Code: **GBB28-AR**
Adopted: **April 8, 2025**

Discrimination Based on Race/Protective Classes, Student Bullying, and Cyberbullying – Safe and Respectful Learning Environment

1. Discrimination Based on Race

   Discrimination based on race is defined in state law as follows:

   "Discrimination based on race" means any single or repeated or pervasive act or acts, whether targeted to a specific person or targeted in general regarding the race, color, culture, religion, language, ethnicity or national origin of a person that causes harm or creates a hostile work or learning environment, which may include, without limitation, jokes, threats, physical altercations or intimidation that occurs in person, online or in any other setting including, without limitation, in a course of distance education.

2. Bullying

   Bullying is defined in state law as follows (NRS 388.122):

   "Bullying" means written, verbal, electronic expressions, or physical, acts or gestures, or any combination thereof, directed at a student or group of students, or a single severe and willful act or expression, directed at a student or a group of students and

   a. Have the effect of:

      i. Physically harming a student or damaging the property of a student; or

      ii. Placing a student in reasonable fear of physical harm to the student or damage to the property of the student; or

   b. Interfere with the rights of a student by:

      i. Creating an intimidating or hostile educational environment for the student; or

      ii. Substantially interfering with the academic performance of a student 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:

      i. 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 student; or

      ii. Association of a student with another student having one or more of those actual or perceived characteristics.

   The term includes, without limitation:

   - 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, sexual orientation, physical or mental disability of a person, sex, or any other distinguishing characteristic or background of a student (if the behavior is directed towards a District employee, it may be covered in the Fair Employment Practices section);

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

The term does not include expressions, acts, or gestures which are engaged in as part of a mutual disagreement or conflict.

3. Cyberbullying

   Cyberbullying is defined in state law as follows (NRS 388.123):

   "Cyberbullying" 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.

   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 (NRS 388.124).

   Sexual image means any visual depiction, including without limitation, any photograph or video, of a minor simulating or engaging in sexual conduct or of a minor as the subject of a sexual portrayal (NRS 200.737).

   Sexual portrayal means the depiction of a student in a manner which appeals to the prurient interest in sex and which does not have serious literary, artistic, political, or scientific value (NRS 200.700).

4. Requirements and Methods for Reporting Violations of NRS 388.1351

   Any District employee who witnesses or receives information, formal or informal, written or oral, that discrimination based on race, bullying and/or cyberbullying has occurred at school, at a school-sponsored event, or on a school bus in respect to a student, shall report the incident(s) to the principal or the principal's designee as soon as practicable, but not later than the close of business on the same day. If the report involves a school principal, the District Superintendent, or a member of the Board of Trustees, the reporter shall make a report directly to the Human Resources Manager. **The report of a violation must be made to the principal or designee noted above on the day 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.

Knowingly or intentionally failing to report a violation of NRS 388.1351 is a basis for which a teacher may be suspended, dismissed, or not reemployed and an administrator may be demoted, suspended, dismissed, or not reemployed under NRS 391.750.

5. If the alleged bullying or cyberbullying based on sex could constitute sexual harassment under Title IX, the *Nondiscrimination on the Basis of Sex Under Title IX* policy and administrative regulations apply rather than the *Discrimination Based on Race, Student Bullying, and Cyberbullying – Safe and Respectful Learning Environment* policy and administrative regulations.

6. Investigation Requirements

   Upon receiving a report of a violation, the principal or designee shall immediately take any necessary action to stop the discrimination based on race, bullying, or cyberbullying, and ensure the safety and well-being of the reported victim or victims of the bullying or cyberbullying and shall begin an investigation immediately into the report. If the principal or designee does not have access to the reported victim, they may wait until the next day when they have such access to take action. The investigation required must be completed, to the greatest extent practicable, within five school days after the principal or designee receives a report of a violation. If extenuating circumstances prevent the administrator or designee from completing the investigation within five school days after making a good faith effort, two additional school days may be used to complete the investigation. This timeline can be extended if there are alleged acts that constitute sexual assault.

   If a law enforcement agency is investigating a potential crime involving an alleged violation of discrimination based on race, bullying, or cyberbullying, the principal or designee may, after providing notification to the parents or guardians of all students directly involved in the reported discrimination based on race, bullying, or cyberbullying, defer their investigation until the completion of the criminal investigation by the law enforcement agency.

   If the administrator or their designee defers an investigation, they shall:

   - Immediately develop a plan to protect the safety of each student directly involved in the alleged violation; and
   - To the extent that the law enforcement agency has provided the administrator or designee with information about the projected date for completion of its investigation, provide the parents or guardians of each student directly involved in the alleged violation with that information.

7. Notification to Parents

   The principal or designee shall provide notification by telephone, electronic mail or other electronic means or in person to the parents or guardians of all students directly involved in the reported discrimination based on race, bullying, or cyberbullying. The notification must be provided:

   Before the school's administrative offices close on the day on which the bullying or cyberbullying is reported, if the discrimination based on race, bullying, or cyberbullying or discrimination based on race is reported before the end of school hours on a school day, or

Before the school's administrative offices close on the school day following the day on which the discrimination based on race, bullying, or cyberbullying is reported, if the discrimination based on race, bullying, or cyberbullying was reported on a day that is not a school day or after school hours on a school day.

To the extent that information is available, the principal or designee shall provide to each parent or guardian of a student directly involved a list of any resources that may be available in the community to assist the student as soon as practicable. Such a list may include, without limitation, resources available at no charge or at a reduced cost. The list may be provided in person or by electronic or regular mail. If such a list is provided, the principal, designee, or any employee of the school or the District is not responsible for providing such resources to the student or ensuring the student receives such resources.

8. Investigation Report

The principal or designee shall complete a written report of the findings and conclusions of the investigation. If a violation is found to have occurred, the report must include recommendations concerning the imposition of disciplinary action or other measures 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 District. The report must be made available, not later than 24 hours after the completion of the written report, to all parents or guardians of students directly involved. If a violation is found not to have occurred, information concerning the incident must not be included in the record of the reported aggressor.

Not later than 10 school days after receiving the initial report of bullying or cyberbullying, the principal or designee shall meet with each reported victim of the bullying or cyberbullying to inquire about the well-being of the reported victim and to ensure that the reported discrimination based on race, bullying, or cyberbullying, as applicable, is not continuing.

The board of trustees, if requested by the parents or guardians, will assign a student who is a victim of bullying or cyberbullying to a different school in the District.

The provisions of NRS 388 do not apply to a violation of discrimination based on race, bullying, or cyberbullying committed by:

- A student with a disability whose Individual Education Program (IEP) addresses same or similar behaviors.
- A student who is enrolled in prekindergarten if the behavior is addressed through measures intended to modify the behavior of the student.
- An employee of a school or school district against another employee of a school or school district.
- An adult who is not a student or employee of a school or school district against another such adult.

9. Professional Development

The superintendent or designee shall develop methods of discussing the meaning and substance of the regulation with staff in order to help prevent discrimination based on race, bullying and cyberbullying. In addition to informing staff and students about the District policy, the

superintendent shall assure that the following professional development is provided to all administrators, principals, teachers, Board of Trustees, and other personnel employed by the District:

- Training in the appropriate methods to facilitate positive human relations among students by eliminating the use of discrimination based on race, bullying and cyberbullying so that students may realize their full academic and personal potential;
- Training in methods to prevent, identify, and report incidents of discrimination based on race, bullying, and cyberbullying;
- Training concerning the needs of students with disabilities and students with autism spectrum disorder;
- Methods to promote a positive learning environment;
- Methods to improve the school environment in a manner that will facilitate positive human relations among students; and
- Methods to teach skills to students so that the students are able to replace inappropriate behavior with positive behavior.

10. Reporting Requirements

The principal or designee will submit a monthly report to the superintendent that includes the number of:

- Reports received concerning incidents of bullying or cyberbullying;
- Reports received concerning incidents of discrimination based on race;
- Times in which a violation is found to have occurred; and
- Time in which no violation is found to have occurred.