

Board of Trustees Douglas County School District

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SAFE AND RESPECTFUL LEARNING ENVIRONMENTS - BULLYING

Douglas County School District is committed to providing all students and employees with a safe and respectful learning environment free from bullying, and cyber-bullying as defined in NRS 388.121-124. Members of the Board of Trustees, employees of the Board of Trustees, including, without limitation, an administrator, principal, teacher, or other staff member, and students are prohibited from engaging in bullying or cyber-bullying, on the premises of any public school, at an activity sponsored by a public school or on any school bus. Allegations of such misconduct will be promptly investigated in accordance with state law, and disciplinary action will be taken when appropriate.

If the alleged bullying could constitute sexual harassment under Title IX, the Board policy 117 and administrative regulations 117 apply rather than the Board policy 543 and administrative regulations 543.¹ Because the school district must respond with specific steps whenever any employee has notice of sexual harassment under Title IX, all school district employees are required to report possible incidents of sexual harassment directly to the school district's Title IX Coordinator, as soon as practicable, but not later than a time during the same day on which the employee became aware of an incident of sexual harassment, including allegations of sexual harassment. Reports by school district employees must be made in person, by telephone, and/or by email to the school district's Title IX Coordinator as follows:

Executive Director of Human Resources
Douglas County School District
1638 Mono Avenue
Minden, Nevada 89423
(775) 782-7177

¹ Sexual harassment is defined under the federal Title IX regulations as conduct on the basis of sex that satisfies one or more of the following:

- a. A school employee conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct (i.e., *quid pro quo*); or
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school district's education program or activity; or
- c. Sexual assault as defined in the federal Clery Act, or dating violence, domestic violence, or stalking as defined in the federal Violence Against Women Act.

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If an employee or volunteer has reasonable cause to believe that sexual misconduct toward students by an employee or volunteer arises to abuse or neglect under NRS 432B and/or NRS 392.275 *et seq.*, such misconduct will be reported to law enforcement officials and Child Protective Service agency personnel in accordance with the procedures set forth in Board policies and regulations concerning mandatory reporting. These procedures are addressed in Board Policy 510 and Administrative Regulation 510.

It is the policy of the Board of Trustees that all persons in Douglas County School District are entitled to maintain their own beliefs and to disagree respectfully without resorting to violence, bullying or cyber-bullying. This policy does not advocate or require the acceptance of differing beliefs in a manner that would inhibit the freedom of expression. It only requires that persons with differing beliefs be free from harassment and abuse on the basis of their beliefs.

The Superintendent shall use all reasonable means to inform students, employees, and parents/guardians that the school district will not tolerate bullying or cyber-bullying. The Superintendent will provide for the appropriate training of all administrators, principals, teachers, and all other personnel employed by the district. The Superintendent will provide for age-appropriate methods of discussing the meaning and substance of this policy with students.

Retaliation against any employee or student because he or she has made a report of bullying or cyber-bullying, or because he or she has testified, assisted, or participated in the investigation of such a report is prohibited. Such retaliation is a violation of this policy, for which disciplinary action will be taken when appropriate.

No disciplinary action may be taken against a student, employee, or a volunteer at a school who reports a violation of NRS 388.135 unless such person has made a report that is known by him/her to be false, or the report was made with actual malice, reckless disregard of the truth, gross negligence, or in knowing violation of the law.

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Defining Bullying

NRS 388.122 "Bullying" defined.

1. "Bullying" means written, verbal or electronic expressions or physical acts or gestures, or any combination thereof, that are directed at a person or group of persons, or a single severe and willful act or expression that is directed at a person or group of persons, and:

(a) Have the effect of:

- (1) Physically harming a person or damaging the property of a person; or
- (2) Placing a person in reasonable fear of physical harm to the person or damage to the property of the person; or

(b) interfere with the rights of a person by:

- (1) Creating an intimidating or hostile educational environment for the person; or
- (2) Substantially interfering with the academic performance of a pupil or the ability of the person to participate in or benefit from services, activities or privileges provided by a school; or

(c) Are acts or conduct described in paragraph (a) or (b) and are based upon the:

- (1) Actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person; or
- (2) Association of a person with another person having one or more of those actual or perceived characteristics.

2. The term includes, without limitation:

- (a) Repeated or pervasive taunting, name-calling, belittling, mocking or use of put-downs or demeaning humor regarding the actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person;

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- (b) Behavior that is intended to harm another person by damaging or manipulating his or her relationships with others by conduct that includes, without limitation, spreading false rumors;
- (c) Repeated or pervasive nonverbal threats or intimidation such as the use of aggressive, menacing or disrespectful gestures;
- (d) Threats of harm to a person, to his or her possessions or to other persons, whether such threats are transmitted verbally, electronically or in writing;
- (e) Blackmail, extortion or demands for protection money or involuntary loans or donations;
- (f) Blocking access to any property or facility of school;
- (g) Stalking; and
- (h) Physically harmful contact with or injury to another person or his or her property.

NRS 388.123 "Cyber-bullying" defined. "Cyber-bullying" means bullying through the use of electronic communication. The term includes the use of electronic communication to transmit or distribute a sexual image of a minor. As used in this section, "sexual image" has the meaning ascribed to it in NRS 200.737.

NRS 388.124 "Electronic communication" defined. "Electronic communication" means the communication of any written, verbal or pictorial information through the use of an electronic device, including, without limitation, a telephone, a cellular phone, a computer or any similar means of communication.

[See Administrative Regulation related to this policy](#)
[See Board Policy 113 as related to this policy](#)
[See Board Policy 112 as related to this policy](#)

Reference: NRS 388.121 to 388.135 *et seq.*

Date Adopted: 06/13/06

Date Revised: 09/11/12

07/09/14

11/10/15

12/12/17

11/10/20