

EMPLOYEE BULLYING

The District is committed to a safe and respectful learning and work environment free from bullying. The District prohibits a member of the Board of Trustees, any employee of the District, including, without limitation, an administrator, principal, teacher, or other staff member or volunteer from engaging in bullying. The District will promptly investigate allegations and will take disciplinary action when appropriate and in accordance with LCSD Board Policy GL - Staff Complaints.

If the alleged bullying could constitute sexual harassment under Title IX, the *Nondiscrimination on the Basis of Sex Under Title IX* policy AB and administrative regulations apply rather than the *Employee Bullying* policy GBBC and administrative regulations.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 by in person, by telephone, and/or by email to the school district's Title IX Coordinator as follows:**

Director of Human Resources
Lyon County School District
25 E. Goldfield Avenue
Yerington, NV 89447
(775)463-6800
bhogan@lyoncsd.org

It is the intent of this policy that all employees and volunteers of the District are entitled to maintain their own beliefs and to disagree respectfully without resorting to violence or bullying. 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, harassment and abuse.

¹Sexual 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 unwelcome 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.

**LYON COUNTY SCHOOL DISTRICT
BOARD POLICY**

GBBC

The superintendent and staff shall use all reasonable means to inform employees and volunteers that the District will not tolerate bullying. The superintendent will provide for the appropriate training of all employees and volunteers.

The District prohibits retaliation against any employees or volunteers because they made a report of bullying or because they testified, assisted, or participated in the investigation of such a report. Such retaliation is a violation of this policy prohibiting bullying and the District will take disciplinary action when appropriate. This policy applies to all employees, including full- or part-time, casual/temporary/seasonal, elected officials, as well as volunteers and contract employees, and anyone else on the District's property.

Legal References: NRS 200.571, NRS 388.122 - [388.1235](#)

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EMPLOYEE BULLYING - ADMINISTRATIVE REGULATIONS

1. Implementation of Policy

The District will not tolerate any form of bullying. The District defines bullying as repeated mistreatment of one or more persons by one or more perpetrators that takes one of the following forms:

- Verbal abuse or mistreatment;
- Offensive conduct/behaviors (including nonverbal, physical, and cyberbullying) which are threatening, humiliating, or intimidating, or
- Work interferences, such as sabotage, which prevents work from getting done.

Bullying does not include expressions, acts, or gestures which are engaged in as part of a mutual disagreement or conflict.

2. Purpose

The purpose of this policy is to communicate to all employees, including supervisors and managers, that the District will not tolerate bullying behavior. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination.

3. Prohibited Conduct/Behavior(s)

[Bullying, cyberbullying, and discrimination based on race is defined in NRS 388.122 through 388.1235 respectively. Harassment is defined in NRS 200.571.](#)

The District considers the following types of behavior/conduct examples of bullying, [cyberbullying, and discrimination based on race](#) (this list is not all-inclusive):

- a. Verbal bullying including, [but not limited to](#), slandering, ridiculing or maligning an employee or an employee's family; persistent name calling which is hurtful, insulting, or humiliating; yelling, screaming, and cursing; chronic teasing; belittling opinions or constant criticism.
- b. Physical bullying including, [but not limited to](#), pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to an employee's work area or property.
- c. Nonverbal bullying including, [but not limited to](#), **nonverbal** threatening gestures or glances which convey threatening messages; threatening actions; socially or physically excluding or disregarding a person in a work-related activity.

d. Cyberbullying including, but not limited to, repeatedly tormenting, threatening, harassing, humiliating, embarrassing, or otherwise targeting an employee using email, instant messaging, text messaging, social media, or any other type of digital technology.

e. Workplace interference including, but not limited to, sabotaging which prevents work from getting done; deliberately tampering with an employee's work area or property; unreasonably assigning menial tasks outside of a person's normal job duties.

f. Discrimination based on race including, but not limited to, acts targeted to a specific person or in general to a demographic regarding race, color, culture, religion, language, ethnicity, or national origin of a person/people that occurs in person, online, or any other setting.

If the alleged bullying could constitute sexual harassment under Title IX, the *Nondiscrimination on the Basis of Sex Under Title IX* policy AB and administrative regulations apply rather than the *Employee Bullying* policy GBBC and administrative regulations.

4. Dealing with Allegations of Bullying

- Process (See LCSD Board Policy GL - Staff Complaints for the full process.)

Employees or applicants who believe they are being bullied by another (e.g., employee, volunteer, vendor, contractor), as well as those who believe they have witnessed another employee, volunteer, customer, or member of the public being subjected to bullying behavior have an affirmative duty to bring the situation to the attention of the administrator/supervisor.

- Employee Responsibilities

LCSD employees are prohibited from engaging in bullying behavior in any form.

Employees who believe they personally are being or have been subjected to bullying and/or are the target of any form of bullying, or have witnessed any other employee being subjected to these behaviors should immediately: or applicants who believe they are being bullied by another (e.g., employee, volunteer, vendor, contractor), as well as those who believe they have witnessed another employee, volunteer, customer, or member of the public being subjected to bullying behavior have an affirmative duty to bring the situation to the attention of

1) Identify the offensive behavior to the alleged offender and request that the behavior cease.

Note: An employee is NOT required to talk directly to the alleged offender or to the employee's supervisor. It is critical, however, that the employee contact one of the individuals listed in sections 2 or 3 below if they believe they are being targeted or have witnessed what the employee believes to be bullying directed to or committed by another employee(s), client(s), customer(s), vendor(s), volunteer(s), contractor(s), etc.

2) If the employee feels uncomfortable in speaking directly to the alleged offender or if the employee requested the bullying cease, but the request did not produce the results desired, the employee should report the alleged bullying as soon as possible to any administrator or manager/supervisor, the District's designated EEO Officer (Executive Director of Human Resources), or to the alternate EEO Officer (Employee Relations Administrator).

3) Employees who believe the EEO Officer has engaged in alleged bullying should bring such concerns to the attention of the Superintendent or designee. The Superintendent will designate an objective person to conduct an investigation of such allegations.

4) An employee who witnesses or obtains information regarding alleged bullying by their immediate supervisor is required to report the incident to the administrator, EEO Officer, or alternate EEO Officer.

5) Applicants who have concerns regarding violations of this policy are encouraged to contact the designated EEO Officer or the alternate.

- Administrator/Supervisor Responsibilities

Regardless of whether the employee involved is in the administrator's or manager's/supervisor's department and regardless of how they became aware of the alleged prohibited conduct/behavior(s), all administrators or managers/supervisors must immediately report all allegations, complaints or observations of such prohibited conduct/behavior(s) to the EEO Officer. The information reported must include:

1. The persons(s) involved, including all witnesses.

2. A written record of specific conversations held with the accused and any witnesses.

3. All pertinent facts, including date(s), time(s), and location(s).

~~An administrator/supervisor is required to report this information to the District's EEO Officer, or the alternate EEO Officer immediately.~~

Administrators or managers/supervisors will take necessary actions to stop any reported bullying behavior immediately and ensure that any substantiated bullying behavior does not occur again.

- Investigation

Upon being made aware of allegations or complaints of bullying, ~~the District officials (e.g. administrators, managers, supervisors) and the EEO Officer~~ will ensure that such allegations or complaints are investigated ~~where deemed necessary~~ in accordance with LCSD Board Policy GL - Staff Complaints.

~~The District will make efforts to ensure that all investigations are kept as confidential as reasonably possible. The District will release information obtained only to those individuals with need to know business or involved in the investigation and the administration of the complaint, or as required by law.~~

~~The individual who made the initial complaint, as well as the individual against whom the complaint was made, will be made aware that the investigation is completed and appropriate action, if any, has been taken.~~

~~If it is determined that bullying has occurred, the District will take appropriate action. The District will also initiate action to deter any future bullying from occurring.~~

5. Prohibition Against Retaliation

The District will not tolerate any retaliation by management, ~~or by any other employees,~~ or volunteers against employees or applicants who exercise rights under this policy. Any employee or applicant who believes they have been retaliated or discriminated against in any manner whatsoever as a result of having filed a complaint, assisted another employee in filing a complaint, or participated in an investigative process should notify the EEO Officer or the alternate EEO Officer immediately. The District will promptly investigate and ~~deal~~ appropriately address with any allegation of retaliation in accordance with LCSD Board Policy GL.