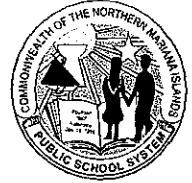




COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370
SAIPAN, MP 96950



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Teacher Representative

Commissioner of Education
Rita A. Sablan, Ed.D.
coe.ras@cnnipss.org

PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS WHICH ARE AMENDMENT TO RULES AND REGULATIONS REGARDING CNMI PUBLIC SCHOOL SYSTEM RULES AND REGULATIONS

PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System ("PSS") finds that:

INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: The proposed amendments to PSS regulations are promulgated pursuant to the Board's authority as provided by Article XV of the CNMI Constitution, Public Law 6-10 and the CNMI Administrative Procedures Act.

THE TERMS AND SUBSTANCE: The proposed regulation is set forth to provide procedural guidelines for anti-bullying in the CNMI Public School System.

THE SUBJECTS AND ISSUES INVOLVED: This regulation sets forth the regulations and procedures required for addressing student bullying within the CNMI Public School System.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations. (1 CMC § 9102(a) (1) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104 (a) (1))


State Board of Education
Telephone: (670) 237-3027
Fax: (670) 664-3711

"Students First"
www.cnnipss.org

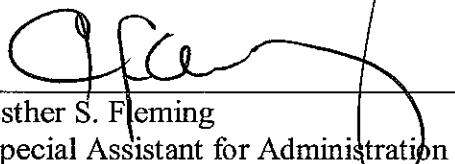
Commissioner of Education
Telephone: (670) 237-3001/3061/3075
Fax: (670) 664-3798

TO PROVIDE COMMENTS: All interest persons may examine the proposed amendments and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, State Board of Education, P.O. Box 501370 CK, Saipan, MP 96950, call 670-237-3027 or fax 670-664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these amendments. (1 CMC § 9104(a) (2))

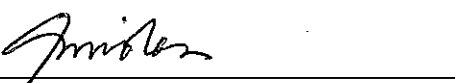
This regulation was approved at the State Board of Education Meeting on Tinian on May 19, 2011.

Submitted by: 
MaryLou S. Ada, Chairperson
State Board of Education

June 07, 2011
Date

Received by: 
Esther S. Fleming
Special Assistant for Administration

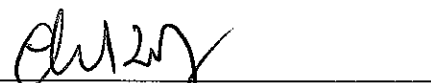
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Date

Filed and
Recorded by: 
Esther M. San Nicolas
Commonwealth Register

06.27.11
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104 (a) (3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated this 27 day of June, 2011.


EDWARD BUCKINGHAM
Attorney General

COMMONWEALTH GI SANGKATTAN NA ISLAS MARIANAS SIHA

STATE BOARD OF EDUCATION
SISTEMAN ESKUELAN PUPBLIKU
P. O. BOX 501370
SAIPAN, MP 96950

NUTISIAN PUPBLIKU PUT I MANMAPROPONIN AREKLAMENTU YAN REGULASION SIHA NI MAN MA'AMENDA PARA I AREKLAMENTU YAN REGULASION SIHA SIGUN I AREKLAMENTU YAN REGULASION SIHA GI SISTEMAN ESKUELAN PUPBLIKU CNMI

MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Sistemán Eskuelan Pupblíku ("PSS") ha sodda' na:

I AKSION NI MA'INTENSIONA NA PARA U MA'ADÁPTA ESTI SIHA I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth gi Sankattan na Islas Mariãnas Siha, Sistemán Eskuelan Pupblíku ("PSS") ha intensiona para u adápta komu petmanenti na regulasion siha ni mañechettun gi manmapropóni na Regulasion siha, sigun gi manera siha gi Áktun Administrative Procedures, 1 CMC § 9104 (a). I Regulasion siha para u ifektibu gi hálum dies (10) dihas siha dispues di adaptasion yan publikasion gi halum i Rehistran Commonwealth. (1 CMC § 9105 (b))

ÁTURIDÁT: I manmapropóni na amendasion siha para i regulasion manmácho'gui sigun gi aturidát i Kuetpu kumo mapribeniya ginin i Attikulu XV gi Konstitusion CNMI , Lai Pupblíku 6-10 yan i Áktun i CNMI Administrative Procedures.

I TEMA YAN SUSTÁNSIAN I PALÁBRA SIHA: I mapropóni na amendasion mapega mo'na para u mapribeniya giniha siha para i anti-bullying gi halum i CNMI Sistemán Iskuelan Pupblíku.


SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na regulasion ha pega mo'na siha i regulasion yan procedures ni madimánda para u ma'-address i student bullying gi halum i CNMI Sistemán Iskuelan Pupblíku.

DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA: Esti i Manmapropóni na Regulasion siha debi na u mapupblika gi hálum i Rehistran Commonwealth gi Seksiona ni manmapropóni yan nuebu na ma'adápta na regulasion siha (1 CMC § 9102 (a)(1) yan mapega gi hálum i kumbenienti na lugát siha gi hálum ufisinan gobietnamentu gi kada distritun senadot, parehu English yan i dos na lingguáhin natibu. (1 CMC §9104(a)(1)

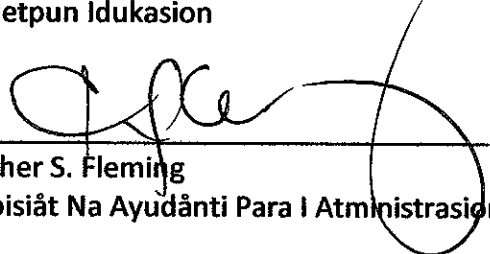
PARA U MAPRIBENIYA UPIÑON SIHA: Todu maninterisáo na petsona siña ma'eksamina i manmapropóni na amendasion siha yan u mana'hálum i tinigi' imfetmasion, pusion, pat diklaron inaksepta pat kinentran i manmapropóni na amendasion siha guatu gi Kabiseyu, Kuetpun Idukasion,

P.O. Box 501370 C.K., Saipan, MP 96950, ágang i 670-237-3027 pat fax gi 670-664-3711 gi halum i trenta (30) dihas siha ni tinattitiyi ni fechan publikasion gi hálum i Rehistran Commonwealth gi esti na amendasion siha. (1 CMC §9104(a) (2))


Esti na regulasion ma'aprueba gi huntan Kuetpun Idukasion gi islan Tinian gi Máyu 19, 2011.

Nina'hálum as: 
MaryLou S. Ada Kabiseyu
Kuetpun Idukasion

Jun 24, 2011
Fecha

Rinisibi as: 
Esther S. Fleming
Espisiát Na Ayudánti Para I Atministrasion

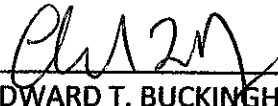
06/27/11
Fecha

Ninota yan Rinikot as: 
Esther M. San Nicolas
Rehistran Commonwealth

06.27.11
Fecha

Sigun i 1 CMC §2153(e) (I Abugádu Henerát ha aprueba i regulasion siha na para u macho'gui komu fotma) yan 1 CMC §9104 (a) (3) (hentan inaprueban Abugádu Henerát) I manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligát ginin i CNMI Abugádu Henerát yan debi na u mapublika, 1 CMC §2153(f)(publikasion I areklamentu yan regulasion siha).

Mafecha guini gi diha 27, Huniu 2011.


EDWARD T. BUCKINGHAM
Abugádu Henerát

MÁNGEMÁNGIL IGHA EBWE FILLÓÓY POMWOL ALLÉGH: Gakkool Toulap mellól Commonwealth Téél falúw kka falúwasch Efáng Marianas, Alléghúl Gakkool Toulap (PSS) e tipeli ebwe ipighil fillóóy Pomwol Allégh kka e appasch bwelle reel mwóghutul Administrative Procedure Act, 1 CMC Tálil 9104 (a). Allégh kkaal ebwe kkamall llól seigh (10) ráálil ngáre schagh raa fillóóy me akkatééló llól Commonwealth Register. (1 CMC lálil 9105 (b))

BWÁNGIL: Pomwol ssiwel kkaal sáangi alléghúl PSS ebwe akkaté bwelle reel bwáng ye e toowow mereel Article XV mellól CNMI Allégh Lapalap. Alléghúl Toulap 6-10 , me mwóghutul CNMI Administrative Procedure Act.

AWEEWE ME KKAPASAL: Pomwol ssiwel kkaal nge aa amwóláátá reel tappal schéél (alughulugh) Certificates me yááyál ngáli milikka aa ssiwel.

KKAPASAL ME AWEEWE KKA EYOOR: Reel apilúghúlúgh yeel aa schuu allégh me mwóghutughut kka ebwe awelaar olighát kka reghil ilumaaw mellól CNMI Public School System.

AFALAFAL REEL AMMWELIL ME AKKATÉÉL: Pomwol allégh ebwe akkatééló Commonwealth Register llól Tálil ye rekke Pomwoli me fillóóy allégh kka e ffé. (1CMC Tálil 9102 (a)(1) me appasch llól civic center me llól bwulasiyool gobenno kkaal llól senatorial district, e weewe schagh llól mwáliyeeer Amerikkónu, Refaluwasch me Remeraalis (1CMC Tálil 9104 (a)(1)).

ISISILONGOL AGHIYEGH: Schóókka re tipeli nge emmwel óubwe ischilong reel samwool, Board of Education, P.O. Box 501370 CK, Seipél mp 96950, faingi 237-3027 me ngáre fax reel 664-3711 llól elligh (30) ráálil mwiril yaal akkatééló llól Commonwealth Register sangi ssiwel kkaal. (1CMC Tálil 9104 (a)(2)).

Allégh kkaal nge aa ammwel sáangi schulapeer mwiischil Gakko (Board of Education) wóól Tchiliyól wóól Ghúúw 19, 2011.

Isaliyallong: Mary Lou S. Ada

Mary Lou S. Ada

Mwiischil Gakko

June 24, 2011

Ráál

Mwir Sáangi: Esther S. Fleming

Esther S. Fleming

Sów alillisil Sów lemelem

6/27/11

Ráál

Ammwel Sáangi: Esther M. San Nicolas

Esther M. San Nicolas

Commonwealth Register

06.27.11

Ráál

Sáangi allégh ye 1 CMC táilil 2153(e) (alughulugh me AG reel allégh kka ebwe akkaté ighila) Pomwol allégh kka e appasch nge raa takkal amweri fischi me allégheló mereel AG Sów Bwúngúl Allégh Lapalap me ebwe akkatééló (1CMC Táilil 2153 (f) akkatéél allégh kkaal).

Ráál ye 27 Ilól Alimaté 2011

Edward Buckingham

Edward Buckingham

Sów Bwungul Allégh Lapalap

Bullying

(a) It is the policy of the CNMI State Board of Education to prohibit bullying, harassment, or intimidation of any person on school property or at school-sponsored functions or by the use of electronic technology at a public school. It is the policy of the CNMI State Board of Education to prohibit reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying, harassment, or intimidation

(b) Definitions

(1) As used in this regulation, "bullying, harassment, or intimidation" means intentional conduct, including verbal, physical, or written conduct or an intentional electronic communication that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is:

- i. Motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability;
- ii. Threatening or seriously intimidating;
- iii. Occurs in a school setting and/or with school property; and
- iv. Substantially disrupts the orderly operation of a school.

(2) Examples of Bullying may include but is not limited to:

- i. Physical: hitting, kicking, pushing, shoving, getting another person to hurt someone;
- ii. Verbal: racial slurs, name-calling, teasing, taunting, verbal sexual harassment, gossiping, spreading rumor; or
- iii. Non-Verbal: Threatening, obscene gestures, isolation, exclusion, stalking, cyber-bullying (bullying that occurs by means of electronic communication)

(3) "Electronic communication" means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.

(4) "School Setting" means in the school, on school grounds, in school vehicles, at a designated school bus stop or at any activity sponsored, supervised or sanctioned by the school.

(5) "School property" means the school computer or telephone and encompasses the use of electronic technology at a public school.

(c) Complaints

(1) Any student who believes that he or she is a victim of bullying should report the matter immediately to the building principal. If the student feels more comfortable speaking to someone other than the building principal, the student may inform any teacher, counselor or the

PSS EEO Officer. If the situation is not satisfactorily resolved by the building principal, the student or parent should contact the PSS EEO Officer.

(2) There will be no retaliation against, or adverse treatment of any student who uses this procedure to resolve a concern when such complaint has been brought in the good faith belief that the complainant has been subjected to bullying.

(4) The responsible administrator shall follow up regularly with the complaining student to ensure that the bullying has stopped and that no retaliation has occurred.

(d) Discipline/Consequences

(1) Any student who engages in bullying while on school property or while participating in school activities will be subject to disciplinary action, up to and including expulsion.

(2) Any employee who permits or engages in the bullying of students will be subject to disciplinary action, up to and including dismissal.

(3) Any employee who receives a complaint of bullying from a student and who does not act promptly to forward that complaint to the principal and PSS EEO Officer shall be disciplined appropriately.

(4) Any student who brings a false charge of bullying shall receive appropriate discipline. The term "false charge" means charges brought in bad faith, that is, without the good faith belief that one has been subjected to bullying. The term "false charge" does not include a charge that was brought in good faith but which the PSS was unable to substantiate.

(e) The PSS EEO Officer will be available to answer all questions regarding this regulation or its implementation.

(f) Enforcement

Each building administrator is responsible for maintaining an educational and work environment free from bullying. Principals shall take appropriate action to ensure that the students are aware of and knowledgeable about these policies and that discipline action is taken whenever warranted. In accordance with their responsibilities, each building administrator, or his/her designee, shall take appropriate actions to enforce the PSS's bullying policy.