

This document does not attempt to set societal standards. The criterion used for defining unacceptable behavior is whether or not it has the potential to disrupt the educational process.

This list is not all-inclusive; acts of misconduct not specified here shall also be subject to discretionary action by appropriate school personnel. The following definitions are condensed from the Nevada Revised Statutes. **An asterisk (*) indicates a Civil or Criminal Offense.**

PROHIBITED CONDUCT: The commission or participation in, or unlawful attempt of, any of the following activities may constitute cause for disciplinary action. Students at school, school bus stops, school sponsored events, off-campus events and those using district sponsored transportation shall be governed by school district rules and regulations and are subject to the authority of school district officials. An incident which constitutes the commission of a criminal offense will be immediately reported to the appropriate law enforcement agency. The student's parent/legal guardian shall also be notified where possible. Disciplinary action will be taken by the district, whether or not criminal charges result.

ALCOHOL*: (NRS 202.020) The possession, sale, and furnishing of alcoholic beverages; being on campus, on district sponsored transportation, or at a school sponsored activity after having possession of and/or consuming an alcoholic beverage.

ARSON*: (NRS 205.005) The intentional setting of fire.

ASSAULT*: (NRS 200.471) An unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

BATTERY*: (NRS 200.481) Any willful and unlawful use of force or violence upon the person of another.

BOMB THREAT/FALSE BOMB THREAT*: (NRS 202.840) Willfully conveying by mail, written notes, telephone, telegraph, radio, or any other means of communication, any threat, knowing it to be false.

BULLYING*: (NRS 388.121-388.145) A willful act which is written, verbal or physical, or a course of conduct on the part of one or more persons which is not authorized by law, and which exposes a person repeatedly and over time to one or more negative actions which is highly offensive to a reasonable person and:

1. Is intended to cause or actually causes the person to suffer harm or serious emotional distress;
2. Exploits an imbalance in power between the person engaging in the act or conduct and the person who is the subject of the act or conduct; and
3. Places the person in reasonable fear of harm or serious emotional distress.

Bullying differs from conflict. Two or more students can have a disagreement or a conflict. Bullying involves a power imbalance element where a bully targets a student who has difficulty defending him or herself.

1. Bullies often feel justified in inflicting hurtful behavior because they think their victims deserve the mistreatment.
2. Students who are repeatedly victimized experience more physical and psychological problems than non-bullied peers.
3. Bullying occurs both with and without a teacher or another adult present.

4. Bullies appear to be concerned with their own wants, pleasures, and needs.
5. Bullies are more likely than non-bullies to be involved in vandalism, fighting, theft, substance abuse, truancy, or to have an arrest by young adulthood.
6. Victims can withdraw and become depressed if bullying continues over time. Some victims could take extreme measures and seek violent revenge or consider suicide.

What are the Forms of Bullying?

1. **Physical:** Physical bullying involves harmful actions against another person's body. Examples include: biting, kicking, pushing, pinching, hitting, tripping, pulling hair, and any form of violence or intimidation. Physical bullying also involves the interference with another person's property including damaging or stealing.
2. **Verbal:** Verbal bullying involves speaking to a person or about a person in an unkind or hurtful way. Examples include: sarcasm, teasing, put-downs, name-calling, phone calls, spreading rumors or hurtful gossip.
3. **Emotional:** Emotional bullying involves behaviors that upset, exclude, or embarrass a person. Examples include: nasty notes, saying mean things using technology (e.g., cyber-bullying using emails, instant messaging, chat rooms, text messaging), intentional exclusion from games or activities, tormenting, threatening, humiliation, or social embarrassment.
4. **Sexual:** Sexual bullying singles out a person because of their gender and demonstrates unwarranted or unwelcome sexual behavior. Examples include: sexual comments, abusive comments, unwanted physical contact.
5. **Racial:** Racial bullying involves rejection or isolation of a person because of ethnicity. Examples include: gestures, racial slurs or taunts, name-calling, making fun of customs/skin color/accent/food choices.

CYBER-BULLYING*: (NRS 388.123) Bullying through the use of electronic communication. Students are prohibited from knowingly and willfully transmitting or distributing certain images of bullying. *See Appendix A - NCS D Policy Safe and Respectful Learning Environment and Appendix B - NRS 388.122, 388.132, 388.1351 1.A, which provide further detail regarding the district's policy against Bullying/Cyber-Bullying.

BURGLARY*: (NRS 205.060) Illegal entry with the intent to commit a crime.

CHEATING/PLAGIARISM/FORGING SCHOOL DOCUMENTS: Use of a created production without crediting the source or to violate rules dishonestly.

DESTRUCTION OF PROPERTY*: (NRS 206.310 & 393.410) Willfully and maliciously destroying or injuring real or personal property of another.

DISOBEDIENCE, INSOLENT AND INSUBORDINATION: Students not following the instructions of district personnel. Students must courteously and respectfully comply with the reasonable requests of any teacher, substitute teacher, staff member, security personnel, or administrator at all times while on any part of the school grounds, in a school vehicle, at any school sponsored activity or on any school sponsored trips.

Students are expected to provide their correct name if asked by any staff member. Failure to comply with the directions of school personnel acting in the performance of their duties shall be considered insubordination and subject to immediate disciplinary action. Disrespect toward teacher, security or other staff members will result in one or more days of in-house detention or suspension depending

on the severity of the event. Threatening school officials will result in suspension and referral for legal action. Any battery on staff members will result in suspension and suspension/expulsion hearing. Profanity directed toward staff will result in suspension.

DISRUPTIVE CONDUCT: Conduct which interferes with the educational process or the safety of others. (Note: Serious situations may be handled under criminal sanctions.)

DISTURBING THE PEACE*: (NRS 203.010) Maliciously and willfully disturbing the peace of any person; maliciously and willfully interfering with or disturbing persons in the school.

DRESS CODE: (NCSD Policy 7331) Dress and appearance must not disrupt or detract from the educational environment of the school, including sexually suggestive clothing, gang-related apparel and clothing bearing lewd or profane slogans.

DRUGS*: (NRS 209.4234) Substance abuser defined. Substance abuser means a person who abuses, is addicted to, or is psychologically or physically dependent on alcohol, a controlled substance, or a drug, poison, solvent, or toxic inhalant. This subsection does not include tobacco or products made from tobacco. (Added to NRS by [1997, 2652](#)).

ELECTRONIC COMMUNICATION*: (NRS 388.124) 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. (Added to NRS by 2009, 687, effective July 1, 2010) (NRS 200.604). See also Cellular Telephones, Pagers, or Electronic Devices.

ELECTRONIC DEVICES: (NCSD Policy 7363) The NCSD Board of Trustees considers bringing electronic communication devices such as cellular telephones or pagers to school or extra-curricular activities a privilege. This includes travel time on school buses to and from school on regular route runs unless permission is obtained from the bus driver. Any violation of these provisions will result in the forfeiture of the electronic device. See Discipline Matrix for detailed consequences of usage violations. NCSD will not be held responsible for theft, loss or damage to cell phones or other devices.

EXPLOSIVE DEVICES*: (NRS 202.265) The possession of explosive or incendiary devices.

EXTORTION*: (NRS 205.320) Falsely accusing a person of a crime; using threat of violence to extort or gain information, money or other property from a person; or threatening to expose, libel or to impute any person.

FALSE FIRE ALARMS*: (NRS 475.100) False reporting of or transmission of signal, knowing same to be false.

FALSE REPORTING OF WEAPON: False reporting of possession of a dangerous weapon.

FIGHTING*: (NRS 203.050 Affray) If two or more persons shall, by agreement, fight in a public place, to the terror of the citizens of this state, the persons so offending commit an affray and are guilty of a misdemeanor. [1911 C&P §329; RL §6594; NCL §10277]. (NRS A 1967, 489) Two or more persons fighting. Self-defense does not include striking back.

FIREWORKS*: (NRS 202.265) The possession, sale, furnishing, use of, or discharging of same.

GANG-RELATED ACTIVITY: Gang-related activity can be intimidating to students, faculty and staff and is disruptive to the educational process. Although this list is not all inclusive, examples of inappropriate and unacceptable behaviors are such things as gang graffiti on school property, intimidation of others, gang fights and/or initiation rituals or wearing gang attire or “colors”.

Since gang behavior, markers and colors are variable and subject to rapid change, site administrators and staff must exercise judgment and their individual discretion based upon current circumstances in their neighborhood schools when evaluating gang-related activity. Gang-related indicators which will be considered should include, but are not limited to:

1. the student associates with admitted or known gang members
2. the student wears attire consistent with gang dress
3. the student displays gang logos graffiti and/or symbols on person or personal possessions
4. the student displays gang hand signs or signals to others
5. the student talks about gang activity to others.

HARASSMENT*: (NRS 200.571) Willful act or course of conduct that is not otherwise authorized by law and is:

1. Highly offensive to a reasonable person;
2. Intended to cause and actually causes another person to suffer serious emotional distress. (Added to NRS by 2001, 1928); and
3. Threat of bodily injury, verbal or written threats to cause physical damage to another’s property or threat of physical confinement or restraining the person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out. (NRS 200.571)

HAZING*: (NRS 200.605) Any action or activity which inflicts physical or mental harm or anxiety or which demeans, degrades or disgraces a person, regardless of location, intent or consent of participants.

INTIMIDATION: (NRS 388.129) A willful act or course of conduct that is not otherwise authorized by law and:

1. Is highly offensive to a reasonable person; and
2. Poses a threat of immediate harm or actually inflicts harm to another person or to the property of another person. (Added to NRS by 2001, 1928)

INDECENT EXPOSURE*: (NRS 201.220) An open indecent or obscene exposure of his/her person or the person of another.

KNIVES: At administrative discretion (more restrictive consequences may be imposed by Site Administrator)

LIBEL/SLANDER*: (NRS 200.510 & 207.180) A written or verbal malicious defamation expressed to impeach a person’s honesty, integrity, virtue or reputation.

MARIJUANA/CONTROLLED SUBSTANCE/NARCOTICS/PARAPHERNALIA*: (NRS Chapter 453 of Nevada Revised Statutes) The possession, distribution, sale or use of narcotics/marijuana/controlled substance/or related paraphernalia. This definition supersedes NRS Chapter 453A regarding Marijuana use for medical purposes.

OBSCENITY: (NRS 201.255) Displaying material which is indecent and has the potential of being disruptive.

PROFANITY: Use of vile or indecent language.

RESISTING OFFICER*: (NRS 199.280) Willfully resisting, delaying or obstructing an officer in the performance of duty.

ROBBERY*: (NRS 200.380) The unlawful taking of personal property from the person of another or in his/her presence against his/her will by means of force or violence or fear of injury.

ROUT/RIOT*: (NRS 203.070) Two or more persons meeting to do an unlawful act; two or more persons actually doing an unlawful act with or without a common cause or quarrel.

SEXUAL ASSAULT*: (NRS 200.366) A person who subjects another person to sexual penetration against the will of the victim, or under conditions in which the perpetrator knows, or should know, that the victim is mentally or physically incapable of resisting or understanding the nature of his/her conduct, is guilty of sexual assault.

SEXUAL HARASSMENT/MISCONDUCT: (NRS 200.604, NRS 201.265) (NCSD Policy 0212/7020) The NCSD prohibits and will not tolerate any form of sexual misconduct (including sexual abuse, sexual molestation, consensual sexual misconduct and sexual harassment) toward students. The District also prohibits student to student sexual misconduct or sexual harassment. The NCSD has defined two (2) general categories or levels of sexual misconduct or harassment.

Level I:

1. Sexual gestures, verbal abuse, sexually oriented jokes, innuendos or obscenities.
2. Displaying of sexually suggestive objects, pictures, cartoons or posters.
3. Displaying of sexually suggestive letters, notes, threats or invitations.

Level II:

1. Physical contact such as assault, attempted rape, impeding or blocking movement of another person, and unwelcome touching.
2. Hazing or daring a student to perform unsafe or unwanted practices.
3. Consensual sexual misconduct.

STALKING*: (NRS 200.575) Willfully or maliciously engaging in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated or harassed, and that actually caused the victim to feel terrorized, frightened, intimidated or harassed.

STOLEN PROPERTY*: (NRS 205.275) Receiving or possessing stolen property of another, knowing, or under such circumstances as would cause a reasonable person to know, they were so obtained.

TAMPERING WITH MOTOR VEHICLES*: (NRS 205.274) Willfully break, injure, tamper, remove parts, deface a vehicle or without consent of owner, climb into or upon a vehicle with intent to injure; to manipulate any levers while vehicle is at rest or unattended or to set vehicle in motion.

TECHNOLOGY AGREEMENT VIOLATION: (NCSD Policy 5556) Any action that breaks the technology contract.

THEFT*: (NRS 205.0832) Stealing, taking, or carrying away property of another.

THREAT*: (NRS 205.320) To threaten directly or indirectly:

1. To accuse any person of a crime;
2. To injure a person or property;
3. To publish or connive at publishing any libel;
4. To expose or impute to any person any deformity or disgrace; or
5. To expose any secret.

THREAT TO EMPLOYEE*: (NRS 199.300, NRS 392.4655 [HDP]) To directly or indirectly address any threat or intimidation to a public employee or any person authorized by law to hear or determine any controversy or matter with the intent to:

1. Cause bodily injury to any person;
2. Cause physical damage to the property of any person other than the person addressing the threat or intimidation;
3. Subject any person other than the person addressing the threat or intimidation to physical confinement or restraint; or
4. Do any other act which is not otherwise authorized by law and is intended to harm any person other than the person addressing the threat or intimidation with respect to the person's health, safety, business, financial condition or personal relationships.

THROWING SUBSTANCE AT VEHICLE*: (NRS 205.2741) To throw any stone, rock, missile or any substance at any motor bus, truck or other motor vehicle.

TOBACCO PRODUCTS: (NRS 202.2491-2493, NCS Policy 0223) Possession, use, distribution of tobacco, tobacco products, smokeless tobacco and e-cigarettes on school property, or at a school sponsored activity. Lighters/matches are NOT allowed on school grounds and/or school sponsored activities and can be confiscated, subjecting the student to Progressive Discipline.

TRAFFIC VIOLATIONS ON SCHOOL GROUNDS: Nye County School District regards the use of motor vehicles for travel to and from school as an assumption of responsibility by parents/legal guardians and students. High school students may drive motor vehicles to and from school. Vehicles may not be driven during the day without the consent of the parent/legal guardian and principal. A student may use the school parking lot subject to the following conditions:

1. The student must possess a valid Nevada driver's license and must register the car in the school office.
2. Students may not occupy a vehicle (without school permission) during the school day.

In terms of student conduct rules, "possession" of alcoholic beverages, illegal chemical substances or opiates, firearms or a dangerous weapon shall also extend to a student's vehicle.

TRESPASS*: (NRS 207.200) To be upon the property of another without permission of the owner and to stay upon same after warning, or to be on school property or at a school function while under suspension or trespass notice from school.

TRUANCY*: (NRS 392.210 to NRS 392.210) A parent/legal guardian or other person who has control or charge of any student and to whom notice has been given of the student's truancy as provided in NRS 392.130 and 392.140, and who fails to prevent the student's subsequent truancy within that school year is guilty of a misdemeanor. As required by law (NRS 392.144), if a student is a habitual truant pursuant to NRS 392.140, the principal of the school shall report the student to a school

truancy officer or to the local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149.

Following NRS 392.130, a student shall be deemed a truant who is absent from school without the written approval of his/her teacher or the principal of the school. The teacher or principal shall give his/her written approval for a student to be absent if an emergency exists or upon the request of a parent/legal guardian of the student. Before a student may attend or otherwise participate in school activities outside the classroom during regular classroom hours, he/she must receive the approval of the teacher or principal. An unapproved absence for at least one period, or the equivalent of one period of a school day, may be deemed truancy for the purposes of this section. If a student is unable to attend school, the parent/legal guardian or other person having control or charge of the student shall notify the teacher or principal of the school orally or in writing in accordance with the policy established by the Board of Trustees of the school district within 3 days after the student returns to school.

WEAPONS*: (NRS 202.265) Possession of a dangerous weapon on the property or in a parked vehicle on the property of school or child care facility; penalty; exceptions. Except as otherwise provided in this section, a person shall not carry or possess while on the property of the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility:

1. An explosive or incendiary device
2. A dirk, dagger or switchblade knife
3. A nunchaku or trefoil
4. A blackjack or billy club or metal knuckles
5. A pistol, revolver or other firearm
6. Any device used to mark any part of a person with paint or any other substance

In addition, violation of other federal or state criminal laws or local ordinances at school, at school sponsored activities or on district sponsored transportation is prohibited.

Please refer to NCS D Discipline Matrix for the mandatory responses to specific violations.

NOTE: Certain activities fall into a category of criminal or civil offenses for which NCS D is required to notify local, state or federal authorities whenever they take place.