

EUREKA COUNTY SCHOOL DISTRICTPROHIBITED CONDUCT:EMPLOYEE BULLYING, CYBER-BULLYING, AND HARASSMENT

The District is committed to a safe and respectful learning and work environment free from bullying, cyber-bullying, and harassment. This policy applies to all persons involved in the operation of the District and prohibits bullying, cyber-bullying, harassment, and retaliation by any member of the Board of Trustees, any employee of the District, including supervisors and coworkers, volunteers, customers or clients of the District, and any vendor or other service provider with whom the District has a business relationship. The District will not tolerate instances of bullying, cyber-bullying, harassment, or retaliation whether or not such behavior meets the threshold of prohibited conduct/behavior(s). While single incidents of alleged bullying, cyber-bullying, harassment, or retaliation may not be sufficiently severe or pervasive to rise to the level of being a violation of the law, the District nevertheless prohibits such conduct/behavior(s) and may impose appropriate disciplinary action against any employee engaging in such.

It is the intent of this policy that all persons in the school district are entitled to maintain their own beliefs and to disagree respectfully without resorting to violence, bullying, cyber-bullying, or harassment. 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 bullying, cyber-bullying, and harassment.

The superintendent and staff shall use all reasonable means to inform employees, volunteers and parents/guardians that the District will not tolerate bullying, cyber-bullying, harassment, or retaliation. The superintendent will provide for the appropriate training of all personnel employed by this District, volunteers and parents/guardians.

The District prohibits retaliation against any employee or volunteer because he or she has made a report of prohibited conduct in accordance with this policy or because he or she has testified, assisted, or participated in the investigation of such a report. Such retaliation is a violation of this policy and the District will take disciplinary action when appropriate.

Sexual Harassment Under Title IX

If the alleged bullying, cyber-bullying or harassment could constitute sexual harassment under Title IX, Board Policy 4002 and Administrative Regulation 4002 AR will apply rather than Board Policy 4112 and

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Administrative Regulation 4112 AR.¹ Because the school district must respond with specific steps whenever any employee has notice of sexual harassment under Title IX, all school employees are required to report possible incidents of sexual harassment directly to the District's Title IX Coordinator, as soon as practicable, but not later than a time during the same day on which the employee became aware of an incident of sexual harassment, including allegations of sexual harassment. Reports by school district employees must be made in person, by telephone, and/or by email to the school district's Title IX Coordinator as follows:

Personnel Officer
Eureka County School District
PO Box 249
Eureka, NV 89316
Ph: 775-237-5373/Fax: 775-237-5014
detchegaray@eureka.k12.nv.us

The school district's Title IX Coordinator will assist the employee to determine whether the allegation could constitute sexual harassment under Title IX, in which case Board Policy 4002 and Administrative Regulation 4002 AR will be followed rather than Board Policy 4112 and Administrative Regulation 4112 AR.

¹ Sexual harassment is defined under the federal Title IX regulations as conduct on the basis of sex that satisfies one or more of the following:

- a. A school employee conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in welcome sexual conduct (i.e., *quid pro quo*); or
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school district's education program or activity; or
- c. Sexual assault as defined in the federal Clery Act, or dating violence, domestic violence, or stalking as defined in the federal Violence Against Women Act.

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