

## District Policy

Section: \_\_\_\_\_

Title: Reporting Bullying, Cyber-bullying, Harassment or Intimidation of a Student

Number: \_\_\_\_\_

Status: \_\_\_\_\_

Legal: NRS 388.121–388.139

Proposed

Last Updated: \_\_\_\_\_

### General Policy Statement

It is the policy and goal of the Elko County School District to provide a safe and respectful learning environment for all students and staff. No member of the board of trustees of the school district, nor employee of the board of trustees, including, without limitation, an administrator, principal, teacher or other staff member, nor any student of the school district shall engage in any conduct on or off school property which results in “bullying”, “cyber-bullying”, “harassment” or “intimidation” of any student on school property, at an activity sponsored by a school or on any school bus.

### Reporting

388.1351 requires that a teacher or other staff member who witnesses or receives information that “bullying”, “cyber-bullying”, “harassment” or “intimidation” of any student has occurred on school property, at an activity sponsored by a school or on any school bus, must verbally report the occurrence to the principal or his or her designee on the day on which the teacher or other staff member witnessed the “bullying”, “cyber-bullying”, “harassment” or “intimidation” or received information regarding its occurrence.

388.1352 require that employees report a violation of NRS 388.135 to a school police officer or local law enforcement agency. School administrators shall complete the following procedures when reporting violations of NRS 388.135 to local law enforcement:

1. Investigate all reports of bullying.
2. Report all violations that appear to put students at risk or are likely to continue.

### Failure to Report

NRS 391.312 provides that a teacher may be suspended, dismissed or not reemployed, and an administrator may be demoted, suspended, dismissed or not reemployed, for an intentional failure to report an occurrence of “bullying”, “cyber-bullying”, “harassment” or “intimidation” that has occurred on school property, at an activity sponsored by a school or on any school bus, if the teacher or administrator witnessed the occurrence.

### Definitions

“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 student one time or 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 student to suffer harm or serious emotional distress;
2. Places the student in reasonable fear of harm or serious emotional distress; or
3. Creates an environment which is hostile to a student by interfering with the education of the student.

“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” 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. “Sexual portrayal” means the depiction of a person in a manner which appeals to the prurient interest in sex and which does not have serious literary, artistic, political or scientific value.

“Harassment” means a willful act which is written, verbal or physical, or a course of conduct that is not otherwise authorized by law, is highly offensive to a reasonable person and:

1. Is intended to cause or actually causes another student to suffer serious emotional distress;
2. Places a student in reasonable fear of harm or serious emotional distress; or
3. Creates an environment which is hostile to a student by interfering with the education of the student.

“Intimidation” means a willful act which is written, verbal or physical, or a course of conduct that is not otherwise authorized by law, is highly offensive to a reasonable person and:

1. Poses a threat of immediate harm or actually inflicts harm to another student or to the property of another person;
2. Places a student in reasonable fear of harm or serious emotional distress; or
3. Creates an environment which is hostile to a student by interfering with the education of the student.