



**Responsible Office:** Office of the General Counsel, Civil Rights Compliance Department

## **BOARD POLICY 5700**

### **SAFE AND RESPECTFUL LEARNING ENVIRONMENT**

#### **PURPOSE**

~~Through this Board Policy, t~~The Board of Trustees (Board) seeks to create a safe and respectful learning environment free from race discrimination, bullying, ~~and cyber-bullying, harassment, and power-based violence (referred to collectively as "bullying and other prohibited conduct")~~ in order for students to achieve success. ~~The~~is Board ~~hereby adopts this~~ Policy ~~establishes the procedures necessary~~ to create a safe and respectful learning environment, ~~as outlined in state law.~~to promptly investigate accusations of bullying, to implement remedies and interventions for all who are involved, and to provide training to employees and students on the prevention and remediation of such behaviors.

#### **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 physically harming a person or damaging the property of a person; or 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: creating an intimidating or hostile educational environment for the person; or 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: 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 association of a person with another person having one or more of those actual or perceived characteristics.~~
  - ~~d. The term "bullying" 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, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person; 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; Repeated or pervasive nonverbal threats or intimidation such as the use of aggressive, menacing or disrespectful gestures; 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; Blackmail, extortion or 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 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.~~
- ~~a. "Electronic communication device" means any electronic device that is capable of transmitting or distributing an image of bullying, including, without limitation, a cellular telephone, personal digital assistant, computer, computer network and computer system.~~
  - ~~b. "Image of bullying" means any visual depiction, including, without limitation, any photograph or video, or a minor bullying another minor.~~
3. ~~"Race discrimination" means any single or repeated or pervasive act or acts, whether targeted to a specific person or targeted in general to any demographic 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.~~
4. ~~"Retaliation" is adverse action (e.g., payback, retribution, revenge) taken against an individual for engaging in legally protected activity such as making a~~

~~complaint of harassment or participating in workplace or school site investigations.~~

## **POLICY**

~~1. The Washoe County School District (District) is committed to:~~

- ~~a. Providing an environment in which persons of differing beliefs, characteristics and backgrounds can realize their full academic and personal potential;~~
- ~~a. The Washoe County School District (District) is committed to providing an environment in which persons of differing beliefs, characteristics and backgrounds can realize their full academic and personal potential.~~
- ~~b. The belief that all persons are entitled to maintain their own beliefs and to respectfully disagree without resorting to or being subjected to bullying;~~
- ~~c. Ensuring that all students, administrators, faculty, and other District employees demonstrate appropriate behavior by treating other persons, including students, with civility and respect and by refusing to tolerate bullying;~~
- ~~d. By declaring the above, the Board is not advocating or requiring the acceptance of differing beliefs in a manner that would inhibit freedom of expression. The Board does require that persons with differing beliefs be free from bullying; and~~
- ~~e. All District/school properties shall be maintained as safe and respectful learning environments, and no form of bullying will be tolerated.~~

~~2. For the purposes of this Board Policy:~~

- ~~3.1. \_\_\_\_\_~~ The prohibition against bullying and other prohibited conduct applies to any individual on Washoe County School District (District) property, to include District-provided transportation, at District-sponsored activities and events, and/or while acting on behalf of the District. This includes outside entities ~~renting/~~using District facilities.
- 2. The act of bullying does not apply to a student enrolled in prekindergarten, or between two or more adults regardless of whether one or more of the adults is a District employee.
- 3. The Board hereby directs the Superintendent to adopt Administrative Regulations to implement and maintain the required purposes of this Board Policy. The

Superintendent shall include in the Administrative Regulations the following provisions:

- a. Specific protocols on reporting incidents of bullying and other prohibited conduct;
  - b. Upon receiving a report of bullying or other prohibited conduct, an administrator or designee shall immediately take any necessary action to stop such conduct and ensure the safety and well-being of the reported victim or victims;
    - i. Specific protocols must be adhered to when responding to a report of harassment or power-based, including trauma-informed procedures and a plan to deliver supportive measures to any victims no later than 3 days after receiving the report.
  - c. Investigations of bullying and other prohibited conduct must be conducted in accordance with the requirements outlined in state law;
  - d. An administrator or designee who conducts an investigation of bullying or other prohibited conduct shall provide written findings and a conclusion of the investigation to the parents or guardians of all students directly involved in the reported conduct; and
  - e. Prohibition on unlawful retaliation against an individual who reports an act of bullying or other prohibited conduct, or against any person who testifies, assists, or participates in the investigation of a report.
  - ~~a. The prohibition against bullying applies to any individual on District property, to include District-provided transportation, at District-sponsored activities and events, and/or while acting on behalf of the District. This includes outside entities renting/using District facilities.~~
  - ~~b.a. The act of bullying does not apply to a student enrolled in prekindergarten, or between two or more adults regardless of whether one or more of the adults is a District employee.~~
- ~~4. Civil Rights Compliance Department. The District, through the Office of the General Counsel's Civil Rights Compliance Department, shall:~~
- ~~a. Establish and maintain reporting mechanisms, to include an internet website, through which any person can report an allegation of bullying;~~
  - ~~b. Create and distribute information about anti-bullying efforts;~~

- ~~c.—Provide outreach and anti-bullying education and training for students, employees, and parents/guardians; and~~
- ~~d.—Protect the rights of gender non-conforming students.~~
- ~~e.—Provide training and professional learning for the Board, District employees, volunteers, students, and their families to include, but not be limited to:
  - ~~i.—Methods to promote a positive learning environment and facilitate positive relationships between students;~~
  - ~~ii.—Methods for recognizing bullying behaviors;~~
  - ~~iii.—Requirements and methods for reporting bullying allegations to include the mandatory reporting requirements for employees and volunteers;~~
  - ~~iv.—Requirements concerning the needs of students with disabilities and students with autism spectrum disorder;~~
  - ~~v.—Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions; and~~
  - ~~vi.—Information on and referral to available resources regarding suicide prevention and the relationship between bullying and suicide.~~~~
- ~~f.—Provide site school administrators further training and guidance in:
  - ~~i.—Bullying investigation requirements and procedures;~~
  - ~~ii.—Effective intervention and remediation strategies;~~
  - ~~iii.—The prevention of violence and suicide associated with bullying as well as appropriate methods to respond to such incidents;~~
  - ~~iv.—Employing strategies to improve the climate of schools and the overall District environment in a manner that will facilitate respectful positive human relations among students, families, and employees; and~~
  - ~~v.—Establishment of a site-based school safety team to develop, foster and maintain a school environment which is free from bullying.~~~~

## ~~5.—Reporting~~

- ~~b.—Students, their family members, and members of the community who have knowledge or concerns of potential bullying are encouraged to~~

~~report potential incidents of bullying of a student to school administration and/or school police immediately to ensure incidents are investigated and harmful behavior stopped.~~

~~c. Employees and volunteers are required to report bullying and shall promptly report when they know or have reasonable reason to believe that an incident of bullying may have occurred.~~

~~d. The District shall maintain an online reporting website to allow for the expedient reporting of incidents to the school principal/designee.~~

~~e. Reports of student discrimination based on race, national origin, disability, sex, or religion may also be filed with the U.S. Department of Education's Office for Civil Rights.~~

~~5. Retaliation. The District prohibits retaliation against any person who reports an act of race discrimination, bullying, cyber bullying, harassment, or discrimination, or against any person who testifies, assists, or participates in the investigation of a report. Such retaliation is itself a violation of law and may lead to disciplinary or other appropriate action against the offender.~~

## LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

1. This Board Policy reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
  - a. Board Policy 5100, Student Behavior; and
  - b. Board Policy 0100, Nondiscrimination and Equal Opportunity.
  - ~~a. Board Policy 9200, Harassment and Discrimination Prohibited.~~
2. This Board Policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) to include:
  - a. Chapter 200, Crimes Against the Person, and specifically;
    - i. NRS 200.571, Harassment and Stalking; and
    - ii. Chapter 200.900, Bullying by Use of Electronic Communication Device;
  - b. Chapter 388, System of Public Instruction, and specifically:
    - i. NRS 388.121 – 388.1459, inclusive, Provision of Safe and Respectful Learning Environment;
  - c. Chapter 392, Students, and specifically:

- i. NRS 392.461 – 392.4675, inclusive, Behavior and Discipline; and
- ii. NRS 392.900 – 392.920, inclusive, Unlawful Acts.

d. Chapter 396, Nevada System of Higher Education, and specifically:

i. NRS 396.1285, Power-Based Violence.

3. This Board Policy complies with federal laws and regulations, to include:
- a. Section 504 of the Rehabilitation Act, as amended;
  - b. The Civil Rights Act of 1964; and
  - c. Title IX of the Education Amendments of 1972.

**REVISION HISTORY**

Date	Revision	Modification
4/03/2012	1.0	Adopted
2/11/2014	2.0	Revised: Pursuant to changes during the 2013 Legislative Session (SB164, SB414, SB427)
7/14/2015	3.0	Revised: Pursuant to changes during the 2015 Legislative Session (SB504)
12/13/2016	4.0	Revised: Changed number from 9031; added "harassment;" added additional definitions
5/22/2018	5.0	Revised: Changed from 9205 (moved to Student Series); changes compliant with 2017 Senate Bill 225
03/29/2022	6.0	Revised: Clarify language, update definitions
<u>TBD</u>	<u>7.0</u>	<u>Revised: Pursuant to changes during the 2025 Legislative Session (SB277)</u>