

### What if a crime was committed?

- If law enforcement begins a criminal investigation, the school must stop their investigation into bullying behavior until the criminal investigation is completed.
- The school must still create a safety plan for each student that was directly involved.

### Timelines:

- All school employees must report possible incidents of bullying behavior to the principal on the same day.
- The school must immediately make sure that all students involved are safe.
- The notification to parents/guardians of students that were directly involved that the school will be conducting a bullying behavior investigation must be done by the time the school's office closes on the same school day that the report was made.
- The principal must start the investigation immediately.
- The investigation for bullying behavior must be completed within 2 days (3 days if parents/guardians were unable to be reached).
- The investigation for cyber-bullying can be extended to up to 5 days, with consent from the parents/guardians of the receiver of bullying behavior.
- The principal must meet with all students that were directly involved within 10 days to make sure that the safety plan is still working.

### My student was the recipient of bullying behavior: What happens now?

- The school will work with your student to develop a safety plan to help ensure the bullying behavior is stopped.
- The safety plan must be created in a way that causes the least possible disruption to the recipient(s) of the bullying behavior and the interests of the recipients(s) must be given priority over any interest of those who engaged in bullying behavior when determining how to carry out the plan.

### My student was engaged in bullying behavior: What happens now?

- The school will recommend a plan that will help your student to see the harm that their actions have caused, ways to repair that harm, and how to keep your student from engaging in bullying or cyber-bullying behavior in the future.
- The school may also impose restorative disciplinary action or create a plan that supports the physical and emotional well-being of your student.

### Your rights:

- If your student is found to have engaged in bullying behavior you may appeal the decision through your school district's appeal process. Contact your school district's main office for more information.
- If you have appealed through your school district but you still do not agree with the decision you may appeal through the Nevada Department of Education's *Office for a Safe and Respectful Learning Environment*. The appeal must be done within 30 days. Visit NDE's Office for a Safe and Respectful Learning Environment's website or call (775)-687-9134.
- If the school finds that bullying behavior did not occur information concerning the incident must **not** be included in the record of the reported aggressor.
- If a student is investigated for bullying behavior but the school team finds that the actions were a result of the child's disability and those actions are addressed under the child's IEP (individualized educational program) the school cannot apply the bullying laws. The school must still notify the parents/guardians of all reported recipients of bullying behavior.
- If your student is found to be the recipient of bullying behavior you may request that they be placed at another school within your district. Contact your school district's main office for more information.

### What to do if you witness an incident of discrimination based on race?

If a parent or guardian of a student witnesses an incident of discrimination based on race, they may report the incident to the school administrator or another person at the school that the administrator has designated to receive those reports.

Parents, guardians, and students may also report incidents of discrimination based on race, in addition to bullying and cyber-bullying behavior, using SafeVoice:

- Online at [SafeVoiceNV.org](https://SafeVoiceNV.org)
- 24-hour hotline: 1-(800)-216-7233
- Download the SafeVoice Nevada app on the Apple Store or Google Play

#### For more information:

Visit [SafeVoiceNV.org](https://SafeVoiceNV.org) or contact the Office for a Safe and Respectful Learning Environment at (775) 687-9134.

# BULLYING

## THE LAW

**Nevada Law NRS 388.122-135 says that schools have a duty to create and provide a safe and respectful learning environment for all students that is free of bullying and cyber-bullying.**





# WHAT IS BULLYING BEHAVIOR?

## Does it?

- Physically harm a person or damage the property of a person
- Place a person in reasonable fear of physical harm or damage to the property of the person

or

- Create an intimidating or hostile educational environment
- Substantially interfere with the academic performance of a student or the ability of the student to participate in or benefit from services, activities or privileges provided by a school

or

- Target someone based on their 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 target someone based on their association with another person having one or more of those actual or perceived characteristics

## What is discrimination based on race?

Discrimination based on race 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
- Occurs in person, online or in any other setting including, without limitation, in a course of distance education

## Bullying behavior can be:

- Communicated verbally, electronically (cyber-bullying) or in writing, or any combination of those
- A single severe and willful act
- A criminal act too (in some instances)

## It includes:

- Repeated or pervasive taunting, name-calling, belittling, mocking or use of put-downs or demeaning humor
- Behavior that is intended to harm another person by damaging or manipulating his or her relationships with others, such as 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
- Blackmail, extortion or demands for protection money, or involuntary loans or donations
- Blocking access to any property or facility of a school
- Stalking
- Physically harmful contact with or injury to another person or his or her property

***Nevada's bullying laws do NOT apply to children in pre-kindergarten or to incidents that occur from one adult to another adult in a school setting.***

# HOW TO REPORT BULLYING BEHAVIOR

- Any school district employee who witnesses bullying behavior or receives a report that bullying behavior has happened shall report it to the principal or designee as soon as practical and no later than during the same day on which the report was received or the bullying behavior was witnessed.
- Notification to principal can happen via text, email, phone call, etc.
- Tell a trusted adult in your school:
  - a counselor, teacher, coach, principal, etc.
- Online at SafeVoiceNV.org
- 24-hour hotline: 1-(833)-216-7233
- Download the SafeVoice Nevada app

# WHAT HAPPENS NEXT?

1. The school will make sure that all students involved are safe.
2. The school will notify the parents of any student that was directly involved.
3. The school will create a safety plan for each student that was directly involved.
  - The safety plan must be created in a way that causes the least possible disruption to the recipient(s) of the bullying behavior and the interests of the recipient(s) must be given priority over any interest of those engaged in bullying behavior when determining how to carry out the plan.
4. The principal will meet with each student that was directly involved in order to determine if bullying behavior did or did not occur.
5. Once the principal finishes his or her investigation they will give a confidential copy of the report to the parents/guardians of the student(s) who engaged in bullying behavior. The parents/guardians of the recipient(s) of the bullying behavior can also request a copy.
6. Sometime in the next 10 days, the principal will meet with each student that was directly involved to make sure that the safety plan is working.
7. An incident of discrimination based on race shall be categorized as a racially motivated or hate incident in the student information system (i.e., Infinite Campus).

SAFEVOICE.NV.ORG