

ADMINISTRATIVE REGULATION

No. 543

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/or cyber-bullying. The school district prohibits a member of the Board of Trustees, an administrator, principal, teacher, or other staff member, or any student from engaging in bullying and/or cyber-bullying on the premises of any public school, at an activity sponsored by a public school or on any school bus. Douglas County School District will promptly investigate allegations of such misconduct in accordance with state law and take disciplinary action when appropriate.

Defining Bullying

NRS 388.122 "Bullying" defined. "Bullying" means a willful act which is written, verbal or physical, or a course of conduct on the part of one or more persons which is not authorized by law and which exposes a person repeatedly and over time to one or more negative actions which is highly offensive to a reasonable person and:

1. Is intended to cause or actually causes the person to suffer harm or serious emotional distress;
2. Exploits an imbalance in power between the person engaging in the act or conduct and the person who is the subject of the act or conduct;
3. Poses a threat of immediate harm or actually inflicts harm to another person or to the property of another person;
4. Places the person in reasonable fear of harm or serious emotional distress; or
5. Creates an environment which is hostile to a pupil by interfering with the education of the pupil.

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

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an electronic device, including, without limitation, a telephone, a cellular phone, a computer or any similar means of communication.

Notification

The superintendent shall use all reasonable means to inform students, employees, and parents/guardians that the district will not tolerate bullying, cyber-bullying, harassment or intimidation. Douglas County School District shall include the text of the provisions of NRS 388.121 to 388.139, inclusive, and the reporting procedures for violations outlined below under the heading "Bullying, Cyber-bullying, Harassment and Intimidation Is Prohibited in Public Schools," within each copy of the rules of behavior for students that the school district provides to students.

Requirements and Methods for Reporting Violations of NRS 388.135

Any person who believes that he or she has been a victim of bullying, cyber-bullying, harassment, and/or intimidation as defined by NRS 388.122, 388.123, 388.125, or 388.129, by any or all individuals specified in NRS 388.135, is encouraged and instructed to adhere to the following reporting mechanism:

A. Students

Students who are targets of bullying, cyber-bullying, harassment, and/or intimidation and students who have first-hand knowledge of such misconduct are encouraged to report any incident(s) to a teacher, counselor, or school administrator.

B. Employees

Any employee who is the target of bullying, cyber-bullying, harassment, and/or intimidation must report any incident(s) to the principal or the principal's designee, or to the Executive Director of Human Resources.

Any school district employee who witnesses or receives a report, formal or informal, written or oral, that bullying, cyber-bullying, harassment, and/or intimidation has occurred at school, at a school-sponsored event, or on a school bus, shall report the incident(s) to the principal or the principal's designee. If the report involves a school principal, the school district Superintendent, or a member of the Board of Trustees, the reporter shall make a report directly to the Executive Director of Human Resources. The report of a violation must be made verbally to the principal or designee noted above on the day on which the employee witnessed the violation or received information regarding the occurrence of a violation. Each school principal shall advise employees of the means by which the principal may be contacted on any day when an employee witnesses a violation or receives information that a violation of NRS 388.135 has occurred.

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The intentional failure to report a violation of NRS 388.135 is a basis, for which a teacher may be suspended, dismissed or not reemployed under NRS 391.312.

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 534 and Administrative Regulation 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

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

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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regulations concerning mandatory reporting. These procedures are addressed in Board Policy 510 and Administrative Regulation 510.

Investigation Requirements

The principal or his/her designee shall initiate an investigation not later than 24 hours (excluding intervening, school holidays and weekends) after receiving notice of the violation. The report must be completed within ten (10) school days (eight (8) school days for sites on a 4 day school week) after the date on which the investigation is initiated and, if a violation is found to have occurred, include recommendations concerning the imposition of disciplinary action or other measure to be imposed as a result of the violation, in accordance with the policy governing disciplinary action adopted by the Board of Trustees of the school district.

Student Appeal Procedures

The parent or legal guardian of a pupil involved in the reported violation of NRS 388.135 may appeal a disciplinary decision of the principal or his or her designee, made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by the Board of Trustees of the school district.

School Safe and Respectful Learning Team

The principal of each school or designee shall establish a school safety team to develop, foster and maintain a school environment which is free from bullying and/or cyber-bullying. The School Safe and Respectful Learning Team shall:

- a. Meet at least two times each year;
- b. Identify and address patterns of bullying, cyber-bullying, harassment or intimidation at the school;
- c. Review and strengthen school policies to prevent and address bullying, cyber-bullying, harassment or intimidation at the school;
- d. Provide information to school personnel, students and parents or guardians of students enrolled in the school on methods to address bullying, cyber-bullying, harassment or intimidation;
- e. To the extent money is available, participate in any training conducted by the school district regarding bullying, cyber-bullying, harassment or intimidation.

Professional Development

The Superintendent or his or her designee shall develop methods of discussing the meaning and substance of this regulation with staff in order to help prevent bullying, cyber-bullying, harassment and intimidation. In addition to informing staff and students about the district policy, the Superintendent shall assure that the following professional

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development is provided to all administrators, principals, teachers, and other personnel employed by the school district:

1. Awareness concerning the various types of bullying, cyber-bullying, harassment, cyber-bullying, harassment, and/or intimidation; how this misconduct manifests itself; and the devastating emotional and educational consequences of this misconduct.
2. Training in the appropriate methods to facilitate positive human relations among students without the use of bullying, cyber-bullying, harassment and intimidation so that pupils may realize their full academic and personal potential;
3. Methods to improve the school environment in a manner that will facilitate positive human relations among students; and
4. Methods to teach skills to students so that the students are able to replace inappropriate behavior with positive behavior.

Reporting to Board of Trustees and Nevada Superintendent of Public Instruction

On or before January 1 and June 30 of each year, the principal of each public school will submit to the Board of Trustees of the school district a report on the violation of NRS 388.135 which are reported during the previous school semester. The report must include, without limitation:

- (a) The number of violations of NRS 388.135 occurring at the school or otherwise involving a student enrolled at the school which are reported during the period; and
- (b) Any actions taken at the school to reduce the number of incidences of bullying, cyber-bullying, harassment and intimidation, including, without limitation, training that was offered or other policies, practices and programs that were implemented.

On behalf of the Board of Trustees, the Superintendent will review and compile these reports and annually submit a compilation of the reports to the Nevada Department of Education, including a report of the number of incidents of bullying, cyber-bullying, harassment or intimidation resulting in suspension or expulsion.

[See related Board Policies 543, 529, 112, 113](#)
[See related administrative Regulations 112, 113](#)

Legal Reference:
NRS 388.121 to 388.135 *et seq.*
NRS 391.312
Date Adopted: 06/13/06
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10/13/15
11/2020