State Law RSA 193-D:1 Safe School Zones

“Safe school zone” means an area within 1,000 feet of any school property or school buses.

1. “School” means any public or private elementary, secondary, or secondary vocational-technical school in New Hampshire. It shall not include home schools under RSA 193-A.
2. “School employee” means any school administrator, teacher, or other employee of any public or private school, school district, school department, or school administrative unit, or any person providing or performing continuing contract services for any public or private school, school district, school department, or school administrative unit.
3. “School property” means all real property, physical plant and equipment used for school purposes, including but not limited to school playgrounds and buses, whether public or private.
4. “School purposes” means school-sponsored programs, including but not limited to educational or extracurricular activities.
5. “Acts of theft, destruction, or violence” means an act set forth in the following statutes regardless of age of perpetrator:
   a) Homicide under RSA 630.
   b) (1) Any first or second degree assault under RSA 631.
      (2) Any simple assault under RSA 631:2-a.
   c) Any felonious or aggravated felonious sexual assault under RSA 632-A.
   d) Criminal Mischief under RSA 634:2.
   e) Unlawful possession or sale of a firearm or other dangerous weapon under RSA 159.
   f) Arson under RSA 634:1.
   g) Burglary under RSA 635:1.
   h) Robbery under RSA 636.
   i) Theft under RSA 637.
   j) Illegal sale or possession of a controlled drug under RSA 318-B.

Educational Laws/Policies

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)
The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:
(1) The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
(2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the Salem School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
(3) The right to consent to disclosures of personally identifiable information contained in the student’s education records except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor,
instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the US Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW

Washington, DC 20202-4605

NON-DISCRIMINATION
The Salem School Board in accordance with the requirements of the federal and state laws, and the regulations which implement those laws, hereby declares formally that it is the policy of the Board, in its actions and those of its employees, that there shall be no discrimination on the basis of gender, sexual orientation, race, color, religion, nationality, ethnic origin, age, or disability for employment in participation in admission or access to, or operation and administrator of any educational program or activity in the Salem School District.

Inquiries, complaints, and other communications relative to this policy and to the applicable laws and regulations concerned with non-discrimination shall be received by the Superintendent or his/her designee.

This policy of non-discrimination is applicable to all persons employed or served by the district. Any complaints or alleged infractions of the policy, law or applicable regulations will be processed through the grievance procedures. This policy implements PL 94-142, Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act, Title VI or VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the laws of New Hampshire pertaining to non-discrimination.

PUPIL SAFETY & VIOLENCE PREVENTION
It is the policy of the Salem School District that its students have an educational setting that is safe, secure, peaceful, and free from student harassment. The Salem School District will not tolerate unlawful harassment of any type. The Board is committed to providing all pupils a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyber bullying will not be tolerated and is hereby prohibited. The Superintendent of Schools is responsible for ensuring that this policy is implemented.

I. Definitions
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 pupil which:

- Physically harms a pupil or damages the pupil’s property;
- Causes emotional distress to a pupil;
- Interferes with a pupil’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 pupil’s actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil’s association with another person and based on the other person’s characteristics, behaviors, or beliefs.

2. Cyber bullying. Cyber bullying 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 cyber bullying.

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

4. 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.

5. Victim. Victim means a pupil against whom bullying or cyber bullying has been perpetrated.

6. Perpetrator. Perpetrator means a pupil who engages in bullying or cyber bullying.

Any reference in this policy to “parent” shall include parents or legal guardians.

*Additional information regarding “bullying” can be found on the district’s website at http://www.sau57.org/administration/school-board/Pages/School-Board-Policy-Book.aspx

**SEXUAL HARASSMENT, SEXUAL VIOLENCE, & HOSTILE ENVIRONMENT - JBAA (hereinafter “Harassment”)**

It is the policy of the Salem School District to promote an educational setting free from Harassment which disrupts or creates an intimidating, offensive, or hostile environment undermining an atmosphere of trust and respect essential to a healthy work and academic environment. Harassment is demeaning and degrading. It affects an individual’s self-esteem, and can have a negative impact on performance at work or in class. It can make an individual feel angry, powerless, and fearful.

No employee or student of the District shall be subjected to, or subject others to, harassment which violates Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1974, Title VII of the Civil Rights Act of 1964, NH Administrative Rules Hum 402.02(a), as well as sexual abuse and assault laws, civil laws, and any other federal and state regulations, and District policies and procedures as applicable. Harassment is illegal; employees and/or students who harass may also be personally liable under civil laws.

Employees and/or students who believe they are the subject of Harassment, or anyone having questions or concerns regarding Harassment, are encouraged to contact one or more of the following individuals:

**HUMAN RESOURCE MANAGER**
(TITLE IX COORDINATOR / EEO OFFICER)
(603) 893-7040

ANY DISTRICT ADMINISTRATOR
ANY DISTRICT PRINCIPAL / ASSISTANT PRINCIPAL

School District administrators and supervisors have the further responsibility of preventing and eliminating Harassment within the areas they oversee. If administrators or supervisors know Harassment is occurring, receive a complaint of Harassment, or obtain other information indicating possible Harassment, they must take immediate steps to ensure the matter is addressed, even if the problem or alleged problem is not within their area of oversight. Teachers and staff members likewise must inform an appropriate administrator if they have reason to believe Harassment is occurring.