

SAFE AND RESPECTFUL LEARNING ENVIRONMENT (SRLE)

I. **Bullying and Cyber-bullying are Prohibited in Public Schools**

- A. The Davidson Academy is committed to providing a safe and respectful learning environment in which persons of differing beliefs, characteristics, and backgrounds can realize their full academic and personal potential. It is the intent of this policy to ensure that all persons treat one another with civility and respect and that bullying and cyber-bullying are not tolerated.

All reports of bullying and cyber-bullying will be taken seriously and addressed in an appropriate manner as determined by Davidson Academy administration. The progressive discipline policy will be applied to any bully/perpetrator (see [Discipline Policy](#)), and may also apply to any bystander/witness who fails to inform an adult staff member when an instance of bullying behavior has taken place. In addition, interventions on behalf of targets/victims and follow-up with bystanders/witnesses will be determined by Davidson Academy administration on a case-by-case basis.

Bullying - Parent Involvement Makes a Difference

Advice for parents and family members of children who engage in bullying behaviors includes:

- Consider this a serious behavior concern and let your child know in a calm manner that the behavior is not acceptable.
- Attempt to open up the conversation with your child to discuss more acceptable behaviors. Give your child opportunities to practice the expected behaviors.
- Often children who engage in bullying behaviors do not recognize and respond to the feelings of others appropriately.
- Provide opportunities to teach your child empathy skills – recognizing and responding to another person's feelings.
- If the school contacts you regarding the behavior of your child, be prepared to work with the school to help change the behaviors of your child.
- A collaborative plan that is implemented at home and school will have greater impact on changing behaviors.
- Encourage and model respectful behaviors for your child.

B. Definitions:

1. **"Bullying"** means written, verbal, or electronic expressions or physical acts or gestures, or any combination thereof, that are directed at a student or group of students, or a single severe and willful act or expression that is directed at a student or group of students, and:
 - a. Have the effect of:
 - i. Physically harming a student or damaging the property of a student; or
 - ii. Placing a student in reasonable fear of physical harm to the student or damage to the property of the student; or
 - b. Interfere with the rights of a student by:
 - i. Creating an intimidating or hostile educational environment for the student; or
 - ii. Substantially interfering 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
 - c. Are acts or conduct described in paragraph (a) or (b) and are based upon the:
 - i. Actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a student, sex, or any other distinguishing characteristic or background of a student; or

- ii. Association of a student with another student having one or more of those actual or perceived characteristics.

“Bullying” includes, without limitation:

- a. 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 student, sex or any other distinguishing characteristic or background of a student;
 - b. Behavior that is intended to harm another student by damaging or manipulating his or her relationships with others by conduct that includes, without limitations, 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 student, to his or her possessions or to other students, 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 student 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. As used in this policy, “sexual image” has the meaning ascribed to it in [NRS 200.737](#).
 - 3. **“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, a computer, or any similar means of communication.
- C. A member of the Davidson Academy Governing Board, any employee of the Davidson Academy, including, without limitation, an administrator, director, teacher, or other staff member, a member of a club or organization which uses the facilities of any public school, regardless of whether the club or organization has any connection to the school, or any student shall not engage in bullying or cyber-bullying on the premises of any public school, at an activity sponsored by a public school, or on any school bus.
- D. It is the intent of this policy that all persons in the Davidson Academy are entitled to maintain their own beliefs and to disagree respectfully without resorting to bullying, cyber-bullying, or violence. This policy does not advocate nor require the acceptance of differing beliefs in a manner that would inhibit the freedom of expression, but does require that all persons with differing beliefs be free from abuse.
- E. The Davidson Academy will provide for the appropriate training of all administrators, teachers, and all other personnel employed by the Davidson Academy as prescribed by this policy under the heading “Professional Development.”

II. Notice that Bullying and Cyber-bullying are Prohibited in Public Schools

The Davidson Academy shall include definitions of bullying and cyber-bullying and the reporting procedures for student violations (see Section III below) within each copy of the rules of behavior for students that the Davidson Academy provides to students. The Davidson Academy shall also post this policy on its Internet website at <http://www.DavidsonAcademy.unr.edu>. Upon the request of a parent or legal guardian, the Davidson Academy shall provide a parent or legal guardian with a written copy of the policy.

III. Requirements and Methods for Reporting Violations; Investigations

Reporting Violations:

- A. Any student who believes that they have been a victim of bullying or cyber-bullying by a member of the governing board, any employee of the Davidson Academy, including, without limitation, an administrator, director, teacher, or other staff member, a member of a club or organization which uses the facilities of the Davidson Academy, regardless of whether the club or organization has any connection to the Davidson Academy, or any student is encouraged and instructed to adhere to the following reporting mechanism:
1. **Students.** Davidson Academy students who are targets of bullying or cyber-bullying and students who have first-hand knowledge of such bullying or cyber-bullying should report any incident(s) to a teacher, counselor, or director.
 2. **Employees.** A teacher, administrator, director, coach, or other staff member who witnesses a violation of the prohibition on bullying and cyber-bullying, or receives information that a violation has occurred (including overhearing, or receiving a report, formal or informal, written or oral, of bullying or cyber-bullying) must report the violation to the director or designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, director, coach or other staff member witnessed the violation or received information regarding the occurrence of a violation.

Director/Designee Investigations:

The Director of Online Programs, Academy Director, or designee upon receiving a report of bullying or cyber-bullying will 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 and shall begin an investigation into the report. The investigation may be initiated, for example, by meeting with the student or staff member who reported an alleged violation, by conducting a records review, or by any other step taken to gather information about the alleged violation.

- A. The Director or designee must notify all parents or guardians of all students directly involved (either as reported aggressor(s) or as reported victim(s)) in the reported bullying or cyber-bullying through telephone, electronic mail or other electronic means, or in person. The notification must include a statement that an investigation will be conducted and include counseling or intervention services that are available at the school, as well as provide a list of community resources. If the contact information for the parent or guardian of a student in the school records is not correct a good faith effort to notify the parent or guardian shall be deemed sufficient to meet the notification requirement. The Director or designee must document all such efforts.
- B. The notification must be provided not later than 6 p.m. on the day on which the bullying or cyber-bullying is reported, if the bullying or cyber-bullying is reported before the end of school hours on a school day; or 6 p.m. on the school day following the day on which the bullying or cyber-bullying is reported, if the bullying or cyber-bullying was reported on a day that is not a school day or after school hours on a school day.
- C. The investigation must be completed within two (2) school days after the Director or designee receives a report of bullying or cyber-bullying. If the Director or designee is not able to complete the required interviews with students (reported aggressor(s) and victim(s)) or their parents or guardians because any of the students are not available, 1 additional day may be used to complete the investigation. The time for completing an investigation into a report of cyber-bullying may also be extended to not more than 5 school days after the report is received with the consent of each reported victim of the cyber-bullying or, if a reported victim is under 18 years of age and is not emancipated, the parent or guardian of the reported victim.
 1. Interviews must be conducted with all students (reported aggressor(s) and victim(s)) whose parents or guardians must be notified, and with all such parents or guardians.

2. The Director or designee shall not take any action that may cause harm to the reported victim, require the reported victim to change classrooms or isolate the reported victim from his or her peers. The Director or designee shall, to the extent practicable, talk privately and discreetly about the violation with the reported victim, without bringing undue attention to the reported victim.
- D. The Director or designee must 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 the Davidson Academy discipline policy (see [Discipline Policy](#)). The Director or designee will assist the reported aggressor to see the harm that his or her actions have caused, identify strategies to repair that harm and direct the aggressor to not engage in bullying or cyber-bullying in the future. A copy of the report must be provided to the parent or guardian of the aggressor with all other involved students' personally identifiable information omitted. Subject to the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations, the report must be made available within 24 hours after the completion of the written report to all parents or guardians who were required to be notified (i.e., parents of the reported aggressor(s) and victim(s)). If a violation is found *not* to have occurred, information concerning the incident must not be included in the record of the reported aggressor.

Any action taken after the completion of the investigation to address the bullying or cyber-bullying must be carried out in a manner that causes the least possible disruption for the victim or victims. When necessary, the Director or designee shall give priority to ensuring the safety of the victim or victims over any interest of the perpetrator or perpetrators when determining the actions to take.

- E. The Director or designee shall develop and carry out a written safety plan to support the physical and emotional well-being of the reported victim and the reported aggressor which is designed to ensure that the reported victim and the reported aggressor are not further harmed by the bullying or cyber-bullying, including, without limitation, by allowing the reported victim to make up any test or homework assignment that he or she missed or failed to submit as a result of the bullying or cyber-bullying.
- F. Within 24 hours after completing the report the Director or designee shall provide the parent or guardian of the reported aggressor a copy of the written report that does not contain the personally identifiable information of any other student.
- G. The Director or designee will notify the parent or guardian of any other student directly involved in the incident of the outcome of the investigation and make available upon request to any such parent or guardian a copy of the report that does not contain the personally identifiable information of any student other than the student to whose parent or guardian the report is provided.
- H. Not later than 10 school days after receiving a report of bullying or cyber-bullying, the Director 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.
- I. If a law enforcement agency is investigating a potential crime involving an alleged violation of bullying or cyber-bullying, the administrator may, after notifying the parent or guardian of the alleged incident, defer the school investigation until the completion of the criminal investigation by the law enforcement agency. If the school investigation is deferred, the administrator will immediately develop a plan to protect the safety of each student directly involved in the alleged violation of bullying or cyber-bullying.

- J. If the administrator determines that the bullying or cyber-bullying was caused by the disability of the student, the provisions of [NRS 388.1351](#) (e.g. reporting, investigation, notification, written report, follow-up with victim, etc.) do not apply if the behavior or similar behavior is addressed in the student's individualized education program. The administrator will take necessary measures to protect the safety of the victim.
- K. The provisions of [NRS 388.1351](#) (e.g. reporting, investigation, notification, written report, follow-up with victim, etc.) do not apply to prekindergarten students if the behavior is addressed through measures intended to modify the behavior of the student, an employee of the Davidson Academy or other adults.
- L. The Director/designee will report the number of bullying events reported, the number of bullying reports confirmed and the number of bullying reports not confirmed by logging all events into the student information system (PowerSchool). The Director will report this information each quarter to the Office for a Safe and Respectful Learning Environment. This report will be shared annually with the Governing Board no later than July 31st.

No Interfering with or Preventing Disclosure of Information:

Members of the Governing Board and Davidson Academy employees are prohibited from directly or indirectly interfering with or preventing the disclosure of information concerning bullying or cyber-bullying violations.

Appeal of Disciplinary Decision:

The parent or legal guardian of a student involved in the reported violation may appeal a disciplinary decision of the Director or designee, made against the student as a result of the violation, in accordance with the policy governing disciplinary action adopted by the Davidson Academy governing board.

Immunity for Reporting Violations; Disciplinary Action for Certain Persons:

No cause of action may be brought against a student or an employee or volunteer of a school who reports a violation of the prohibition on bullying and cyber-bullying, unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.

If a Director determines that a report of a violation is false and that the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law, the Director may recommend the imposition of disciplinary action or other measures against the person in accordance with the policy governing disciplinary action adopted by the Davidson Academy governing board.

Davidson Academy Policy for Employees to Report Violations to Law Enforcement:

The Davidson Academy Governing Board, in conjunction with local law enforcement agencies that have jurisdiction over the Davidson Academy and with school police, if applicable, shall establish a policy for the procedures which must be followed by an employee of the Davidson Academy when reporting a violation of the prohibition on bullying and cyber-bullying to a school police officer or local law enforcement.

IV. Professional Development

The Davidson Academy shall provide for the appropriate training, of all administrators, teachers, and all other personnel employed by the Davidson Academy in accordance with this policy, including, without limitation, training on the following topics:

- A. Training in the appropriate methods to facilitate positive human relations among students by eliminating the use of bullying and cyber-bullying so that students may realize their full academic and personal potential.
- B. Training in methods to prevent, identify, and report incidents of bullying and cyber-bullying.

- C. Methods to improve the school environment in a manner that will facilitate positive human relations among students.
- D. Methods to teach skills to students so that the students are able to replace inappropriate behavior with positive behavior.

V. School Safety Team

- A. The Director or designee shall establish a school safety team to develop, foster and maintain a school environment which is free from bullying and cyber-bullying.
- B. The Director or designee shall conduct investigations of violations of the prohibition on bullying and cyber-bullying occurring at the school.
- C. The Director or designee shall collaborate with the Davidson Academy governing board and school safety team to prevent, identify and address reported violations of at the school.
- D. The School Safety Teams must consist of the Director or designee (committee chair) and the following persons appointed by the Director:
 - 1. School counselor;
 - 2. At least one teacher at the school;
 - 3. At least one parent or guardian of a student enrolled in the school; and
 - 4. Any other persons appointed by the Director.
- E. The School Safety Team shall:
 - 1. Meet at least two times each year;
 - 2. Identify and address patterns of bullying or cyber-bullying;
 - 3. Review and strengthen school policies to prevent and address bullying or cyber-bullying; and
 - 4. Provide information to school personnel, students, and parents and legal guardians of students enrolled in the school on methods to address bullying and cyber-bullying.

Legal Reference(s):
[NRS 388.121](#) *et seq.*