

EUREKA COUNTY SCHOOL DISTRICTPREVENTION OF SEXUAL MISCONDUCT TOWARD STUDENTS

The District prohibits and will not tolerate any form of sexual misconduct (including lewdness, sexual abuse, sexual molestation, and sexual harassment) toward students on the part of District employees, administrators, officials, volunteers, or third parties.

If the alleged sexual misconduct could constitute sexual harassment under Title IX, Board Policy 4002 and Administrative Regulation 4002 AR apply rather than Board Policy 4113 and Administrative Regulation 4113.¹ 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, in consultation with the school principal if the employee is not the principal, to determine whether the allegation could constitute sexual harassment

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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under Title IX, in which case Board Policy 4002 and Administrative Regulation 4002 AR will be followed rather than Board Policy 4113 and Administrative Regulation 4113 AR.

If an employee or volunteer has reasonable cause to believe that **sexual misconduct toward students by an employee or volunteer** arises to abuse or neglect under NRS 432B and/or NRS 392.275 *et seq.*, such misconduct will be reported to law enforcement officials **and** Child Protective Service agency personnel in accordance with the procedures set forth in Board policies and regulations concerning mandatory reporting. These procedures are addressed in Board Policy 4110.

Legal References:

NRS 391.311, NRS 201.540, NRS 201.195, NRS 201.230, NRS 200.366, NRS 200.368, NRS 201.560, NRS 432B.220, NRS 392.275 *et seq.*