



Policy	Student Safety and Violence Prevention Policy – Discrimination and Bullying
Policy Number	Academic 024
Date	December 18, 2025
Legal References	RSA 193-F:3, Pupil Safety and Violence Prevention Act RSA 189:70, Educational Institution Policies on Social Media NH Code of Administrative Rules, Section Ed 306.04(a)(8), Student Harassment 20 U.S.C. §1681-§1688 Title IX of the Education Amendments Act of 1972

## **I Introduction**

Various laws

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in all education programs and activities operated by recipients of Federal funds, including public school districts. Title IX says, subject to certain exceptions:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

The full text of Title IX can be read at 20 U.S.C. § 1681.

In addition, NH RSA 193 protects youth from all forms of bullying and cyberbullying

### **Statement Pursuant to NH RSA 193 --- Prohibiting Discrimination, Bullying or Cyberbullying of a Student**

MPA is committed to providing all students with a safe and secure school environment. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.

Bullying in schools has historically included actions shown to be motivated by a student's actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, emotional, or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics, or based on association with any person identified in any of the above categories.

This policy seeks to promote a school atmosphere in which bullying of students will not be tolerated by students, parents/legal guardians/caregivers, faculty, and volunteers. MPA believes that everyone in the school community, including bystanders, plays an important role in preventing bullying of students in our schools.

### **Procedures to report concerns of Discrimination, Bullying or Cyberbullying**

The Head of Schools or the Director of Academics (or their specific designee) is responsible for implementing this policy and designating specific roles to other administrators and faculty as well if appropriate.

All students have the right to participate in educational programming. If any actions of peers of a bullying or harassing nature are occurring or if a student feels uncomfortable with the way a peer is treating them, they should report their concerns to the teacher first. If that faculty is unable to address the situation, the actions should be reported to the Dean of Students or the Academic Director office. At this time, a faculty will be assigned by the initial reportee to start an investigation into any situation that can be possibly defined as bullying, cyberbullying, discrimination or harassment on the basis of race, sex or sexual orientation, or any other conduct of concern.

All students have the right to voice their concerns without fear of retaliation. Any reported behaviors that are of a retaliatory nature are not tolerated and will be addressed with the student's clinician and the student's treatment team.

A formal investigation will begin within the first 5 days of the initial report. It should be noted, MPA strives to investigate these concerns the day they are reported. Investigation forms can be acquired from the Dean of Students of the Academic Director. The entire investigation should only take a total of 10 days. An extension can be granted in certain circumstances by the Director of Academics or the Head of Schools.

It is the intent of MPA to apply and enforce this policy in a manner that is consistent with student rights to free expression under the First Amendment of the U.S. Constitution. The purpose of this policy is to (1) prohibit conduct or communication that is directed at a person's protected characteristics and that has the purpose or effect of substantially disrupting the educational learning process and/or access to educational resources or creates a hostile learning environment; (2) prohibit conduct intended to ridicule, humiliate or intimidate students in a manner as defined under this policy.

## **II Definitions**

1. "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:

- Physically harms a student or damages the student's property;
- Causes emotional distress to a student;
- Interferes with a student's educational opportunities;
- Creates a hostile educational environment; or
- 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.

2. “Cyberbullying” means any conduct defined as “bullying” in paragraph 1 of this section that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.

3. “Electronic devices” include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites. (This shall include electronic social networking sites.)

4. “Harassment” means an incident or incidents of verbal, written, visual, or physical conduct, including but not limited to any incident conducted by electronic means, based on or motivated by a student’s or a student’s family member’s actual or perceived race, creed, color, national origin, marital status disability, sex, sexual orientation, or gender identity, that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student’s educational performance or access to school resources or creating an objectively intimidating hostile, or offensive environment.

Harassment includes conduct as defined above and may also constitute one or more of the following:

1. Sexual harassment, which means unwelcome conduct of a sexual nature, that includes sexual violence/sexual assault, sexual advances, requests for sexual favors, and other verbal, written, visual or physical conduct of a sexual nature, and includes situations when one or both of the following occur:
  - (i) Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education, academic status, or progress; or
  - (ii) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

Sexual harassment may also include student-on-student conduct or conduct of a non-employee third party that creates a hostile environment. A hostile environment exists where the harassing conduct is severe, persistent or pervasive so as to deny or limit the student’s ability to participate in or benefit from the educational program on the basis of sex.

2. Racial harassment, which means conduct directed at the characteristics of a student’s or a student’s family member’s or caregiver’s actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to cultural customs.
3. Harassment of members of other protected categories, means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived creed, national origin, marital status, disability, sex, sexual orientation, or gender identity and includes the use of epithets, stereotypes, slurs, comments, insults, derogatory remarks, gestures, threats, graffiti,

display, or circulation of written or visual material, taunts on manner of speech, and negative references to customs related to any of these protected categories.

**5. “Hazing”** means any intentional, knowing or reckless act committed by a student, whether individually or in concert with others, against another student:

1. In connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with the educational institution; and
2. which is intended to have the effect of or should reasonably be expected to have the effect of, endangering the mental or physical health of the student.

Hazing shall not include any activity or conduct that furthers legitimate curricular, extra-curricular, or military training program goals, provided that:

1. The goals are approved by the educational institution; and
2. The activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution, and normal and customary for similar programs at other educational institutions.

With respect to Hazing, **“Student”** means any person who:

1. is registered in or in attendance at an educational institution;
2. has been accepted for admission at the educational institution where the hazing incident occurs; or
3. intends to attend an educational institution during any of its regular sessions after an official academic break.

6. **“Perpetrator”** means a student who engages in bullying, cyberbullying, harassment or hazing.

7. **“School property”** means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.

6. **“Victim”** means a student against whom bullying, cyberbullying, harassment or hazing has been perpetrated.

### **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 faculty member or student found to have wrongfully and intentionally accused a student of bullying shall face discipline or other consequences determined in accordance with applicable law, MPA policies, procedures and collective bargaining agreements.

#### **Reprisal or Retaliation**

MPA shall discipline and take appropriate action against any student, teacher, administrator, volunteer, or other faculty member 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 or school volunteer, or other faculty member who engages in reprisal or retaliation shall be determined by the Director of Academic or Head of Schools after consideration of the nature, severity and circumstances of the act, in accordance with laws and MPA policies.
2. Any student found to have engaged in reprisal or retaliation in violation of this policy shall be subject to measures up to and including recommendations of discharge.
3. Any faculty member 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.

#### **IV Process To Protect Students From Retaliation**

If the alleged victim or any witness expresses to the Director of Academics or other faculty member that he/she believes he/she may be retaliated against, the Director of Academics or administrative designee 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 re-arranging student class schedules to minimize their contact, stern warnings to alleged perpetrators, temporary removal of privileges, or other means necessary to protect against possible retaliation.

#### **V. Disciplinary Consequences for Violation of this Policy**

MPA 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 MPA encourages the administration and school MPA faculty 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**

The Head of Schools or Director of academics (or his/her/their designee) shall provide annual written notice of this policy to students, parents/legal guardians/caregivers, teachers, faculty members, administration, volunteers, and school MPA agents through appropriate references in school and MPA handbooks, or through other reasonable means. Parents/legal guardians/caregivers 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. Reporting bullying when it occurs;
2. Taking advantage of opportunities to talk to their children about bullying;
3. Informing the school immediately if they think that their child is being bullied or is bullying other students; and,
4. Cooperating fully with school personnel in identifying and resolving incidents

The Head of Schools or Director of Academics (or his/her/their designee) shall ensure that all faculty members, volunteers, and agents receive annual training on bullying and related MPA policies.

Students shall participate in an annual education program which sets our expectations for student behavior and emphasizes an understanding of harassment, intimidation, and bullying of students, MPA'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 Head of Schools or Director of academics may incorporate anti-bullying training and education in MPA's curriculum. Any student training programs shall be written and presented in age-appropriate language. The Head of Schools or Director of academics, in consultation with faculty, may incorporate student anti-bullying training and education into MPA's curriculum but shall not be required.

## **VII. Procedure for Reporting Bullying**

At each school, the Director of Academics shall be responsible for receiving complaints of alleged violations of this policy. The Director of Academics may designate this responsibility to a building level administrator with the understanding that the Director of Academics shall be informed of such incidents as soon as possible within the school day.

### **Student Reporting**

1. Any student who believes they have been the victim of bullying should report the alleged acts immediately to the Director of Academics or administrative designee. If the student is more comfortable reporting the alleged acts to a person other than the Director of Academics or administrative designee, the student may tell any school MPA faculty member or volunteer about the bullying. Students are encouraged to report alleged acts as soon as possible, preferably by the end of the school day. Students may utilize the formal MPA Student Grievance Process to document bullying.

2. Any faculty member or volunteer who witnesses, receives a report, or has knowledge or belief that bullying may have occurred shall inform the Director of Academics as soon as possible, but no later than the end of that school day.
3. The Director of Academics or administrative designee has a system or method for receiving anonymous reports of bullying. Specifically, all programs have confidential, locked suggestion boxes that are checked regularly. Independent verification of the anonymous report shall be necessary for any disciplinary action to be applied. The Head of Schools or Director of Academics may implement other mechanisms to anonymously report concerns of bullying.
4. While the MPA student grievance procedure has reporting forms for 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 Director of Academics or administrative designee, shall commence an investigation consistent with this policy.

#### Faculty Reporting

1. Faculty shall immediately report acts or behavior that they witness that appear to constitute bullying.
2. All MPA faculty members and volunteers should encourage students to tell them about acts that may constitute bullying. For young students, faculty members given such information will need to provide direct assistance to the students.
3. Any faculty member or volunteer who witnesses, receives a report of, or has knowledge or belief that bullying may have occurred shall inform the Director of Academics or administrative designee immediately.
4. Upon receipt of a report of bullying the Director of Academics or administrative designee shall commence an investigation consistent with this policy.

#### **VIII. Notifying Parents/legal guardians/caregivers of Alleged Bullying**

The Director of Academics or administrative designee shall report to the parents/legal guardians/caregivers of a student who has been reported as a victim of bullying and to the parents/legal guardians/caregivers of a student who has been reported as a perpetrator of bullying within 72 hours of receiving the report. 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 noted in the report. All notifications shall be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

The Head of Schools or Superintendent may, within a 72-hour time period, grant the Director of Academics a waiver from the requirement that the parents/legal guardians/caregivers of the alleged victim and the alleged perpetrator be notified of the filing of a report. A waiver may only be granted if the Head of Schools or Superintendent deems such a waiver to be in the best interest of the victim or

perpetrator. Any waiver granted shall be in writing, maintained in the student file, and discussed during the next IEP.

#### **IX. Investigative Procedures**

1. Upon receipt of a report of bullying, the Director of Academics or administrative designee shall, within 5 school days, initiate an investigation into the alleged act. If the Director of Academics or administrative designee is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Head of Schools or Superintendent shall direct another MPA faculty member to conduct the investigation.
2. 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. 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 Director of Academics may ask students and/or parents/legal guardians/caregivers to provide MPA with printed copies of e-mails, text messages, website pages, or other similar electronic communications.
4. A maximum of ten (10) school days from the receipt of the report of bullying shall be the limit for the completion of the investigative procedural steps. During this time the Director of Academics or administrative designee shall ensure that all involved in the reporting of the incident are protected from retaliation.
5. Factors the Director of Academics 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 or 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 of power as a result of the reported incident; and
  - The date, time and method in which parents/legal guardians/caregivers or legal guardians of all parties involved were contacted.



6. The Director of Academics or administrative designee shall complete the investigation within 10 school days of receiving the initial report. If the Director of Academics or administrative designee needs more than 10 school days to complete the investigation, the Head of Schools or Superintendent may grant an extension of up to 7 school days. In the event such an extension is granted, the Director of Academics or administrative designee 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 Director of Academics.
8. Students found to have violated this policy may face discipline in accordance with other applicable MPA policies.
9. Consistent with applicable law, MPA will not require or request that a student disclose or provide to MPA the student's username, password or other authenticating information to a student's personal social media account. However, MPA may request to a student or a student's parent/guardian 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 MPA investigation.

#### **X. Response to Remediate Substantiated Instances of Bullying**

Consequences and appropriate remedial actions for a student or faculty 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 faculty members.

Consequences for a student who commits bullying or retaliation shall be varied and graded according to 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:

- Verbal warning
- Temporary removal from classroom
- Removal of privileges
- Administrative detention
- Referral to counselor

Examples of intervention strategies may include, but are not limited to:

- Restitution
- Corrective instruction or other relevant learning experience

- Behavior assessment
- Student counseling
- Parent conferences
- Behavior class
- Community service

Peer mediation may not be considered as a remedial action as an imbalance of power may make the process intimidating for the victim and exacerbate the problem.

In support of this policy, the MPA promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying. The MPA encourages the Head of Schools to work collaboratively with all faculty members to develop appropriate responses and interventions to remediate substantiated instances of bullying.

#### **XI. Reporting of Substantiated Incidents to the Head of Schools (RSA 193-F:4, II (1))**

The Director of Academics shall forward all substantiated reports of bullying to the Head of Schools or Superintendent upon completion of the Director of Academic's investigation.

#### **XII. Communication With Parents/legal guardians/caregivers Upon Completion of Investigation (RSA 193-F:4II(m))**

1. Within two (2) school days of completing an investigation, the Director of Academics shall notify the students involved in person of their findings and the investigation's result.
2. The Director of Academics shall notify via telephone or other reasonable methods to immediately notify the parents/legal guardians/caregivers of the alleged victim and alleged perpetrator of the results of the investigation. The Director of Academics will also send a letter to the parents/legal guardians/caregivers within 24 hours again notifying them of the results of the investigation.
3. If the parents/legal guardians/caregivers request, the Director of Academics 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, MPA will not disclose educational records of students including the discipline and remedial action assigned to those students and the parents/legal guardians/caregivers of other students involved in a bullying incident.

### **XIII. Appeals**

A parent or guardian who is aggrieved by the investigative determination letter of the Director of Academics or his/her designee may appeal the determination to the Head of Schools or Superintendent for review. The appeal shall be in writing addressed to the Head of Schools or superintendent, shall state the reason(s) why the appealing party is aggrieved, and the nature of the relief they seek. The Head of Schools or 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 MPA that these matters be promptly resolved. Therefore, any such appeal to the Head of Schools or Superintendent shall be made within ten (10) calendar days of the parent/guardian's receipt of the investigative determination letter of the Director of Academics or his/her designee. The Head of Schools or Superintendent shall issue his/her decision in writing.

### **XIV. Capture of Audio Recordings on School Vehicles**

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

### **XV. Use of Video or Audio Recordings in Student Discipline Matters**

MPA reserves the right to use audio and/or video recording devices on MPA property (including school buses) to ensure the health, safety and welfare of all faculty, students and visitors. The placement and location of such devices will be established in accordance with the provision of the MPA policy.

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 MPA policies on student records shall apply.