

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 if a crime was committed?

- ✘ If law enforcement begins a criminal investigation, the school must stop their investigation into bullying 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 to the principal on the same day.
- ✘ The school must immediately make sure that all students involved are safe.
- ✘ Parents of students directly involved in the reported incident must be notified that an investigation will be conducted. This notification must happen by the time the school office closes on the school day that the report was made.
- ✘ The principal must start the investigation immediately.
- ✘ The investigation for bullying must be completed within 2 days (3 days if parents were unable to be reached).
- ✘ The investigation for cyberbullying can be extended to up to 5 days, with consent from the parents/guardians of the victim(s).
- ✘ 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 child was bullied: what happens now?

- ✘ The school will work with your child to develop a safety plan to help ensure the bullying is stopped.
- ✘ The safety plan must be created in a way that causes the least possible disruption to the victim(s) and the interests of the victim(s) must be given priority over any interest of the reported aggressors when determining how to carry out the plan.

My child was bullying: what happens now?

- ✘ The school will recommend a plan that will help your child to see the harm that their actions have caused, ways to repair that harm, and how to keep your child from bullying or cyber-bullying 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 child.

Your rights:

- ✘ If your child is found to have committed an act of bullying 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 SafeVoiceNV.org or call (775) 687-9134.
- ✘ If the school finds that bullying did not occur information concerning the incident must not be included in the record of the reported aggressor.
- ✘ If a child is investigated for bullying 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 of all reported victims.
- ✘ If your child is found to be a victim of bullying you may request that he or she be placed at another school within your district. Contact your school district's main office for more information.

For more information:
Visit SafeVoiceNV.org or contact the Office for a Safe and Respectful Learning Environment at (775) 687-9134.



WHAT IS BULLYING?

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

Bullying can be:

- ✗ communicated verbally, electronically or in writing, or any combination of those
- ✗ cyber-bullying means bullying through the use of electronic communication
- ✗ 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:

- ✗ **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.
4. The principal will meet with each student that was directly involved in order to determine if bullying 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 of the reported aggressor. The parents of the reported victim 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.

