

Code: JFCFA-AR
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**LINCOLN COUNTY SCHOOL DISTRICT POLICY SAFE & RESPECTFUL
LEARNING ENVIRONMENT (SRLE)**

I. Bullying and Cyber-Bullying Is Prohibited in Public Schools

A. A member of the school district board of trustees, any employee of the school district, including, without limitation, an administrator, principal, teacher, or other staff member, a member of a club or organization which uses the facilities of any public school, regardless of whether the club or organization has any connection to the school, or any pupil shall not engage 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.

B. Definitions:

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:
 - i. Physically harming a person or damaging the property of a person; or
 - ii. 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:
 - i. Creating an intimidating or hostile educational environment for the person; or
 - ii. 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:
 - 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 person; or
 - ii. Association of a person with another person having one or more of those actual or perceived characteristics.

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;
- b. Behavior that is intended to harm another person by damaging or manipulating his or her relationships with others by conduct that includes, without limitations, 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 a school;
 - g. Stalking; and
 - h. Physically harmful contact with or injury to another person or his or her property.
2. **“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 policy, “sexual image” has the meaning ascribed to it in NRS 200.737.
 3. **“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.

II. Policies and Training Established by the Nevada Department of Education; Standards Adopted by the Nevada Council to Establish Academic Standards

- A. NRS 388.133 requires that the Nevada Department of Education prescribe by regulation a policy (1) setting forth requirements and methods for reporting violations of the prohibition on bullying and cyber-bullying, including, without limitation, violations among teachers and violations between teachers and administrators, principals and other personnel of a school district; and (2) for use by school districts to train members of the board of trustees and all administrators, principals, teachers and all other personnel employed by the board of trustees of the school district. The policy must include provisions for training in the topics listed below under “Professional Development.” Upon issuance of the state regulations prescribing a policy, the school district board of trustees will adopt the policy, and the school district will provide the training and comply with other requirements set forth in NRS 388.134.
- B. NRS 388.1342 requires that the Nevada Department of Education establish programs of training as follows:
 1. Methods to prevent, identify and report incidents of bullying and cyber-bullying for members of the boards of trustees of school districts.
 2. Training to assist school district personnel to assist those persons with carrying out their powers and duties under the Safe and Respectful Learning Environments statutes.
 3. Training for administrators in the prevention of violence and suicide associated with bullying and cyber-bullying and appropriate methods to respond to incidents of violence or suicide.

Upon establishment of these programs of training, the school district will complete the programs of training in accordance with the timelines and other requirements set forth under NRS 388.1342.

- C. NRS 388.134 requires that the school district board of trustees adopt the policy prescribed by the Council to Establish Academic Standards for the ethical, safe and secure use of computers and other electronic devices (NRS 389.520.2). The standard adopted by the Council for “Digital Citizenship” requires that students understand human, cultural, and

societal issues related to technology and practice legal and ethical behavior. The school district adopts that standard and the strands for education in computer education and technology which require that students:

1. Advocate and practice safe, legal, and responsible use of information and technology;
2. Exhibit a positive attitude toward using technology that supports collaboration, learning, and productivity;
3. Demonstrate personal responsibility for lifelong learning; and
4. Exhibit leadership for digital citizenship.

III. Notice that Bullying and Cyber-Bullying Is Prohibited in Public Schools

As required by NRS 388.139, the school district will include LCSD Board Policy and the text of the provisions of NRS 388.121 to 388.145, inclusive, and sections 2, 3 and 4 of Senate Bill 504 (2015 Nevada Legislative Session), within each copy of the rules of behavior for pupils that the school district provides to pupils under the heading "Bullying and Cyber-Bullying Is Prohibited in Public Schools." Upon the request of a parent or legal guardian, the school district will provide a parent or legal guardian with a written copy Policy.

IV. Requirements and Methods for Reporting Violations; Investigations

Reporting Violations:

- A. Any person who believes that he or she has been a victim of bullying or cyber-bullying by a member of school district board of trustees, any employee of the school district, including, without limitation, an administrator, principal, teacher, or other staff member, a member of a club or organization which uses the facilities of any public school, regardless of whether the club or organization has any connection to the school, or any pupil is encouraged and instructed to adhere to the following reporting mechanism:
 1. **Pupils.** School district pupils who are targets of bullying or cyber-bullying and pupils who have first-hand knowledge of such bullying or cyber-bullying should report any incident(s) to a teacher, counselor, or school administrator.
 2. **Employees.** A teacher, administrator, principal, coach or other staff member who witnesses a violation of the prohibition on bullying and cyber-bullying, or receives information that a violation has occurred (including overhearing, or receiving a report, formal or informal, written or oral, of bullying or cyber-bullying) must report the violation to the principal or designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, principal, coach or other staff member witnessed the violation or received information regarding the occurrence of a violation.

School Principal/Designee Investigations:

The principal or designee upon receiving a report of bullying or cyber-bullying will immediately take any necessary action to stop the bullying or cyber-bullying and ensure the safety and well-being of the reported victim or victims, and shall begin an investigation into the report.

- A. The principal or designee must notify all parents or guardians of all pupils directly involved (either as reported aggressor(s) or as reported victim(s)) in the reported bullying or cyber-

bullying through telephone, electronic mail or other electronic means, or in person. If the contact information for the parent or guardian of a pupil in the school records is not correct a good faith effort to notify the parent or guardian shall be deemed sufficient to meet the notification requirement. The principal or designee must document all such efforts.

- B. The notification must be provided not later than:
1. If the bullying or cyber-bullying is reported before the end of school hours on a school day, 6 p.m. on the day on which the bullying or cyber-bullying is reported; or
 2. If the bullying or cyber-bullying was reported on a day that is not a school day, or after school hours on a school day, 6 p.m. on the school day following the day on which the bullying or cyber-bullying is reported.

Interviews must be conducted with all pupils (reported aggressor(s) and victim(s)) whose parents or guardians must be notified, and with all such parents or guardians.

- C. The investigation must be completed within 2 school days after the principal or designee receives a report of bullying or cyber-bullying. If the principal or designee is not able to complete the required interviews with pupils (reported aggressor(s) and victim(s)) or their parents or guardians, because any of the persons is not available, 1 additional day may be used to complete the investigation.
- D. The principal or designee must 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. Subject to the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations, the report must be made available within 24 hours after the completion of the written report to all parents or guardians who were required to be notified (i.e., parents of the reported aggressor(s) and victim(s)).
- E. Not later than 10 school days after receiving a report of bullying or cyber-bullying, the principal or designee shall meet with each reported victim of the bullying or cyber-bullying to inquire about the well-being of the reported victim and to ensure that the reported bullying or cyber-bullying is not continuing.

No Interfering with or Preventing Disclosure of Information:

Members of the school district board of trustees and school district employees are prohibited from directly or indirectly interfering with or preventing the disclosure of information concerning bullying or cyber-bullying violations.

Appeal of Disciplinary Decision:

The parent or legal guardian of a pupil involved in the reported violation may appeal a disciplinary decision of the principal or designee, made against the pupil as a result of the violation, in accordance with Policy. Not later than 30 days after receiving a response provided in accordance with Board Policy, the parent or guardian may submit a complaint to the Nevada Department of Education, and the Department shall consider and respond to the complaint pursuant to procedures and standards prescribed in regulations adopted by the Department.

Immunity for Reporting Violations: Disciplinary Action for Certain Persons:

No cause of action may be brought against a pupil or an employee or volunteer of a school who reports a violation of the prohibition on bullying and cyber-bullying, unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.

If a principal determines that a report of a violation is false and that the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law, the principal may recommend the imposition of disciplinary action or other measures against the person in accordance with the policy governing disciplinary action adopted by the school district board of trustees.

School District Policy for Employees to Report Violations to Law Enforcement:

The school district board of trustees, in conjunction with local law enforcement agencies that have jurisdiction over the school district and with school police, if applicable, will establish a separate policy for the procedures which must be followed by an employee of the school district when reporting a violation of the prohibition on bullying and cyber-bullying to a school police officer or local law enforcement.

V. Professional Development

The school district superintendent will provide for the appropriate training of all administrators, principals, teachers and all other personnel employed by the school district in accordance with this policy, including training on the following topics:

- A. Training in the appropriate methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying so that pupils may realize their full academic and personal potential.
- B. Training in methods to prevent, identify, and report incidents of bullying and cyber-bullying.
- C. Methods to promote a positive learning environment.
- D. Methods to improve the school environment in a manner that will facilitate positive human relations among pupils.
- E. Methods to teach skills to pupils so that the pupils are able to replace inappropriate behavior with positive behavior.

VI. School Safety Team

- A. The principal or designee must establish a school safety team to develop foster and maintain a school environment, which is free from bullying and cyber-bullying.
- B. The School Safety Teams must consist of the principal or designee (committee chair) and the following persons appointed by the principal:
 - 1. School counselor;
 - 2. At least one teacher at the school;

3. At least one parent or guardian of a student enrolled in the school; and
4. Any other persons appointed by the principal.

C. The School Safety Team will:

1. Meet at least two times each year;
2. Identify and address patterns of bullying or cyber-bullying;
3. Review and strengthen school policies to prevent and address bullying or cyber-bullying;
4. Provide information to school personnel, pupils, and parents and legal guardians of pupils enrolled in the school on methods to address bullying and cyber-bullying; and
5. To the extent money is available, participate in any training conducted by the school district regarding bullying and cyber-bullying.

VII. Week of Respect

The school board of trustees will determine the most effective manner for the delivery of information to public school pupils during the “Week of Respect” proclaimed by the Governor each year. The information delivered during the “Week of Respect” will focus on:

- A. Methods to prevent, identify and report incidents of bullying and cyber-bullying;
- B. Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and
- C. Methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying.

VIII. Failure to Report Violations

If an administrator, principal or the designee of an administrator or principal of a school knowingly and willfully fails to comply with the provisions of NRS 388.1351 concerning obligations for reporting violations, investigating, preparing reports, and related matters, the superintendent shall take disciplinary action against the employee by written admonishment, demotion, suspension, dismissal or refusal to reemploy. If the employee is the holder of a license issued pursuant to NRS Chapter 391, the superintendent may recommend to the board of trustees that the board submit a recommendation to the State Board for the suspension or revocation of the employee’s license.

The District may discipline other licensed employees with a suspension, demotion, dismissal or non-reemployment without prior admonition if they knowingly and willfully fail to comply with the provisions of NRS 388.1351. An intentional failure to report a bullying violation shall constitute a knowing and willful failure to comply with the provisions of NRS 388.1351. For negligently failing to report a bullying violation, the District may use progressive discipline but may not immediately demote or dismiss without a prior admonition.