

## **SAFE AND RESPECTFUL LEARNING ENVIRONMENT (SRLE)**

### **I. Discrimination Based on Race, Bullying and Cyber-bullying are Prohibited in Public Schools**

1. 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 discrimination based on race, bullying and cyber-bullying are not tolerated.

All reports of discrimination based on race, 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 perpetrator and may also apply to any bystander/witness who fails to inform an adult staff member when an instance of prohibited conduct 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:**

**“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 students; 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.

***The term “bullying” does not include expressions, acts or gestures which are engaged in as part of a mutual disagreement or conflict.***

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.
4. **“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 identified in subsection 1:
  1. 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; and
  2. That occurs in person, online or in any other setting including, without limitation, in a course of distance education.

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 school, regardless of whether the club or organization has any connection to the school, or any student shall not engage in discrimination based on race, bullying or cyber-bullying on the premises of any public school, at an activity sponsored by a public school, or on any school bus or shuttle.

- 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 discrimination based on race, 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 Discrimination based on Race, Bullying and Cyber-bullying are Prohibited in Public Schools**

The Davidson Academy shall include definitions of discrimination based on race, 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:**

1. Any student who believes that they have been a victim of discrimination based on race, 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 discrimination based on race, bullying or cyber-bullying and students who have first-hand knowledge of such discrimination based on race, bullying or cyber-bullying should report any incident(s) to a teacher, counselor, or director; or through the 24-hour, toll-free statewide hotline or Internet website maintained by the Office for a Safe and Respectful Learning Environment ([SafeVoice](#))
  2. **Employees.** A teacher, administrator, director, coach, or other staff member who witnesses a violation of the prohibition on discrimination based on race, bullying or cyber-bullying, or receives information that a violation has occurred (including overhearing, or receiving a report, formal or informal, written or oral, of discrimination based on race, 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 Academy Director or designee upon receiving a report of discrimination based on race, bullying or cyber-bullying will immediately take any necessary action to stop the discrimination based on race, 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. If the Director or designee does not have access to the reported victim of the alleged violation, the Director or designee may wait until the next school day when he or she has such access to take the action required.

- 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 discrimination based on race, 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 that the parent or guardian may discuss with the Director or designee any counseling or intervention services that are available to the student. The notification will also include counseling or intervention services that are available at the school, as well as provide a list of community resources. The notification must not include any personally identifiable information of a student other than the student to whose parent or guardian the notice is provided. The Director or designee must maintain a record of each notification made, including all good faith efforts to notify a parent or guardian if the contact information for the parent or guardian is not correct.
- B. If the incident is reported before the end of school hours on a school day, the notification must be provided before the school's administrative office closes on the day when the incident is reported. If the incident is reported on a day that is not a school day, or after school hours on a school day, the notification must be provided before the school's administrative office closes on the school day following the day on which the incident is reported.
- C. 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 requirement for notification pursuant to paragraph (B).
  - 1. The investigation must be completed, to the greatest extent practicable, within five (5) school days after the Director or designee receives a report of discrimination based on race, bullying or cyber-bullying. If extenuating circumstances prevent the Director or designee from completing the investigation within 5 school days after making a good faith effort, 2 additional school days may be used to complete the investigation.
  - 2. Interviews must be conducted with all students (reported aggressor(s) and victim(s)) whose parents or guardians must be notified, with all such parents or guardians, and any relevant witnesses.
  - 3. The Director or designee will document the date, time, subject and content of each interview conducted and maintain such documentation.
  - 4. Each investigation will be conducted thoroughly and impartially in a manner that does not retraumatize or further traumatize the reported victim.
  - 5. 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 restorative disciplinary actions or other measures to be imposed as a result of the violation, in accordance with the Davidson Academy 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 discrimination based on race, bullying or cyber-bullying in the future. Such other measures may include, without limitation, the development of a plan to support the physical and emotional well-being of the reported aggressor that is aligned with the training provided by the Office for a Safe and Respectful Learning Environment.

- E. If a violation is found not to have occurred, information concerning the incident must not be included in the record of the reported aggressor.
- F. Any action taken after the completion of the investigation to address the discrimination based on race, 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.
- G. 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 discrimination based on race, 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 discrimination based on race, bullying or cyber-bullying.
- H. Within 24 hours after completing the report the Director or designee shall:
  - a. 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,
  - b. 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,
  - c. Notify the parent or guardian of each student directly involved in the incident that the parent or guardian may (1) submit to the Director or designee a complaint or concern regarding the conduct or outcome of the investigation; (2) request a meeting with the administrator or designee to discuss the outcome of the investigation; (3) appeal the outcome of the investigation; and (4) appeal a disciplinary decision of the Director or designee made against the student as a result of the incident in accordance with the discipline policy of the Davidson Academy.
- I. Regardless of the outcome of the investigation, not later than 10 school days after receiving a report of discrimination based on race, bullying or cyber-bullying, the Director or designee shall meet with each reported victim of the discrimination based on race, bullying or cyber-bullying to inquire about the well-being of the reported victim and to ensure that the reported discrimination based on race, bullying or cyber-bullying is not continuing. Each meeting must be conducted in a private and discreet manner that does not draw unnecessary attention to the reported victim.
- J. If a law enforcement agency is investigating a potential crime involving an alleged violation of discrimination based on race, bullying or cyber-bullying, the Director or designee 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 Director or designee will immediately develop a plan to protect the safety of each student directly involved in the alleged violation of discrimination based on race, bullying or cyber-bullying. Any plan developed will be carried out in a manner that causes the least possible disruption for the reported victim or victims of discrimination based on race, bullying or cyber-bullying. When necessary, the Director or designee will give priority to protecting the reported victim or victims over any interest of the reported perpetrator or perpetrators when determining how to carry out the plan.
- K. If the Director or designee determines that the discrimination based on race, 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 Director or designee will take necessary measures to protect the safety of the victim.

- L. 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 against another employee, or an adult who is not a student or employee of the Davidson Academy against another such adult.
- M. The provisions of NRS 388.1351 must not be construed to place any limit on the time within which an investigation concerning any alleged act that constitutes sexual assault must be completed.
- N. The Director/designee will prepare and submit to his/her supervisor a monthly report of the number of bullying/cyber-bullying incidents reported, the number of incidents of discrimination based on race reported, the number of times in which a violation is found to have occurred, and the number of times in which a violation is not found to have occurred.

**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 discrimination based on race, bullying or cyber-bullying violations.

**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 discrimination based on race, 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 the 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, 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 discrimination based on race, bullying and cyber-bullying to 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 discrimination based on race, 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 discrimination based on race, 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 discrimination based on race, bullying and cyber-bullying.
- B. The Director or designee shall conduct investigations of violations of the prohibition on discrimination based on race, 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 Team 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;
  - 4. One student enrolled in the school; and
  - 5. 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 discrimination based on race, bullying or cyber-bullying;
  - 3. Review and strengthen school policies to prevent and address discrimination based on race, 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 discrimination based on race, bullying and cyber-bullying.

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