be completed expeditiously, but within 21 schooldays of receipt of the report, if practicable. A 7-day extension may be granted.
- f) If the Head of School 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),

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Disciplinary Consequences and Intervention Programs

Head of School, 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.

Training

This training must be conducted annually.

1. The school administration shall provide appropriate training on this policy for school employees, school volunteers, and 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.

The Head of School shall initially approve all training and education programs. In addition the Head of School is responsible for scheduling and documenting the required training and education programs each year.

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Immunity

Any employee of the school or contracted 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.

Policy Dissemination

This policy shall be posted on the *Seacoast Charter School* 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 Head of School.

*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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