

**STUDENT WELFARE**

The School Board and the staff of the School District are as concerned for the welfare of students as they are for the academic growth of students.

Realizing its obligation and duty to each child, the New Boston School Board mandates that all school personnel accept the responsibility for reporting to the Principal any case of suspected child abuse or neglect, bullying (see policy JICK), hazing, harassment, theft, destruction or violence. The Principal or his/her designee shall report the case to the appropriate authority.

**Child Abuse or Neglect**

A “neglected child” is one:

- (1) who has been abandoned by his or her parents, guardian, or custodian;
- (2) who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his or her physical, mental, or emotional health, when it is established that his or her health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian; or
- (3) whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity.

An “abused child” is one who has been:

- Sexually abused;
- Intentionally physically injured;
- Psychologically injured so that the child exhibits symptoms of emotional problems generally recognized as resulting from consistent mistreatment or neglect; or
- Physically injured by other than accidental means.

Annual staff training regarding the reporting of child abuse and neglect is recommended.

It is the policy of SAU #19, and New Boston School District to comply with the requirements of RSA 169-C in reporting suspected child abuse and neglect. Further, it is our policy to cooperate with the New Hampshire Division for Children, Youth and Families (DCYF) and law enforcement agencies in the course of investigations into alleged child abuse and/or neglect as outlined in RSA 169-C.

If a school employee suspects that a child has been abused or neglected, he/she will make a report immediately to DCYF and the school Principal will be notified that a report has been filed. An oral report shall be made immediately to DCYF by telephone and followed within 48 hours by a report in writing, if so requested by DCYF. Each report shall, if known, contain the name and address of the child(ren) suspected of being neglected or abused; the name of the parent or

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caregiver responsible for the child's welfare; the specific information and/or observations indicating neglect or the nature and extent of the child's injuries; the identity of the person(s) suspected of being responsible for such abuse and neglect; and any other information that might be helpful in the investigation or that may be required by DCYF. For a complete list of information to report, please refer to the *Child Abuse and Neglect: Guidelines for New Hampshire School Employees; Recognizing and Reporting Suspected Child Abuse and Neglect* (Attorney General's Task Force on Child Abuse and Neglect – Second Edition, 2002.)

Under the State "Right to Know" laws parents maintain the right of access to information compiled in their child's school records. However, if the school believes the release of this information would be detrimental to the safety and interest of the reporting person, it is the school's right to withhold certain information which identifies either the person who made the report or those who cooperate in a subsequent investigation.

The telephone number for the Department of Children, Youth, and Family Services is 668-2330, and the telephone number for the New Boston Police Department is 487-2433.

**Hazing**

New Hampshire has a state law that prohibits hazing and also mandates reporting of it. In RSA 631:7, hazing is defined as follows: "Any act directed toward a student, or any coercion or intimidation of a student to act or participate in or submit to any act, when:

1. Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person; and
2. Such action is a condition of initiation into, admission into, continued membership in or associated with any organization."

An organization means an athletic group, club, social group, and the like that includes students. Please note that no student can "consent" to being hazed. Criminal liability is imposed for students who participate in and know about hazing. Schools are also subject to criminal liability and can be found guilty of a misdemeanor if the school:

1. Knowingly permits or condones hazing;
2. Knowingly or negligently fails to take reasonable measures within the scope of its authority to prevent hazing; and
3. Fails to report to law enforcement authorities any hazing reported to it by others or of which it otherwise has knowledge.

Accordingly, staff must be mindful of the definition of hazing and understand that it extends to athletic teams and beyond to other organized groups operating at or in conjunction with our school. If any staff member has knowledge of hazing, has reason to know that hazing may be

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occurring or has occurred, or is otherwise aware of steps needed to prevent hazing, that person should immediately contact the Principal or, in his or her absence, another administrator.

**Harassment**

State and Federal laws that prohibit harassment from taking place in school, including Title VII of the Civil Rights Act of 1964, Title IX, and RSA 354-A Sexual Harassment, in particular, is forbidden. Harassment based on other categories is prohibited as well. These categories include the following: race, color, religion, national origin, age, physical disability, mental disability, veteran's status, pregnancy, marital status, and sexual orientation. That means that verbal, visual, or physical conduct, words or behavior toward another individual that makes that person feel uncomfortable or offended and creates a hostile environment for him or her is against the law and school policy. Several court decisions have emphasized a school's obligation to prevent and remedy any harassment that goes on among faculty members and students. Harassment can take place among staff members, among students, and between staff and students.

Reports should be made to the Principal or in the Principal's absence, another Administrator.

Please refer to the unlawful harassment policies for specific reporting requirements and a discussion about investigations and other School District action.

**Theft, Destruction or Violence**

Under the Safe Schools Act, any school employee who has witnessed or has information about an act of theft, destruction or violence within a "safe school zone" must report the act in writing immediately to a supervisor. RSA 193-D. A safe school zone is an area which includes school property, the physical plant and equipment used for "school purposes", the playgrounds, and school buses. The facilities used for "school purposes" extend to school-sponsored programs such as educational or extra-curricular activities. Acts of theft, destruction or violence refer to criminal activity, such as homicide, assault, sexual assault, criminal mischief, unlawful possession or sale of a firearm or other dangerous weapon, arson, burglary, robbery, theft, or the illegal sale or possession of a controlled drug.

In this District, reporting of any theft, destruction or violence should be made to the Principal. The Principal or other administrator then must file a report with the local law enforcement authority immediately and he or she must submit a written report within forty-eight (48) hours of any initial report. Where the alleged victim of theft, destruction or violence is a student, the Principal must also notify the person responsible for the student's welfare to advise that local law enforcement was contacted.

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**Legal References:**

*RSA169-C:29, Persons Required to Report*

*RSA631:7 Student Hazing*

*RSA 193-F:3 Pupil Safety and Violence Prevention*

*Title VII of the Civil Rights Act of 1964 (Harassment)*

*RSA193-D:1(I) Act of Theft, Destruction or Violence*

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