

**BOARD OF TRUSTEES  
CARSON CITY SCHOOL DISTRICT**

**REGULATION No. 543  
STUDENTS**

**SAFE AND RESPECTFUL LEARNING ENVIRONMENT  
FREE FROM BULLYING OR CYBER-BULLYING**

A. Bullying

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 a 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 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: (1) actual or perceived age, race, color, national origin, ethnicity, ancestry, religion, diverse gender identity or expression, sexual orientation, physical attributes, 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.

Such negative actions may include, without limitations:

- a. Repeating or pervasive taunting, name-calling, belittling, mocking or use of put-downs or demeaning humor regarding the actual or perceived age, race, color, national origin, ethnicity, ancestry, religion, gender identity or expression, sexual orientation, physical attributes, 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 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 a school;
- g. Stalking; and
- h. Physically harmful contact with or injury to another person or his or her property.

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### **B. Cyber-Bullying**

Cyber-bullying means bullying through the use of electronic communication. The term includes the use of electronic communications 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, which is 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.

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, or any similar means of communication.

### **C. Education and Training**

It is the policy of this District to provide in-service education about how to create and maintain a safe and respectful learning environment, including bullying and cyber-bullying for trustees, employees, and students, so students may reach their full academic and personal potential. Such in-service education shall include:

#### **1. Raising Awareness**

- a. Information shall be disseminated to trustees, students, teachers, administrators, and all other appropriate personal that includes:
  - i. What constitutes a safe and respectful learning environment;
  - ii. What is bullying and cyber-bullying;
  - iii. What are the possible emotional and educational effects of bullying and cyber-bullying;
  - iv. What are the needs and rights of students, including students with disabilities (including students with autism spectrum disorder) and students with diverse gender identities or expressions; and
  - v. What community counseling, interventions, and/or suicide prevention resources are available for students involved in bullying and/or cyber-bullying.

#### **2. Training and Methods**

- a. Training shall be provided to trustees, students, teachers, administrators, and all other appropriate personal that includes:
  - i. Methods to improve the school environment that will facilitate positive human relations among students;
  - ii. Methods to facilitate positive human relations among students without the use of bullying and/or cyber-bullying;
  - iii. Methods to teach students positive behavioral replacement strategies;
  - iv. Requirements and methods for addressing the needs and rights of students with diverse gender identities or expressions;
  - v. Training regarding the methods, procedures and practice for recognizing bullying and/or cyber-bullying;

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- vi. Training regarding effective interventions and remediation strategies for bullying and/or cyber-bullying; and
- vii. Training regarding methods for reporting violations of NRS 288.135

The training shall be provided within the time requirements of NRS.

### D. Complaint Procedure and Resolution

#### 1. Reporting:

Any Carson City School District teacher, administrator, coach, or staff member who witnesses or receives information about an incident of bullying and/or cyberbullying at any District facility, on school grounds, in school buildings, on school buses, or at school-sponsored activities shall report it to the administrator or designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, coach or other staff member witnesses or received information about the incident.

Students and parents will be encouraged to report, in confidence, all instances of bullying or cyber-bullying whether as victims/targets or witnesses of bullying or cyber-bullying, to teachers and other District staff.

Any person who believes he/she has been or is being subjected to bullying or cyber-bullying of any kind by any student or other individual associated with the District is encouraged to bring such bullying or cyber-bullying to the attention of whichever of the following with whom he/she is most comfortable: his/her teacher, counselor, site administrator, or the Superintendent.

#### 2. Confidentiality:

A report of bullying or cyber-bullying and the ensuing investigation is to be kept in strict confidence, where practical, for the protection of all parties involved. Information will only be shared with individuals who have a legitimate “need to know.”

The District’s obligation to investigate and take corrective action may supersede an individual’s right of privacy.

Pending the completion of the investigation, however, the Superintendent may take any action necessary to protect the alleged victim, or other employees or students consistent with requirements of any applicable statutes and regulations.

#### 3. Investigation:

A complaining individual is encouraged to have a parent, teacher, friend, or advisor present with him or her for moral support during any stage of the reporting and investigation.

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Once a report or complaint has been filed with the teacher or site administrator who is not involved in the alleged bullying or cyber-bullying, a confidential and expeditious investigation shall begin in accordance with NRS.

Upon receiving a report of bullying or cyber-bullying, the administrator or designee shall 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 of the bullying or cyber-bullying.

If the administrator or designee does not have access to the reported victim of the alleged bullying or cyber-bullying, the administrator or designee may wait until the next school day when he or she has access to the victim to begin the investigation.

If a law enforcement agency is investigating a potential crime involving an alleged violation of the law, the administrator or designee may, after providing the required notification to the parents or guardians of the students directly involved in the alleged bullying or cyber-bullying incident, defer the required school investigation until the completion of the criminal investigation by the law enforcement agency. If the administrator defers an investigation, the administrator must:

- a. Immediately develop a plan to protect the safety of each student directly involved in the alleged bullying or cyber-bullying, and
- b. To the extent possible, if the law enforcement agency has provided the administrator or designee with information about the projected date for completion of the investigation, provide the parents or guardians of each student directly involved in the incident(s) with that information.

4. Notification:

The investigation must include notification provided in person, by telephone, electronic mail or other electronic means of communication, to the parents or guardians of all students directly involved in the reported bullying or cyber-bullying incident. The notification must be provided: (1) by the end of the school day if the bullying or cyber-bullying was reported during school hours; or (2) by the end of the next school day if the bullying or cyber-bullying was reported on a day that is not a school day or after school hours.

If the incident of bullying or cyber-bullying was reported via Safevoice Nevada, [safevoicenv.org, phone number 883-216-SAFE (7233)] the administrator or designee shall be deemed to have received information about the incident when the report appears in the email inbox. After the administrator or designee is deemed to have received the information, the regular timelines set forth in the above paragraph commence.

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The notification may not include personally identifiable student information other than the name of the student to whom the notice is addressed, and is not required to label the student's alleged role in the incident.

If the contact information for the parent or guardian of a student in the records of the school is not correct, a good faith effort to notify the parent or guardian shall be deemed sufficient to meet the notification requirements set forth in this section.

5. **Interviews:**  
The investigation must include interviews with all students directly involved and their parents or guardians must be notified.
6. **Timeline for Investigation:**  
The investigation must be completed not later than two (2) school days after the administrator or designee receives a report of bullying or cyber-bullying. If extenuating circumstances prevent the administrator or designee from completing the required investigation within two (2) school days after making a good faith effort because any of the persons to be interviewed is not available, one (1) additional school day may be used to complete the investigation.
7. **Written Report:**  
An administrator or designee who conducts an investigation 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 this Regulation.

Subject to the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, the report must be made available, not later than 24 hours after the completion of the written report, to all parents or guardians who must be notified as part of the investigation.

8. **Follow-up:**  
Not later than 10 school days after issuance of the report, the administrator 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.

To the extent information is available, the administrator or designee must provide, to a parent or guardian of a student to whom notice of a reported bullying or cyber-bullying violation was provided, a list of resources that may be available in the community to assist the student, as soon as practicable. If a list of community resources is provided, it is the responsibility of the parents, guardians and students to avail themselves of the resources.

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An investigation of a complaint will normally include conferring with the parties involved and any witnesses. Once the investigation is concluded, a review of the information will be conducted and a decision rendered regarding action to be taken.

9. Action:

In determining what action is to be taken, the investigator shall consider the nature of the behavior, past incidents or past continuing patterns of behavior by either the alleged perpetrator or the complainant, the relationships between the parties involved, and the context in which the alleged incidents occurred. In all cases, the alleged perpetrator shall have an opportunity to rebut the accusations made against him or her before the investigation is completed and action taken.

The District shall take action as appropriate to help ensure that further bullying or cyber-bullying does not occur. Such action may include but is not limited to counseling, awareness training, parent-teacher conferences, warning, transfer, suspension, expulsion, or other disciplinary action.

Victims of bullying and cyber-bullying and witnesses of bullying and cyber-bullying may be offered counseling and other support services available from staff and other resources of the District to help deal with the effects of bullying and cyber-bullying. The parent or guardian of a student who is a victim of bullying or cyberbullying has the right to request a reassignment to a different school with the District.

If the administrator or designee determines that bullying or cyber-bullying was caused by the disability of the student who committed the violation:

- a. The provisions of NRS 388.135 do not apply to the same or similar behavior if the behavior is addressed in the student's individual education program; and
- b. The administrator or designee shall take any measures necessary to protect the safety of the victim of the violation.

District action taken for violation of this policy shall be consistent with the requirements of applicable collective bargaining agreements, Nevada Revised Statutes (NRS), federal law and District Policies.

10. Discipline:

Prompt attention and appropriate disciplinary action designed to stop the bullying or cyber-bullying immediately and to prevent its recurrence will be taken if an investigation reveals bullying or cyber-bullying has occurred. The due process rights of all individuals will be protected.

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A substantiated charge against a student of the District shall subject said student to disciplinary action in accordance with school rules, including class changes, suspension, or expulsion.

If a violation is found not to have occurred, information concerning the incident must not be included in the record of the alleged perpetrator.

The parent or guardian of a student involved in the reported bullying or cyber-bullying violation may appeal a disciplinary decision of the administrator or designee made against the student as a result of the violation in accordance with District policies to the Superintendent. Complaints regarding disciplinary action taken against a student can only be submitted to the Superintendent after all site appeal processes have been followed and a final report is provided to the parent or legal guardian.

Consistent with the requirements of applicable regulations or statutes, the Superintendent may take such action as deemed necessary and appropriate after completion of the investigation. All parties involved in the investigation shall be notified of the decision of the Superintendent.

Not later than 30 days after receiving the disciplinary decision, the parent or guardian may submit a complaint to the Office for a Safe and Respectful Learning Environment within the Nevada Department of Education.

Any teacher, administrator, coach, other staff member, or student who tolerates or engages in an act of bullying or cyber-bullying or violates a provision of NRS 388.121-388.145 will be held accountable. A substantiated charge against an employee of the District shall subject the employee to disciplinary action, up to and including discharge. Any rights under any collective bargaining contract will be followed.

Persons perpetrating false or fabricated accusations will be held responsible for their actions, and may be subject to disciplinary action.

Reasonable efforts shall be made to protect persons from intimidation, retaliation or discrimination as a result of filing a complaint or assisting in an investigation.

11. Exceptions  
Provisions of NRS 388.135(1) do not apply to a violation of NRS 388.135 if committed by:
  - a. A student who is enrolled in pre-kindergarten if the behavior is addressed through measures intended to modify the behavior of the student.
  - b. An employee of a school or the School District against another employee of a school or the School District.

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c. An adult who is not a student or employee of a school or the School District against another such adult.

12. Record Keeping

Records and reports of complaints and a record of the investigation and action taken shall be preserved in accordance with District policies, practices and procedures.

E. Public Notification

Notice of this regulation shall be posted on the District website and, upon request printed copies shall be made available to staff, students, parents and guardians.

F. Other Sources of Assistance

Nevada Equal Rights Commission  
U.S. Department of Education  
Office for Civil Rights, Regional Office  
State Department of Education

Legal References: NRS 388.121 – 388.1321; 388.133; 388.134; 388.1343; 388.1344; 388.135; 388.137; 388.139; 200.737

Title VII of the Civil Rights Act of 1964  
Other State and Federal Implementing Regulations

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