

POLICY COMMITTEE MEETING

TUESDAY, SEPTEMBER 22, 2026

6:00 PM

NHS NORTH BOARD ROOM

Meetings are broadcast live on Channel 22 via Comcast or

LIVE Stream link to watch/listen Nashua ETV is: <http://tinyurl.com/NashuaETVStream>

[time subject to change]

AGENDA

COMMITTEE MEMBERS: H. Raymond, R. Johnson, R. Lamphier, and J. Lewis (Alt.)

CALL TO ORDER

ROLL CALL

1. ACD Religious Neutrality & Religious Accommodations
2. AD Philosophy of the School District
3. GBAM Accommodation of Pregnancy, Childbirth, Pediatric Infant Care and Other Related Conditions
4. GCCBC Family and Medical Leave Act
5. JICK Student Safety and Violence Prevention - Bullying

NONPUBLIC SESSION, IF NEEDED:

- RSA 91 A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests an open meeting in which case the request shall be granted.
- RSA 91 A:3 II (b) The hiring of any person as a public employee.
- RSA 91 A:3 II (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the BOE, unless such person requests an open meeting.
- RSA 91 A:3 II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof, because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled....
- RSA 91 A:3 III Minutes of the meetings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, *unless, by recorded vote of 2/3 of the members present taken in public session, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself, or render the proposed action ineffective, or pertain to terrorism....*

ADJOURNMENT

NONMEETING FOR NEGOTIATIONS, IF NEEDED

NONMEETING WITH COUNSEL, IF NEEDED

Mario Andrade, Ed. D.
Superintendent



James O'Rourke, M. Ed., CAGS
Assistant Superintendent

Krystal De Gray, MBA
Chief Operating Officer

141 Ledge Street, Nashua, New Hampshire 03060
T: (603) 966-1000 www.nashua.edu

Jennifer Scarpati, Ph. D.
Assistant Superintendent

MEMORANDUM

TO: Board of Education, Policy Committee

FROM: Jim O'Rourke, Assistant Superintendent

DATE: September 22, 2026

SUBJ: Policy Recommendations

Attached please find the following policies requiring review and approval/rescission:

	POLICY	POLICY NAME	STATUS	DISPOSITION REQUESTED
1	ACD	Religious Neutrality & Religious Accommodations	NEW Proposed Policy	Approval
2	AD	Philosophy of the School District	Updated	Approval
3	GBAM	Accommodation of Pregnancy, Childbirth, Pediatric Infant Care and Other Related Conditions	NEW Proposed Policy	Approval
4	GCCBC	Family and Medical Leave Act	Updated	Approval
5	JICK	Student Safety and Violence Prevention - Bullying	Updated	Approval

*Reference***RELIGIOUS NEUTRALITY AND RELIGIOUS ACCOMMODATIONS****A. Purpose and Scope**

The District shall maintain neutrality toward religion while respecting the diverse religious and non-religious beliefs of students, families, employees, volunteers, or members of the community.

The District and its employees shall neither endorse nor inhibit religion, nor show hostility toward religious or non-belief. Proper accommodation of religion does not constitute endorsement.

This policy applies to all District programs, activities, and workplaces.

B. Student Religious Expression

Students have the right to express their religious - or non-religious beliefs freely, as long as such expression is voluntary, non-disruptive, and does not infringe on the rights of others or appear to be school-sponsored.

C. Student Religious Accommodations

Parents/guardians have the option of opting their child out of units within the health or sex education curriculum as provided in Board policy IHAM, and further opting their child out of specific course material they find objectionable as provided in Board policy IGE.

Requests for other student accommodation under this policy should be addressed in the first instance to the teacher, coach or other employee supervising the activity. If the response is unsatisfactory, the student or parent/guardian may request review by the School Principal. If the response is still unsatisfactory, a report or complaint may be made pursuant to Board policy ACA.

Examples of accommodations include, but are not limited to:

1. excused absences for religious observance;
2. make-up work opportunities;
3. dietary accommodations;
4. modifications for attire or grooming; and
5. permission for private, non-disruptive, prayer.

D. Employee Religious Expression

1. Private Expression. Employees and volunteers may engage in private religious expression when:
 - a. They are not performing core or primary instructional or supervisory duties, and
 - b. The activity is comparable to permitted secular conduct.
2. Restrictions in Official Capacity. Employees and volunteers shall not engage in any religious activities that:
 - a. interfere with their core duties at the time, or
 - b. cause a substantial interference with their official duties or with school operations.

Examples of restricted activities include:

- i. Leading students in prayer or religious exercise during core duties, including periods where supervision of the students is a primary function;
- ii. Using the employee/volunteer's position to encourage or coerce student participation
- iii. Creating the appearance of school endorsement of the religious activity.

E. Employee Religious Accommodations

The District will reasonably accommodate employees sincerely held religious beliefs, observances, and practices unless doing so would impose an undue hardship, defined as substantial increased costs or significant operational disruption.

Requests for accommodation shall be submitted in writing to the employee's supervisor or HR personnel and reviewed promptly through an interactive, individualized process. If, after engaging in the process, the employee is dissatisfied with the result, s/he may submit a report or complaint pursuant to Board policy ACA.

Examples of accommodations for employees include, but are not limited to: (1) schedule adjustments; (2) leave for religious observance; (3) dress or grooming exceptions; (4) private space for prayer.

F. Facilities Use

School district facilities that are made available for community use shall be provided to religious groups on the same terms as other community organizations, without discrimination based on viewpoint. However, such use shall be strictly non-school-sponsored and shall not create the appearance of endorsement by the District.

G. Training and Dissemination

The Superintendent shall ensure that all staff are aware of their responsibilities under this policy, and shall ensure that information regarding religious accommodation is included in student handbooks.

Legal References:

NH Constitution, Part I, Art. 5, New Hampshire Constitution
RSA 189:1-b, Freedom of Assembly, Freedom of Religion
RSA 354-A: (Human Rights) Title and Purposes of Chapter
RSA 354-A:27, Opportunity for Public Education without Discrimination a Civil Right
RSA 354-A:6, Opportunity for Employment without Discrimination a Civil Right
1st Amendment, U.S. Constitution
20 U.S.C. §4071, Equal Access Act (student religious groups)
20 U.S.C. §7904, No Child Left Behind Act of 2001
42 U.S.C. §2000bb - §2000bb-4, Religious Freedom Restoration
494 U.S. 872 (1990) Employment Division, Department of Human Resources of Oregon v. Smith
514 F.3d 87 (1st Cir. 2008) Parker v. Hurley
597 U.S. 507 (2022) Kennedy v. Bremerton School District
600 U.S. 447 (2023) Groff v. DeJoy

***Legal References Disclaimer:** These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

Board Approved:

PHILOSOPHY OF THE SCHOOL DISTRICT

~~Our Vision~~Mission Statement

~~The Nashua School District will be the model for excellence in public education for our students, staff and community.~~ The mission of the Nashua School District is to provide personalized educational opportunities and cultivate the skills and perspectives necessary for meaningful contributions to the community.

~~Our Mission~~Core Values

~~The Nashua School District will educate the whole child to empower student success.~~

Positive Respectful Inquisitive Determined Engaged

~~Our Values~~Vision Statement

~~The Nashua School District values a passion for learning and the importance of integrity, trust, respect, empathy and tenacity.~~

The Nashua School District is a community where curiosity drives education, and every learner is valued.

Nashua schools receive students with a variety of abilities, interests, and experiences, and the schools use the resources provided by the community to implement a program of planned, sequential, instructional experiences and activities based on sound educational practices and research. The goal of the program is to develop the knowledge, skills, processes, and attitudes which students will need to be productive, responsible, and self-fulfilled members of society.

Reference: Nashua School District ~~2019~~2025-~~2024~~2030 Strategic Plan

Legal References:

***Legal References Disclaimer:** These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

Board Approved: 03/30/1987, 09/18/2019

*Reference GCCBC***ACCOMMODATIONS OF PREGNANCY, CHILDBIRTH, PEDIATRIC INFANT CARE,
AND OTHER RELATED CONDITIONS****A. Policy Purpose**

This policy is intended to help District employees receive the accommodations related to pregnancy and related conditions to which they are entitled under the Pregnant Workers Fairness Act (PWFA) regarding pregnant employees and employees with pregnancy related conditions, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Board Policy AC.

B. Definitions

1. Pregnancy. Under the PWFA, “pregnancy” and “childbirth” refer to the pregnancy or childbirth of the specific employee in question and include, but are not limited to, current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
2. Related Medical Conditions. “Related medical conditions” are medical conditions relating to the pregnancy or childbirth of the specific employee in question. This includes prenatal/antenatal, and postpartum medical conditions, as well as lactation and related conditions. See Policy ACN for lactation accommodations.
3. Reasonable Accommodations. A "reasonable accommodation" for purposes of this policy and the PWFA is an accommodation that “seems reasonable on its face, i.e., ordinarily or in the run of cases, is “feasible,” or “plausible” given the specific circumstances of the position. Reasonable accommodations with respect to pregnancy or related conditions **may** include such items as:
 - a. frequent breaks to attend to health needs associated with pregnancy or related conditions, including eating, drinking, using the restroom, or expressing breast milk in an appropriate lactation space (as described in Policy ACN);
 - b. schedule changes or intermittent absences to attend medical appointments;
 - c. changes in physical space or supplies (for example, access to a larger desk or a footrest);
 - d. leave;
 - e. avoiding exposure to certain chemicals;
 - f. telework;
 - g. access to reserved parking;
 - h. elevator access; or
 - i. other changes to policies, practices, or procedures.

C. Interactive Process and Reasonable Accommodation

Any employee who is pregnant or who has a related medical condition (the “Employee”) is encouraged to communicate a need for reasonable accommodation to the District by notifying [the Principal, Human Resources, or the Employee’s supervisor]. Once the District is so notified, the District will engage in an interactive process with the Employee in order to make reasonable accommodation for the Employee’s known limitations. The District shall implement such

reasonable accommodation without unnecessary delay. If appropriate, the District may implement an interim reasonable accommodation while determining how best to make a reasonable accommodation.

The District shall not require the Employee to accept any accommodation or to take leave, nor will the District deny employment opportunities to the Employee or take any adverse action against the Employee because of the Employee's need for, request of, or use of reasonable accommodation(s).

The District shall not retaliate against, coerce into, dissuade from, or otherwise act against any person for seeking reasonable accommodation or assisting another in seeking reasonable accommodation as described in this policy.

If the Employee refuses a reasonable accommodation offered by the District and, as a result, is unable to perform the essential functions of the job, and there are no alternative reasonable accommodations, the District may have satisfied its obligation to make reasonable accommodation.

D. Leaves of Absence to Attend Medical Appointments for Childbirth, Postpartum Care, and Infant Pediatric Medical Appointments

To the extent required by RSA 275:37-f (e.g., number of employees, maximum leave, etc.), the School District provides eligible employees with unpaid leave to attend certain medical appointments related to childbirth and the care of a young child.

The leave provided under this Section D begins with the birth or adoption of a child and is in addition to Family Leave as provided under the Family Medical and Leave Act (FMLA).

Employees are permitted to take up to a total of twenty-five (25) hours of leave during the first year following the birth or adoption of a child for the following purposes:

1. The employee's own medical appointments related to childbirth, or postpartum care; and/or
2. The employee's child's pediatric medical appointments.

When both parents of a child are employed by the District, the parents shall only be entitled to a combined total of no more than twenty-five (25) hours of leave for such purposes during the child's first year following birth or adoption.

Leave provided under this policy shall be unpaid. However, and consistent with any applicable collective bargaining agreement or individual contract, employees may elect to substitute any accrued vacation leave or other appropriate and available paid leave concurrently with leave taken under this Section D.

An employee who takes leave under this policy shall be restored to the same position held prior to the leave, or to an equivalent position with equivalent pay, benefits, and terms and conditions of employment.

Employees requesting leave under this Section D shall provide reasonable advance notice to the District and shall make a reasonable effort to schedule appointments so as to minimize disruption to District operations.

E. **Supporting Documentation**

The District will only seek reasonable documentation supporting the Employee's need for accommodation due to pregnancy or a related medical condition when such documentation is necessary to determine reasonable accommodation and/or the expected duration of the need.

The District will not seek supporting documentation when the need is obvious or already known. For example, a need for more frequent restroom breaks for a pregnant employee is obvious and, once the Employee has notified the District of the Employee's pregnancy, the District would not require documentation supporting the ongoing need for more frequent restroom breaks.

F. **Reports or Complaints**

Reports or complaints of violations of this policy should be made in the first instance under Board policy ACAC.

Legal References:

RSA 275:37-f, Leave of Absence to Attend Medical Appointments for Childbirth, Postpartum Care, and Infant Pediatric Medical Appointments
RSA 354-A: (Human Rights) Title and Purposes of Chapter
RSA 354-A:6, Opportunity for Employment without Discrimination a Civil Right
89 FR 29182, Pregnant Workers Fairness Act ("PWFA")
20 U.S.C. §1232g, Family Educational Rights and Privacy Act (FERPA)
29 U.S.C. section 2611, et seq., Family and Medical Leave Act of 1993 (Pub. L. 103-3)
42 U.S.C. 2000gg, Pregnant Worker Fairness Act (PWFA)

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

Board Approved:

*Reference GBAM***FAMILY AND MEDICAL LEAVE ACT**

The District provides eligible employees with job protected leave for family and medical circumstances in accordance with the Federal and Medical Leave Act of 1993, as amended (“Act” or “FMLA”). This policy summarizes the key provisions of the Act as it applies to eligible employees of the School District. Employees should consult Human Resources and the Act for more specific definitions and criteria for use. It is not the intent of this Policy to provide additional or different provisions than those specified in the Act and its implementing regulations.

Employee Eligibility

An employee is eligible for Family or Medical Leave if the employee has been employed for the past twelve months and has worked at least 900 hours during the prior twelve months. Time spent by an employee fulfilling military service obligations (National Service or Reserves) is counted in meeting hours of employment.

Qualifying Events

Family medical leave shall be provided:

1. For birth of a son or daughter, and to care for the newborn child,
2. For placement with the employee of a son or daughter for adoption or foster care,
3. To care for the employee’s spouse, son, daughter, or parent with a serious health condition,
4. Because of a serious health condition that makes the employee unable to perform the functions of the employee’s job,
5. Because of any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) and
6. To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member in support of a contingency operation.

Leave Time Available

The Nashua School District recognizes that eligible employees have access to unpaid, job protected family and medical leave for up to twelve (12) weeks during a specified twelve (12) month period. The specified twelve (12) month period as provided for by FMLA is the “rolling” 12-month period measured backward from the date the employee uses any FMLA leave.

Concurrency and Use of Leave Time

FMLA shall occur concurrently with any paid or unpaid leave granted pursuant to any collective bargaining agreement or Board approved leave policy. The District requires an employee to use accrued leave time, including sick, vacation, personal, compensatory or time approved from the Sick Bank consistent with the applicable collective bargaining agreement or School District approved policy.

Additional District Required Documentation and Procedures

The District requires medical certification from a health care provider using the respective Department of Labor forms. The District may deny FMLA leave if the applicable form is incomplete or the information provided is insufficient.

Posting Notice

The District shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the Family and Medical Leave Act, including information concerning the enforcement of the Act.

Legal Reference:

RSA-189:73; Family and Medical Leave Coverage

***Legal References Disclaimer:** These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

Board Approved: 09/12/2011, 03/27/2023

STUDENT SAFETY AND VIOLENCE PREVENTION - Bullying**I. Definitions (RSA 193-F:3)**

- ~~1. **Bullying:** Bullying is hereby defined as 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;~~
 - ~~c. Interferes with a student's educational opportunities;~~
 - ~~d. Creates a hostile educational environment; or~~
 - ~~e. Substantially disrupts the orderly operation of the school.~~~~
- ~~2. 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.~~
- ~~3. **Cyberbullying:** Cyberbullying is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.~~
- ~~4. **Electronic devices:** Electronic devices include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites.~~
- ~~5. **Perpetrator:** Perpetrator means a student who engages in bullying or cyberbullying.~~
- ~~6. **School property:** School property means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.~~
- ~~7. **Victim:** Victim means a student against whom bullying or cyberbullying has been perpetrated.~~
- ~~8. Any reference in this policy to "parent" shall include parents or legal guardians.~~

II. Statement Prohibiting Bullying or Cyberbullying of a Student (RSA 193-F:4, II(a))

~~The Board is committed to providing all students a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.~~

~~Further, in accordance with RSA 193-F:4, the District reserves the right to address bullying and, if necessary, impose discipline for bullying that:~~

- ~~1. Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or~~
- ~~2. Occurs off of 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.~~

~~The Superintendent of Schools is responsible for ensuring that this policy is implemented.~~

III. Statement Prohibiting Retaliation or False Accusations

False Reporting

A student found to have wrongfully and intentionally accused another of bullying may face discipline or other consequences, ranging from positive behavioral interventions up to and including suspension or expulsion.

A school employee found to have wrongfully and intentionally accused a student of bullying shall face discipline or other consequences be determined in accordance with applicable law, District policies, procedures and collective bargaining agreements.

Reprisal or Retaliation

The District will discipline and take appropriate action against any student, teacher, administrator, volunteer, or other employee who retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying.

1. The consequences and appropriate remedial action for a student, teacher, administrator, volunteer, or other employee who engages in reprisal or retaliation shall be determined by the Principal after consideration of the nature, severity and circumstances of the act, in accordance with law and Board policies and any applicable collective bargaining agreements.
2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to disciplinary measures up to and including suspension and expulsion.
3. Any teacher or school administrator found to have engaged in reprisal or retaliation in violation of this policy shall be subject to discipline up to, and including, termination of employment.
4. Any school volunteer found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Process to Protect Students from Retaliation

If the alleged victim or any witness expresses to the Principal or other staff member that he/she believes he/she may be retaliated against, the Principal shall develop a process or plan to protect that student from possible retaliation.

Each process or plan may be developed on a case-by-case basis. Suggestions include, but are not limited to, re-arranging student class schedules to minimize their contact, stern warnings to alleged perpetrators, temporary removal of privileges, or other means necessary to protect the alleged victim against possible retaliation.

IV. Protection of all Students (RSA 193-F:4, II(c))

This policy shall apply to all students and school-aged persons on school district grounds and participating in school district functions, regardless of whether or not such student or school-aged person is a student within the District.

V. Disciplinary Consequences for Violations of This Policy (RSA 193-F:4, II(d))

The District reserves the right to impose disciplinary measures against any student who commits an act of bullying, falsely accuses another student of bullying, or who retaliates against any student or witness who provides information about an act of bullying.

In addition to imposing discipline under such circumstances, the board encourages the administration and school district staff to seek alternatives to traditional discipline, including but not limited to early intervention measures, alternative dispute resolution, conflict resolution and other similar measures.

VI. Distribution and Notice of this Policy (RSA 193-F:4, II(e))Staff and Volunteers

All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, etc.).

The Superintendent will ensure that all school employees and volunteers receive annual training on bullying and related District policies.

Students

All students will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (student handbook, mailing, hard copy, etc.).

Students will participate in an annual education program which sets out expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

The Superintendent, in consultation with staff, may incorporate student anti-bullying training and education into the District's curriculum, but shall not be required to do so.

Parents

All parents will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (parent handbook, mailing, etc.). Parents will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Cooperate fully with school personnel in identifying and resolving incidents.

Additional Notice and School District Programs

The Board may, from time to time, host or schedule public forums in which it will address the anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals including teachers, administrators, guidance counselors, school psychologists and other interested persons.

VII. Procedure for Reporting Bullying (RSA 193-F:4, II(f))

At each school the Principal and/or designee of the Principal shall be responsible for receiving and responding to complaints of alleged violations of this policy.

Student Reporting

1. Any student who believes he or she has been the victim of bullying should report the alleged acts immediately to the Principal. If the student is more comfortable reporting the alleged act to a person other than the Principal, the student may tell any school district employee or volunteer about the alleged bullying.
2. Any school employee or volunteer who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred must inform the Principal as soon as possible, but no later than the end of that school day.

The Principal may develop a system or method for receiving anonymous reports of bullying. Although students, parents, volunteers and visitors may report anonymously, formal disciplinary action may not be based solely on an anonymous report. Independent verification of the anonymous report shall be necessary in order for any disciplinary action to be applied.

- ~~4. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.~~
- ~~5. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.~~

Staff Reporting

- ~~1. An important duty of the staff is to report acts or behavior that they witness that appears to constitute bullying.~~
- ~~2. All District employees and volunteers shall encourage students to tell them about acts that may constitute bullying. For young students, staff members may provide direct assistance to the student.~~
- ~~3. Any school employee or volunteers who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Principal as soon as possible, but no later than the end of the that school day.~~
- ~~4. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section XI of this policy.~~

~~VIII. Procedure for Internal Reporting Requirements (RSA 193-F:4, II(g))~~

~~In order to satisfy the reporting requirements of RSA 193-F:6, the Principal or designee shall be responsible for completing all New Hampshire Department of Education forms and reporting documents of substantiated incidents of bullying. Said forms shall be completed within 10 school days of any substantiated incident. Upon completion of such forms, the Principal or designee shall retain a copy for himself and shall forward one copy to the Superintendent. The Superintendent shall maintain said forms in a safe and secure location.~~

~~IX. Notifying Parents of Alleged Bullying~~

~~The Principal shall report to the parents of a student who has been reported as a victim of bullying and to the parents of a student who has been reported as a perpetrator of bullying within 48 hours of receiving the report and may be made by telephone, writing, email notice, or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be noted in the report. All notifications shall be consistent with student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).~~

~~X. Waiver of Notification Requirement (RSA 193-F:4, II(i))~~

~~The Superintendent may, within a 48-hour time period, grant the Principal a waiver from the requirement that the parents of the alleged victim or the alleged perpetrator be notified of the filing of a report. A waiver may only be granted if the Superintendent deems such a waiver to be in the best interest of the victim or perpetrator. Any waiver granted shall be in writing.~~

~~XI. Investigative Procedures (RSA 193-F:4, II(j))~~

- ~~1. Upon receipt of a report of bullying the Principal or designee shall, within five (5) school days initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party of the complaint, then the Superintendent shall direct another District employee to conduct the investigation.~~

~~The investigation may include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, separately and shall be confidential.~~

- ~~2. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.~~

- ~~3. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications.~~
- ~~4. A maximum of 10 school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.~~
- ~~5. Factors the Principal or other investigator may consider during the course of the investigation, including but not limited to:~~
 - ~~• Description of incident, including the nature of the behavior;~~
 - ~~• How often the conduct occurred;~~
 - ~~• Whether there were past incidents or past continuing patterns of behavior;~~
 - ~~• The characteristics of parties involved, (name, grade, age, etc.);~~
 - ~~• The identity and number of individuals who participated in bullying behavior;~~
 - ~~• Where the alleged incident(s) occurred;~~
 - ~~• Whether the conduct adversely affected the student's education or educational environment;~~
 - ~~• Whether the alleged victim felt or perceived an imbalance or power as a result of the reported incident; and~~
 - ~~• The date, time and method in which parents or legal guardians of all parties involved were contacted.~~
- ~~6. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Principal shall notify in writing all parties involved of the granting of the extension.~~
- ~~7. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all facts and surrounding circumstances and shall include recommended remedial steps necessary to stop the bullying and a written final report to the Principal.~~
- ~~8. Students who are found to have violated this policy may face discipline in accordance with other applicable board policies, up to and including suspension. Students facing discipline will be afforded all due process required by law.~~
- ~~9. Consistent with applicable law, the District will not require or request that a student disclose or provide to the District the student's user name, password or other authenticating information to a student's personal social media account. However, the District may request to a student or a student's parent that the student voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing District investigation.~~

XII. Response to Remediate Substantiated Instances of Bullying (RSA 193-F:4, II(k))

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying or retaliation may range from positive behavioral interventions up to and including suspension or expulsion of students and dismissal from employment for staff members.

Consequences for a student who commits an act of bullying or retaliation shall be varied and graded according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

Examples of consequences may include, but are not limited to:

Admonishment:

- ~~• Temporary removal from classroom~~
- ~~• Classroom or administrative detention~~
- ~~• Deprivation of privileges~~
- ~~• Referral to disciplinarian~~

- ~~In-school suspension~~
- ~~Expulsion~~

- ~~Out-of-school suspension~~

~~Examples of remedial measures may include, but are not limited to:~~

- ~~Restitution~~
- ~~Peer support group~~
- ~~Behavior assessment~~
- ~~Corrective instruction or other relevant learning experience~~
- ~~Mediation~~
- ~~Student counseling~~
- ~~Parent conferences~~

~~In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The Board encourages the Superintendent to work collaboratively with all staff members to develop responses other than traditional discipline as a way to remediate substantiated instances of bullying.~~

XIII. Reporting of Substantiated Incidents to the Superintendent (RSA 193-F:4, II(l))

~~The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.~~

XIV. Communication with Parents Upon Completion of Investigation (RSA 193-F:4, II(m))

- ~~1. Within two (2) school days of the completion of the investigation the Principal will notify the students involved in person of his/her finding and the result of the investigation.~~
- ~~2. The Principal will notify via telephone the parents of the alleged victim and alleged perpetrator of the results of the investigation. The Principal shall provide further written notice to the parents within 24 hours again notifying them of the results of the investigation.~~
- ~~3. If the parents request, the Principal shall schedule a meeting with them to further explain his/her findings and reasons for his/her actions.~~
- ~~4. In accordance with the Family Educational Rights and Privacy Act and other law concerning student privacy, the District will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.~~

XV. Appeals

~~A parent or guardian who is aggrieved by the investigative determination letter of the principal or his/her designee may appeal the determination to the Superintendent for review. The appeal shall be in writing addressed to the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek. The Superintendent shall not be required to re-investigate the matter and shall conduct such review as he/she deems appropriate under the circumstances.~~

~~It is in the best interests of students, families and the District that these matters be promptly resolved. Therefore, any such appeal to the Superintendent shall be made within ten (10) calendar days of the parent/guardian's receipt of the investigative determination letter of the principal or his/her designee. The Superintendent shall issue his/her decision in writing.~~

~~If the parent or guardian is aggrieved by the decision of the Superintendent, they may appeal the decision to the school board within ten (10) calendar days of the date of the parent/guardian's receipt of the Superintendent's decision. An appeal to the Superintendent shall be a prerequisite to any appeal to the School Board. The appeal to the School Board shall be in writing, addressed to School Board Chair in~~

~~care of the Superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek.~~

~~An aggrieved parent/guardian has the right to appeal the final decision of the local School Board to the State Board within thirty (30) calendar days of receipt of the written decision of the local School Board in accordance with RSA 541-A and State of New Hampshire Department of Education Regulations set forth in ED-200. The State Board may waive the thirty-day requirement for good cause shown, including, but not limited to, illness, accident, or death of a family member.~~

XVI. School Officials (RSA 193-F:4, II(n))

~~The Superintendent of schools is responsible for ensuring that this policy is implemented.~~

XVII. Capture of Audio Recordings on School Buses

~~Pursuant to RSA 570-A:2, notice is hereby given that the Board authorizes audio recordings to be made in conjunction with video recordings of the interior of school buses while students are being transported to and from school or school activities. The Superintendent shall ensure that there is a sign informing the occupants of school buses that such recordings are occurring.~~

XVIII. Use of Video or Audio Recordings in Student Discipline Matters

~~The District reserves the right to use audio and/or video recording devices on District property (including school buses) to ensure the health, safety and welfare of all staff, students and visitors. Placement and location of such devices will be established in accordance with the provisions of Policies EEAA, EEAE and ECAF.~~

~~In the event an audio or video recording is used as part of a student discipline proceeding, such video may become part of a student's education record. If an audio or video recording does become part of a student's education record, the provisions of Policy JRA shall apply. The Superintendent is authorized to contact the District's attorney for a full legal opinion relative in the event of such an occurrence.~~

A. Purpose and Intent. The Nashua School District is committed to providing a safe and respectful learning environment for all students. Through education, prevention, and consistent enforcement, we aim to eliminate bullying and promote positive peer relationships for all of our students. This policy defines and prohibits bullying and related conduct, and establishes clear procedures for reporting, investigating, and responding to incidents.

1. Prohibition of Bullying or Cyberbullying of a Student - RSA 193-F:4, II(a). This policy is intended to comply with and implement RSA 193-F. Bullying, in any form—whether physical, verbal, social, or cyber—is strictly prohibited and will not be tolerated. The prohibition against bullying and cyberbullying, also applies to conduct that occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property, or occurs 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 any school-sponsored activity or event.
2. Protection of all School Aged Children - RSA 193-F:4, II(c). This policy shall apply to all students and school-aged persons on school district grounds and participating in school district functions, whether or not such school-aged person is a student within the District and regardless of status under the law.
3. Prohibition of Retaliation and False Accusations - RSA 193-F:4, II(b). This policy further prohibits retaliation or false threats against a victim, witness, or anyone else who,

in good faith, provides information about an act of bullying or cyberbullying.

B. Definitions - (RSA 193-F:3).

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 any student which:
 - a. Physically harms a student or damages the student's property;
 - b. Causes emotional distress to a student;
 - c. Interferes with a student's educational opportunities;
 - d. Creates a hostile educational environment;
 - e. Substantially disrupts the orderly operation of the school; or
 - f. occurs on, is delivered to, school property or a school-sponsored activity or event on or off school property.

Examples of bullying conduct include, but are not limited to:

- i. mocking a student's appearance, speech, or abilities.
- ii. Spreading rumors to damage a student's reputation.
- iii. Intentionally excluding a student from social or school activities.
- iv. Threatening a student with physical harm or intimidation.
- v. Encouraging others to target or ridicule a specific student.
- vi. Taking, hiding, or damaging a student's personal belongings.
- vii. Using slurs or derogatory names to demean a student.

2. "Cyberbullying" means conduct defined above as bullying committed or undertaken through the use of electronic devices. Unless the context indicates otherwise, the term "bullying" as used in this policy will include acts of cyberbullying.

Additional examples of cyberbullying conduct include, but are not limited to:

- a. "Doxxing" - sharing through digital means another student's private information, such as their address(es), telephone number, images with the intent to cause embarrassment or damage to personal reputation.
- b. "Cyberstalking" — repeatedly contacting another student through electronic devices, repeatedly attempting or requesting a connection on social media or messaging apps when that other student has requested not to be contacted or in any other manner that causes fear or distress.
- c. "Catfishing" - creating fake accounts or pretending to be another student.
- d. Sharing of "deepfakes" - distributing or communicating through electronic devices digitally altered images, video, audio or other content that impersonates another student, misrepresents facts, harasses, embarrasses or otherwise causes or is intended to cause reputational harm. (See also Board policy EHAG for definition and prohibition on

creating or sharing of deepfakes.)

3. "Electronic devices" includes, but is not limited to, telephones, cellular or smartphones, computers, pagers, or any other device which is used for or can transmit: voice calls or messages; electronic mail; text/instant or other verbal messaging; images or videos; and websites.
4. "Parent" means a person who has legal custody of a minor child as a natural or adoptive parent, as a legal guardian, or who is functioning in a parental role if the actual parent or guardian is absent from the child's daily life. Additionally, "parent" may include students who have been emancipated, either by age or legal process. The term "parent", shall not, however, include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.
5. "Perpetrator" means a student who engages in bullying or cyberbullying.
6. "Principal" shall mean and include the building Principal or other senior building administrator of a school, as well as any "designee" (qualified person) designated by the Principal to carry out all or some Principal functions as described in this policy.
7. "Retaliation" means and includes such conduct as intimidation, threats, coercion, harassment, or discrimination in response to (or an effort to prevent) a victim, witness or other person, who in good faith provides information about an act or conduct that the person providing the information believes is bullying or cyberbullying.
8. "School property" means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
9. "Staff" means and includes all district, school or SAU employees, bus drivers, coaches, designated volunteers (as defined in Board policy GBCD) (or other volunteers who are regularly on school property, or who have significant contact with students, and any contracted consultants or employees of a company under contract to the District or SAU who provide services on school property.
10. "Student" shall have the same meaning as "pupil" as used in RSA 193-F and this or any other Board policy.
11. "Superintendent" means the Superintendent (Senior Education Official) or other person designated by the Superintendent to carry out all or some Superintendent functions as described in this policy.
12. "Victim" means a student against whom bullying or cyberbullying has been perpetrated.

C. Retaliation & False Accusations - RSA 193-F:4, II(b). Retaliation or false accusations related to bullying or cyberbullying shall be deemed a violation of this policy. Upon receiving any report of bullying or cyberbullying, the Principal will immediately assess the need to develop a plan or take steps to protect the alleged victim or any witnesses against retaliation. The same assessment shall be made at any point upon a report of retaliation or false accusations made during or after a bullying/cyberbullying investigation.

Reports of retaliation or false accusations relating to a bullying/cyberbullying report may be made in the same manner as for reports of bullying/cyberbullying as provided in this policy.

Investigations, and responses (i.e., interventions, supportive measures, disciplinary consequences) to reports of retaliation or false accusations may be made as provided in the same manner as provided in Sections E - H for reports or incidents of bullying/cyberbullying, or in accordance with procedures and provisions set forth in the Nashua Student Handbook(s).

D. Procedures for Reporting Bullying, Cyberbullying, Retaliation or False Accusations - RSA 193-F:4, II(f)- (h). At each school, the Principal is responsible for receiving reports or complaints of bullying or cyberbullying.

1. Student Reporting. Any student who believes he or she has been the victim of bullying/cyberbullying, retaliation, or false accusations should report the alleged acts immediately to the Principal, or to a school district employee or volunteer that the student feels more comfortable making the report.
2. Staff Reporting. Any school employee or volunteer who receives a report of, witnesses, or has knowledge or belief that bullying/cyberbullying or retaliation may have occurred, shall inform the Principal as soon as possible, but no later than the end of that school day.
3. Parent Reporting. Parents and other adults are also encouraged to report any concerns about possible bullying/cyberbullying or retaliation of students to the Principal.
4. Anonymous Reports. The Principal may develop a system or method for receiving anonymous reports of bullying within the building. Although students, parents, volunteers and visitors may report anonymously, an investigation based upon such reports may by necessity be incomplete. More significantly, formal disciplinary action may not be based solely on an anonymous report, and, likewise, other remedial or supportive measures may require some form of evidentiary verification.
5. Reports Involving Students from Different Districts. Reports of bullying which relate to students from different districts should, when possible, be made to the Principal of the school in which the victim(s) is enrolled/attending, otherwise to the Principal of the school in which the perpetrator is enrolled/attending.
6. Report Forms. The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.

E. Actions Upon Receipt of Report of Bullying or Cyberbullying.

1. Notice when Allegations Involve Students from Other Districts/Schools/States - RSA 193-F:4, II(k). When a report of bullying involves conduct across multiple districts or students from multiple school districts, the Principal/designee will immediately inform the Principal(s) of each of the other schools/districts. Additionally, if the report concerns bullying across state lines, the Principal/designee will inform the New Hampshire Attorney General's office.
2. Information to Alleged Victim - Upon a receipt of a report of bullying, the Principal/designee shall provide the alleged victim with a written copy of their rights, protections, and support services available. RSA 193-F:4, II(i).
3. Parental Notice of Bullying Report — RSA 193-F:4, II(i). Within 48 hours of receiving a report of bullying, the Principal will notify the parents of any student reported as a victim

of bullying, as well as the parents of any student who has been reported as a perpetrator of bullying. The notification to parent(s)/guardian(s) will include the measures being taken to ensure the safety of the victim (alleged) and to prevent further acts of bullying. Such notification may be made by telephone, writing or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be included in the investigative report. Notifications shall be consistent with the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) relative to the student privacy rights of each student indicated in the report.

The Principal may request of the Superintendent designee a waiver of the parental notification requirement, which may be granted only if the Superintendent deems such a waiver to be in the best interest of either the alleged victim or alleged perpetrator. Details of any request for a waiver and any grant of such request will be included in the investigative report. However, notification to parents/guardians may not be waived for longer than 5 school days except for reports of bullying across multiple school districts (see Section E.1). RSA 193-F:4, II(j).

4. Receipt of Report. Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section F of this policy, and shall assess:
 - a. the need for a plan to protect students against retaliation,
 - b. whether the conduct may be construed as illegal discrimination or harassment related to a protected class as set forth in Board policy AC. If so, the Principal shall confer with the District staff member(s) charged with handling such discrimination or harassment to determine how to proceed (e.g., parallel or combined investigations); and
 - c. whether such conduct constitutes a safe schools violation requiring a report pursuant to RSA 193-D:4 and Ed 317.05.

F. Investigative Procedures - RSA 193-F:4, II(k).

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.
2. Under state law, when bullying is alleged to occur across multiple New Hampshire school districts, the Principals/designees for each New Hampshire school involved are expected to collaborate and cooperate in the investigation. The Principal who first learns of the incident(s) is required to initiate the investigation.
3. The investigation should include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, and shall be confidential to the extent permitted by law. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
4. The investigation should include review of any available surveillance recordings subject to the provisions of Board policy ECAF. As required under RSA 507-A:2, II(k),

parents/guardians and students are notified that surveillance recordings with audio may occur on school buses if authorized under Board policy ECAF.

5. If the alleged bullying was cyberbullying in whole or in part, the Principal may ask students and/or parents to provide the District with printed copies of e-mails, text messages, website pages, or other similar electronic communications, consistent with Board policy {**} JIH and RSA 189:68. The Principal may not, however, require or request a student to disclose or to provide access to a personal social media account through the student's user credentials.
6. The Principal or other investigator may consider all relevant facts and circumstances during the course of the investigation, including but not limited to:
 - a. Description of incident, including the nature of the behavior;
 - b. How often the conduct occurred;
 - c. Whether there were past incidents or past continuing patterns of behavior;
 - d. The characteristics of parties involved, (name, grade, age, etc.);
 - e. The identity and number of individuals who participated in bullying behavior;
 - f. Where the alleged incident(s) occurred;
 - g. Whether the conduct adversely affected any student's education or educational environment;
 - h. Whether the alleged victim felt or perceived an imbalance or power as a result of the reported incident; and/or
 - i. Whether the conduct violated any other District or school policies or rules.
7. In most instances, the Principal shall complete the investigation within 10 school days of receiving the initial report. See RSA 193-F:4, II(o). If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is granted, the Superintendent/designee shall notify in writing all parties involved of the granting of the extension and the reason for the extension. To the extent not previously communicated, the Superintendent shall ensure that the victim's parent(s) or guardian(s) are notified of the investigation, the extension, and the reason for the extension.

Without limiting what might constitute sufficient cause for an extension under this paragraph, the Superintendent may consider the interests of the victim or alleged perpetrator related to any investigation into some or all of the same alleged conduct which other investigation includes procedures and timelines mandated by a regulation or statute other than RSA 193-F (e.g., Title IX, criminal investigations, etc.). Before waiving the time requirement on account of such other investigation, the Superintendent should confer with counsel and/or the District's Civil Rights Officer.
8. In cases involving reports of bullying across multiple districts or states, the Principal(s) of any and all districts in New Hampshire involved SHALL collaborate with any other

principals or districts involved.

G. Completion of Investigation and Report.

0. Investigative Determination and Report. Whether a particular action or incident constitutes bullying/cyberbullying, retaliation or other violation of this policy – requires review and consideration of available evidence of all facts and surrounding circumstances. The investigative determination along with a summary of the investigation, shall be included in a comprehensive report. If the determination is that the bullying allegation is substantiated, the report shall include provisions describing any disciplinary consequences, interventions, supportive measures or other assistance for the victim or perpetrator, and, when indicated, any steps appropriate to protect all students from retaliation of any kind. The report may also include policy, training or other recommendations for preventing future bullying conduct within the school.
1. Communication with Students and Parents Upon Completion of Investigation - RSA 193-F:4, II(m) and (o).

 - a. Within 10 school days, the Principal will notify the parents of the alleged victim and of the alleged perpetrator regarding the school's remedies and assistance, within the boundaries of applicable state and federal law. The initial communication may be in writing, in person or by telephone, but if verbally, the Principal will also send a letter confirming earlier determination to the parents within 2 school days confirming the earlier notification.
 - b. The Principal/Designee shall conduct a conference with each perpetrator, and the perpetrator's parents/guardians and applicable school personnel for age-appropriate discussion that includes at a minimum the impacts of bullying. The conference shall occur even if the parent or parents or guardian or guardians decline to participate or fail to attend. Information concerning the date, time, place and attendees of the conference, and any other information from the conference deemed pertinent by the Principal/designee shall be appended to the investigative report provided to the Superintendent.
 - c. If the victim's parents request, the Principal shall schedule a meeting with them to further explain the investigative determination.
 - d. In accordance with the Family Educational Rights and Privacy Act (FERPA) and other laws concerning student privacy, the District will not disclose educational records of other students, including the disciplinary consequences assigned to the perpetrator(s).
2. Appeals. A parent aggrieved by the investigative determination of the Principal may appeal the determination in accordance with the standards and procedures set forth for Level II and Level III appeals in Board policy ACA.
3. Additional Reporting Requirements.

 - a. Reporting Substantiated Incidents - RSA 193-F:4, II(n). The Principal shall forward all substantiated reports of bullying or retaliation to the Superintendent upon completion of the Principal's investigation.

- b. Department of Education Reports - RSA 193-F:6. The Principal shall be responsible for completing such reports/forms as required by the New Hampshire Department of Education (NHED) for all substantiated incidents of bullying. Irrespective of the time/date a form/report is due to be filed with NHED, the report/form or the information required for the report/form shall be completed/compiled within 10 school days following an investigative finding of a substantiated bullying/cyberbullying report. The Principal or designee shall retain a copy and shall forward one copy to the Superintendent. Hard copies are not necessary if the digital form/data is retained and accessible to both the building administration and SAU.
- c. Reporting to NH Department of Education - RSA 193-F:6, I. The Superintendent shall annually report the District's substantiated incidents of bullying to the New Hampshire Department of Education. Pursuant to FERPA, such reports shall not contain any personally identifiable information pertaining to any student.

H. Substantiated Instances of Bullying or Retaliation: Interventions, Remedial Measures and Disciplinary Consequences —

While students who have been found to have committed an act of bullying/cyberbullying (i.e. perpetrators) shall face disciplinary consequences as provided in Paragraph H.2.a below, the Board encourages the administration and school district staff to explore additional measures, remedies and interventions to address the substantiated instances of bullying/cyberbullying, and prevent their reoccurrence. See also Paragraph H.3, below.

- 0. Interventions and Other Remedial Measures. Examples of interventions and remedial measures include, but are not limited to:
 - a. Restitution,
 - b. Parent conferences,
 - c. Student counseling,
 - d. Behavior assessment,
 - e. Corrective instruction or other relevant learning experience,
 - f. Peer support group, and
 - g. Mediation (but only after the investigation has been completed).

Interventions and other remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

2. Disciplinary Consequences - RSA 193-F:4, II(d), VI & VIII.

- a. Students found to have committed one or more acts of bullying or retaliation shall receive disciplinary consequences. Such consequences for students shall be consistent with the [Student Code of Conduct _____] for the conduct that constituted bullying/cyberbullying. Disciplinary consequences should be varied according to specific circumstances such as: the nature of the behavior, the developmental age of the student, the student's prior disciplinary history, or performance. Students will be afforded any due process applicable to the level of consequences as provided in Board policy {**} JICD, RSA 193:13 and Ed 317.

- b. Staff (see definition above) who fail to report bullying or retaliation as required by this policy, fail to adhere to the timelines described above, submit inaccurate or false information with respect to reports or investigations under this policy, or commit an act of retaliation against a reporter of bullying or any parent will be disciplined up to and including dismissal. Additionally, under RSA 193-F:4, VI, any such violation by an "educator" as defined by state law or regulation will constitute a violation of the Code of Conduct for New Hampshire Educators.
3. Additional Requirement of Principal(s)/Designee(s) - RSA 193-F:4, II(l). Upon a determination that a bullying report is substantiated, the Principal or designee will, in addition to the specific interventions and disciplinary responses described above, will, in appropriate circumstances, make recommendations to the Superintendent strategies for "protecting all pupils from retaliation of any kind."
- I. Dissemination of Policy and Bullying Prevention Education - RSA 193-F:4, II(e) and 193-F:5.**

1. Staff, Coaches, Bus Drivers, Designated Volunteers, Employees of Contracted Companies/Contracted Consultants. All staff (see definition section above) will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, website, workshops, etc.). The Superintendent will ensure that all school employees and volunteers receive **annual** training on bullying and related Board policies, consistent with RSA 193-F:5.
2. Students and Parents, and Student Handbooks. RSA 193-E:4, II(e) and (f). The Superintendent may determine the method of providing information about this policy to students and parents. Methods may include student handbooks, mailing, hard copy, website, etc. At the very least, all student/parent handbooks will include a summary of the prohibitions and other provisions of Sections A.1-3, the definitions of bullying, cyberbullying and retaliation in Sections B.1, 2 and 3, and the verbatim language relating to the procedures found in Section D.1 for students and parents to report bullying/cyberbullying or retaliation. Additionally, that provision of the student handbook(s) will include information as to where the entirety of this policy may be found on the District's website.
3. Curriculum. Each year, all students will participate in programming that includes anti-bullying/cyberbullying materials presented in age-appropriate language. The materials and information should, among other things, describe expectations for student behavior, emphasize an understanding of what bullying/cyberbullying, harassment and intimidation is and looks like, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and how and when the conduct can lead to disciplinary consequences.

The Superintendent, in consultation with staff, will, to the extent reasonably possible, integrate student anti-bullying training and education into the district's curriculum, behavior programs and other violence prevention efforts.

The following two sentences may be deleted from this policy any time after March 15, 2027 without further action of the School Board. No later than December 15, 2026, the Superintendent shall cause a report or a link to a report on how the District's policy has been integrated into the school's curriculum, discipline policies, behavior programs, and other violence prevention efforts. Such report or link shall be provided to the office of the Commissioner of Education, the Chair of the State Board of Education,

the President of the New Hampshire Senate, the Speaker of the New Hampshire House of Representatives, and to members of the New Hampshire House and Senate education committees.

4. Additional Notice and School District Programs. The Board may, from time to time, host or schedule public forums in which it will address this anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals, including teachers, administrators, guidance counselors, school psychologists and other interested persons.

J. Summary of School Officials' Duties to Implement Policy - RSA 193-F:4, II(p).

The Superintendent, as the person charged with supervision of all employees of the District, is responsible for the implementation of this policy and the provisions of RSA 193-F. The School Principal(s) are expected and required by statute to implement this policy within their respective school buildings and ensure the procedures are followed.

Consistent with this Policy, the Principal(s) shall receive reports of alleged bullying or retaliation, investigate the alleged conduct, and communicate with the parties involved (including their parents) consistent with privacy laws, and communicate/report to the Superintendent. The Superintendent shall oversee the Principal(s) in their duties relative to this policy and shall ensure each school is compliant with this policy. Additionally, the Superintendent, will receive reports of substantiated incidents, review waivers and time extension requests, and communicate with the Principal(s), the School Board, and the NH Department of Education, all as provided in this policy.

K. Immunity and Liability – RSA 193-F:7 & 9.

Under 193-F:7, employees, volunteers, students, parents and any other person covered by this policy will be immune from civil liability for **good faith** conduct arising from or pertaining to the reporting, investigation, findings, recommended response, or implementation of a recommended response under this policy or RSA 193-F. (Note – civil liability could arise, (including for attorneys fees) in the event of gross negligence or willful misconduct for violations of this policy.)

Legal References:

RSA 189:70, Educational Institution Policies on Social Media

RSA 193-F:3, Pupil Safety and Violence Prevention Act

RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed

NH Code of Administrative Rules, Section Ed 306.04(a)(8), Student Harassment

RSA 189:70, Educational Institution Policies on Social Media

RSA 193-D:4, Written Report Required (Safe School Zones)

RSA 193-F, Pupil Safety and Violence Prevention

RSA 193-F:3, Definitions (Pupil Safety and Violence Prevention)

RSA 193-F:4, Policy Requirements (Pupil Safety and Violence Prevention)

RSA 193-F:7, Immunity (Pupil Safety and Violence Prevention)

RSA 570-A:2, Capture of Audio Recordings on School Buses Allowed

N.H. Code Admin Rules Ed 317.05 Reporting Procedures for Acts of Theft, Violence, or Destruction

N.H. Code Admin. Rules Ed 204.01 Board Hearings

N.H. Code Admin. Rules Ed 306.04(b)(7) Student Harassment

N.H. Code Admin. Rules Ed 317 Standards and Procedures for Suspension and Expulsion of Pupils Including Procedures Assuring Due Process

*N.H. Code Admin. Rules Ed 317.04 Suspension and Expulsion of Pupils Assuring Due Process
Disciplinary Procedures*

Board Approved: May 2001
March 2003
September 2004
12/13/2010 [Replaces POPPS 3244.1]
12/20/2021

Legal References:

***Legal References Disclaimer:** These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

Board Approved: