CARSON CITY SCHOOL DISTRICT

CIVIL RIGHTS TRAINING PROCEDURE FOR NEW EMPLOYEES

Each new employee will receive a copy of the Non-Discrimination Notice of the School District. The names and locations of the Title VI, Title IX and Section 504 coordinator will be emphasized.

A copy of the discrimination grievance procedures will be given to each new employee. Each new employee will be encouraged to read the procedures.

The new employee will receive a copy of the discrimination form and will be told that the form is to be completed ONLY IF THE GRIEVANCE HAS NOT BEEN RESOLVED DURING THE INFORMAL STEPS OF THE PROCEDURE, which include:

1. Discussing the issue with the district employee involved (your immediate supervisor for an employee.)

CARSON CITY SCHOOL DISTRICT

CIVIL RIGHTS NOTICE

The Carson City School District does not discriminate on the basis of race, color, national origin, sex, sexual orientation, handicap or age in any of its policies, procedures or practices compliance with Title VI of the Civil Rights Act of 1964 (pertaining to race, color or national origin), Title IX of the Education Amendments of 1972 (pertaining to sex) section 504 of the Rehabilitation Act of 1973 (pertaining to handicap), and the Age Discrimination Act of 1975 (pertaining to age.) This nondiscrimination policy covers admission to and access to and treatment and employment in, the District's program and activities including vocational education.

The Title VI and Title IX Coordinator is:
Associate Superintendent of Human Resources
1402 W. King Street
Carson City, Nevada 89703
Telephone: (775) 283-2130

The Section 504 Coordinator is:
Director of Student Support Services
710 West Fourth Street
Carson City, Nevada 89703
Telephone: (775) 283-2350

Inquiries regarding the equal opportunity policies, the filing of grievances or to request a copy of the Title IX or Section 504 grievance procedure may be directed to the above coordinators.

The Carson City School District recognizes its obligation to provide overall program accessibility throughout the District for handicapped persons. Contact the Section 504 Coordinator to obtain information as to the existence and location of services, activities and facilities that are accessible to and usable by handicapped personnel.

CARSON CITY SCHOOL DISTRICT
TITLE IX/SECTION 504 GRIEVANCE PROCEDURE

DISCRIMINATION GRIEVANCE PROCEDURE FOR STUDENTS AND EMPLOYEES

DEFINITIONS

1. "Days" means working days the District Office is open.

2. "District" means the Carson City School District.

3 "Employee" means a person who is on the payroll of the District.

4. "Discrimination Grievance" is a grievance alleging action or inaction by the District whish results in discrimination based on sex (Title IX regulations), and all handicaps (Section 504 regulations.)

5 "Title IX/Section 504 Coordinator" means the person designated by the District to implement and coordinate these programs.

6. "Student" means a person enrolled in one of the schools within the District. All references to "student" in these procedures shall mean the student himself/herself or the parent/guardian on his/her behalf.

7 "Superintendent" means the Superintendent of schools or his/her designee.

8. "Administrator" means a school principal or first line supervisor who has the authority to settle a grievance.

PROCEDURE:

All discrimination grievances brought by students or employees shall be handled through the procedures and within the time limits delineated in this plan.

FAILURE TO OBSERVE TIME LIMITS:

In the event the grievant fails to exhaust his/her remedies under this discrimination procedure or to abide by the time limits with respect to each step, the discrimination grievance shall be presumed to be abandoned and the matter shall be settled in accordance with the District's last answer. In the event the District fails to give its answer at any step within the time limits prescribed, the grievant shall have the right to proceed immediately to the next step. Any time limit may be extended by written mutual agreement of the grievant and the District.

EFFECT OF SETTLEMENT.

Any settlement of a discrimination grievance (Section 504 or Title IX regulations) shall be applicable to that grievance only and shall not be authority for the disposition of any other grievance. Any grievance initiated under this procedure shall be brought only by the student (or parent/guardian on behalf of the student) or employee alleging action in violation of Title IX or Section by the District. Since the scope of this procedure is limited to grievances concerning Title IX and Section 504, it should not be considered to be related in any way with the District's normal grievance procedures.

CARSON CITY SCHOOL DISTRICT

STUDENT DISCRIMINATION GRIEVANCE PROCEDURES: BY A STUDENT OR PARENT/GUARDIAN ON BEHALF OF A STUDENT

The primary purpose of this procedure is to secure, at the earliest level possible, an equitable solution to a discrimination grievance.

1. School Year

   The school level informal discrimination grievance procedures (steps a and b) must be initiated by the student within ten (10) days of the time that the student knew or reasonably should have known of the alleged discrimination grievance.

   (a) A Student with a grievance should first discuss the issue with the District employee involved with the objective of resolving the matter informally.
   (b) If the grievance is not resolved informally between the student and District employee, the student will present the discrimination grievance orally and informally to the building administrator.
   (c) If, within ten (10) days, the grievance is not resolved informally between the student and principal, the student will present a formal written grievance to the administrator (on the District Discrimination Grievance Form) stating the specific details of the grievance with supportive evidence.
   (d) The administrator will respond in writing, on the District Discrimination Grievance Form, within ten (10) school days to the student stating his/her decision. A copy of this decision will also be forwarded to the District's Affirmative Action/Title IX/Section 504 /Coordinator.

2. District Level – Title IX/Section 504 Coordinator

   (a) If the student is not satisfied with the decision at the school level, the student may within ten (10) days of receipt of the administrator's decision appeal the decision to the District's Title IX/Section 504 Coordinator. This appeal must be in writing on the District Discrimination Form, and must include the original grievance with the administrator's decision.
   (b) The District's Title IX/Section 504 Coordinator will investigate the grievance and render a decision in writing within fifteen (15) days after receiving the appeal. This decision will be mailed to the student's home.

3. District Level – Superintendent

   (a) If the student feels it is necessary to appeal the grievance beyond the decision of the Title IX/Section 504 Coordinator, the appropriate section of the grievance form must be completed and the entire form submitted to the Superintendent.

This appeal must be filed within fifteen (15) days of receipt of the Title IX/Section 504 Coordinator's decision.

(b) The Superintendent will evaluate the evidence, meet with the student and his/her parent/guardian if appropriate and render a decision within fifteen (15) days after receiving the appeal. The Superintendent's decision will be mailed to the student's home.

4. Board of Trustee Level

(a) At the written request of the student, the Board of Trustees will review the decision of the Superintendent. This request to the Board of Trustees must be made within fifteen (15) days of receipt of the Superintendent's decision. The Board will determine the form of review. The Board's decision shall be final and binding to the extent that no rights of the student to further legal action are nullified.

CARSON CITY SCHOOL DISTRICT

EMPLOYEE DISCRIMINATION GRIEVANCE PROCEDURES:

The primary purpose of this procedure is to secure, at the earliest level possible, an equitable solution to a discrimination grievance.

An employee with a grievance should first discuss the issue with the person they are directly responsible to, with the objective of resolving the matter informally The grievant may be accompanied by a representative if he/she so desires. The Title IX/Section 504 Coordinator may be called into this informal discussion.

In the event the matter is not resolved informally within ten (10) days, the following procedure shall be followed:

1. School Year

    (a) A formal written discrimination grievance, indicating the specific details of the grievance, shall be presented to the administrator or immediate supervisor. This grievance must be filed within fifteen (15) days after the grievant knew or should have known of the circumstances which gave rise to the grievance.
    (b) Within ten (10) days after receiving the grievance, the administrator or supervisor shall render a decision in writing, together with the supporting reasons, to the grievant. A copy of the decision will also be forwarded to the District's Title IX/Section 504 Coordinator.

2. District Level – Title IX/Section 504 Coordinator

    (a) Within fifteen (15) days after receiving the decision of the administrator or supervisor, the grievant may appeal the decision of Step 1 to the Title IX/Section 504 Coordinator. The appeal shall be in writing on the appropriate section of the District's Discrimination Grievance Form, and the entire form must be submitted to the Title IX/Section 504 Coordinator.
    (b) Within fifteen (15) days after delivery of the appeal, the Title IX/Section 504 Coordinator shall investigate the grievance, and give all persons who participated in Step 1 a reasonable opportunity to be heard.
    (c) Within fifteen (15) days after delivery of the appeal, the Title IX/Section 504 Coordinator shall render a written decision with supporting reasons to the grievant and to the administrator or supervisor.

3 District Level – Superintendent

    (a) Within ten (10) days after receiving the decision of the Title IX/Section 504 Coordinator, the grievant may appeal the decision of Step 2 to the Superintendent

of Schools. The appeal shall be in writing on the appropriate section of the District's Discrimination Grievance form. The entire form must be submitted in this process.

(b) Within fifteen (15) days after delivery of the appeal, the Superintendent shall investigate the grievance and give all persons who participated in Step 2 a reasonable opportunity to be heard.

(c) Within fifteen (15) days after delivery of the appeal, the Superintendent shall submit a decision in writing, together with the supporting reasons to the grievant, the administrator or supervisor and the Title IX/Section 504 Coordinator.

4. Board of Trustee Level

(a) Within fifteen (15) days after receiving the decision of the Superintendent, the grievant may appeal the Superintendent's decision in writing to the Board of Trustees. The Board will determine the form of the review The Board's decision shall be final and binding to the extent that no rights of the grievant to further legal action are nullified.

CARSON CITY SCHOOL DISTRICT

STUDENT DISCRIMINATION GRIEVANCE PROCEDURES: BY A STUDENT OR PARENT/GUARDIAN ON BEHALF OF A STUDENT

The primary purpose of this procedure is to secure, at the earliest level possible, an equitable solution to a discrimination grievance.

1 School Year

The school level informal discrimination grievance procedures (steps a and b) must be initiated by the student within ten (10) days of the time that the student knew or reasonably should have known of the alleged discrimination grievance.

(a) A Student with a grievance should first discuss the issue with the District employee involved with the objective of resolving the matter informally
(b) If the grievance is not resolved informally between the student and District employee, the student will present the discrimination grievance orally and informally to the building administrator.
(c) If, within ten (10) days, the grievance is not resolved informally between the student and principal, the student will present a formal written grievance to the administrator (on the District Discrimination Grievance Form) stating the specific details of the grievance with supportive evidence.
(d) The administrator will respond in writing, on the District Discrimination Grievance Form, within ten (10) school days to the student stating his/her decision. A copy of this decision will also be forwarded to the District's Affirmative Action/Title IX/Section 504 /Coordinator.

2. District Level – Title IX/Section 504 Coordinator

(a) If the student is not satisfied with the decision at the school level, the student may within ten (10) days of receipt of the administrator's decision appeal the decision to the District's Title IX/Section 504 Coordinator. This appeal must be in writing on the District Discrimination Form, and must include the original grievance with the administrator's decision.
(b) The District's Title IX/Section 504 Coordinator will investigate the grievance and render a decision in writing within fifteen (15) days after receiving the appeal. This decision will be mailed to the student's home.

3 District Level – Superintendent

(a) If the student feels it is necessary to appeal the grievance beyond the decision of the Title IX/Section 504 Coordinator, the appropriate section of the grievance form must be completed and the entire form submitted to the Superintendent.

This appeal must be filed within fifteen (15) days of receipt of the Title IX/Section 504 Coordinator's decision.

(b) The Superintendent will evaluate the evidence, meet with the student and his/her parent/guardian if appropriate and render a decision within fifteen (15) days after receiving the appeal. The Superintendent's decision will be mailed to the student's home.

4 Board of Trustee Level

(a) At the written request of the student, the Board of Trustees will review the decision of the Superintendent. This request to the Board of Trustees must be made within fifteen (15) days of receipt of the Superintendent's decision. The Board will determine the form of review The Board's decision shall be final and binding to the extent that no rights of the student to further legal action are nullified.

CARSON CITY SCHOOL DISTRICT
SECTION TITLE IX/SECTION 504

ALLEGED DISCRIMINATION GRIEVANCE FORM FOR EMPLOYEES, STUDENTS OR PARENT/GUARDIAN ON BEHALF OF STUDENT

INSTRUCTIONS.

This form is to be completed ONLY IF THE GRIEVANCE HAS NOT BEEN RESOLVED during the informal steps of this procedure which include:

1. Discussing the issue with the District employee involved (your immediate supervisor for an employee;
2. Discussing the issue with the building administrator (if a student.)

Step 1. SCHOOL LEVEL GRIEVANCE (to be submitted to your immediate supervisor or School Administrator.)

I have complied with the informal steps noted above within the stated time limit (ten (10) days), and the filing of this form represents a formal discrimination complaint.

NAME	SCHOOL/DEPARTMENT
HOME ADDRESS ZIP	GRADE
PHONE NUMBER	PARENT/GUARDIAN NAME

TO BE COMPLETED BY THE EMPLOYEE OR STUDENT/GUARDIAN:

These are the facts related to this complaint: _____

These are the provisions of Title IX or Section 504 (or the implementing regulation), which I allege have been violated: _____

I request the following specific relief: _____

_____ _____ _____

Name Signature Date

BUILDING ADMINISTRATOR OR SUPERVISOR'S RESPONSE. _____

_____ _____ _____

Name Signature Date

STEP 2 – DISTRICT LEVEL; TITLE IX/SECTION 504 COORDINATOR

I am complying with the formal grievance procedure by filing with the Title IX/Section 504 Coordinator my response to my immediate supervisor's (administrator's) response within the stated time (ten (10) days.)

_____
_____
_____
_____
_____
_____

_____ _____ _____
Name Signature Date

TITLE IX/SECTION 504 COORDINATOR RESPONSE.

_____
_____
_____
_____
_____
_____

_____ _____ _____
Name Signature Date

STEP 3 – DISTRICT LEVEL, SUPERINTENDENT

I am complying with the formal grievance procedure by filing with the Superintendent my response to the Title IX/Section 504 Coordinator's response within the stated time (ten (10) days.)

_____
_____
_____
_____
_____
_____
_____
_____

_____ _____ _____
Name Signature Date

SUPERINTENDENT'S DECISION:

Name Signature Date

STEP 4 – BOARD OF TRUSTEES LEVEL

I am not satisfied with the Superintendent's decision and request that the Superintendent refer my grievance to the Board of Trustees for review This request is being made within the stated time (ten (10) days.)

Name Signature Date

TITLE IX/SECTION 504 (OFFICE USE ONLY) – PLEASE DO NOT WRITE BELOW THIS LINE.

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 300
CERTIFIED STAFF

GENERAL PERSONNEL POLICY STATEMENT

The Board of Trustees has as its primary endeavor the providing of highly qualified personnel for all positions with the Carson City School District. These employees are expected to devote themselves to the total educational effort for all students.

Adopted: August 24, 1993

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 400
CLASSIFIED STAFF

GENERAL PERSONNEL POLICY STATEMENT

The Board of Trustees has as its primary endeavor the providing of highly qualified personnel for all positions with the Carson City School District. These employees are expected to devote themselves to the total educational effort for all students.

Adopted: August 24, 1993

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 301
CERTIFIED STAFF

EQUAL OPPORTUNITY IN EMPLOYMENT AND EDUCATION

The Carson City School District is committed to equal opportunity in employment and education. The District seeks to employ the individual who is best qualified for a particular position regardless of race, color, religion, national origin, sex, age, marital status, disability or the presence of any sensory, physical or mental handicap unless the disability disqualifies an applicant because of a bona fide position requirement. Equal employment opportunity is considered by the Carson City School District to include all aspects of employment – recruitment, selection, training, promotion, compensation, benefits, leave transfer, and termination. Similarly, the Carson City School District provides students access to its educational programs without regard to their race, religion, color, national origin, sex, age, marital and parental status or disability.

The Carson City School District will offer reasonable accommodations to qualified applicants and employees with a known disability except where such accommodations pose an undue hardship to the District. Any qualified applicant or employee with a disability who needs reasonable accommodations should notify a representative in the Human Resources Division.

Beyond this, the Carson City School District seeks to include both minorities and non-minorities, both men and women, in all categories and locations of its work force and in all of its educational programs, according to their qualifications and availability.

All members of the Carson City School District are expected to familiarize themselves with the District's policies regarding equal opportunity and to further the objectives of the programs.

The Carson City School District will continue to work cooperatively with appropriate federal and state agencies and community organizations which share its equal opportunity objectives.

Adopted: August 29, 1979
Revised: August 24, 1993

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 301.1
CERTIFIED STAFF

AFFIRMATIVE ACTION PLAN

It is the policy of the Carson City School District to take affirmative action to accomplish the following short term and long range goals in its employment systems for certified and classified employees:

1. To guarantee fair treatment of applicants and employees in matters relating to personnel administration regardless of race, color, national origin, religious creed, age, physical handicap, or sex excepting those positions where a particular sex is a bona fide occupational qualification;

2. To identify and correct any employment practice that is not job related and has an adverse effect on minority groups and women;

3. To require that affirmative action employment practices be established and adhered to as the controlling factors in all personnel actions including but not limited to recruiting, screening, hiring, assigning, paying, evaluating, promoting, demoting, laying off, and disciplining; and

4. To establish and attempt to achieve long-range employment goals within the next ten years that would reasonably assure that the Carson City School District employees reflect the ethnic composition of the community.

The Superintendent shall delegate, on approval of the Board of School Trustees, responsibility for the development and enforcement of regulations, reporting procedures and plan for evaluation of the effectiveness of the program, all of which result in equal employment opportunities reflecting the spirit and intent of this policy.

Reference: Policy No. 302
Adopted: August 29, 1979

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 300.1
CERTIFIED STAFF

STATEMENT OF ETHICS

The primary obligation of those in the teaching profession is to guide the students under their direction in the pursuit of knowledge and skills which will prepare them to become happy, useful, self-supporting citizens. The ultimate strength of the nation lies in the social responsibility, economic competence and moral strength of the individual American.

To accomplish these goals, a teacher will:

1. Deal justly and impartially with students, regardless of their physical, mental, emotional, political, economic, social, racial or religious characteristics.

2. Recognize the difference among students and seek to meet student's individual needs.

3. Encourage students to formulate and work for high individual goals in the development of their physical, intellectual, creative and spiritual endowments.

4. Aid students in the development of understanding and appreciation for the opportunities, obligations and benefits of American democracy.

5. Respect the right of every student to confidentiality except when information is required to be released to authorized agencies, or as required by law.

6. Respect the basic responsibility of parents for their children; seek to establish friendly and cooperative relationships with the home.

7. Keep parents informed about the progress of their children in accordance with the policy of the School District. Maintain confidentiality in regard to all information that is obtained in parent-teacher discussions.

The teacher occupies a position of public trust involving not only the individual teacher's personal conduct, but also the interaction of the school and the community. Accordingly, the teacher will:

1. Adhere to a reasonable pattern of behavior accepted by the community for professional persons.

2. Perform the duties of citizenship and participate in community activities with due consideration for the teacher's obligations to students, family and self.

3. Discuss controversial issues from an objective point of view and in accordance with the policies of the School District.

4. Respect the Carson City Community and be loyal to the school system, community, state and nation.

5. Work to improve education in the community and to strengthen the community's moral, spiritual and intellectual life.

6. Conduct professional business through the proper channels.

7. Refrain from discussing confidential and official information with unauthorized persons.

8. Engage in no outside employment which would adversely affect the teacher's professional status or present a conflict of interest.

Community support and respect are influenced by the standard of teachers and their attitude toward the profession and other educators. Accordingly, the teacher will:

1. Deal with other educators in a professional manner.

2. Report situations which may involve the welfare of students, the school system, or the profession with persons who have authority to deal with such cases.

3. Maintain professional growth through a program of study, research, travel and/or attendance at professional meetings.

Adopted: April 15, 1981
Revised: December 1, 1983

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 301
CERTIFIED STAFF

EQUAL OPPORTUNITY IN EMPLOYMENT AND EDUCATION

The Carson City School District is committed to equal opportunity in employment and education. The District seeks to employ the individual who is best qualified for a particular position regardless of race, color, religion, national origin, sex, age, marital status, disability or the presence of any sensory, physical or mental handicap unless the disability disqualifies an applicant because of a bona fide position requirement. Equal employment opportunity is considered by the Carson City School District to include all aspects of employment – recruitment, selection, training, promotion, compensation, benefits, leave transfer, and termination. Similarly, the Carson City School District provides students access to its educational programs without regard to their race, religion, color, national origin, sex, age, marital and parental status or disability.

The Carson City School District will offer reasonable accommodations to qualified applicants and employees with a known disability except where such accommodations pose an undue hardship to the District. Any qualified applicant or employee with a disability who needs reasonable accommodations should notify a representative in the Human Resources Division.

Beyond this, the Carson City School District seeks to include both minorities and non-minorities, both men and women, in all categories and locations of its work force and in all of its educational programs, according to their qualifications and availability.

All members of the Carson City School District are expected to familiarize themselves with the District's policies regarding equal opportunity and to further the objectives of the programs.

The Carson City School District will continue to work cooperatively with appropriate federal and state agencies and community organizations which share its equal opportunity objectives.

Adopted: August 29, 1979
Revised: August 24, 1993

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 301
CERTIFIED STAFF

EQUAL OPPORTUNITY IN EMPLOYMENT AND EDUCATION COMPLAINT PROCEDURE

Any student or employee of the Carson City School District who believes they have been discriminated against, denied a benefit, or excluded from participation in any District education program or activity because of a handicapped condition, as guaranteed by Section 504 of the Handicap Rehabilitation Act of 1973; age, racial or religious bias as guaranteed by Title IX of the Civil Rights Act of 1964; disability as described by Title I of the Americans with Disabilities Act (ADA); or sexual discrimination as described by Title IV of the Educational Amendments of 1972; may file a written complaint with the appropriate District compliance officer as indicated on the Complaint Form. A compliance committee composed of three (3) persons designated by the Superintendent shall review the written complaint and hear evidence concerning the complaint, if necessary. A written decision shall be made by the committee within ten (10) days after the receipt of the complaint or the close of the hearing, whichever last occurs, and mailed to the complainant by registered mail.

If the complainant is not satisfied with the decision, he or she may submit a written appeal to the Superintendent within ten (10) working days after receipt of the written decision indicating with particularity the nature of disagreement with the decision and their reasons underlying such agreement. The Superintendent or their designee shall consider the appeal within ten (10) working days after receipt of the appeal on the basis of a record presented before the committee and shall provide the complainant with a written decision by registered mail within twenty (20) working days following receipt of the written appeal.

If the complainant is not satisfied with the decision of the Superintendent, they must, within ten (10) working days of receiving the decision, file a request with the appropriate compliance officer for a review by the Board of Trustees of the record previously presented at the hearing at the committee's level. The Board of Trustees shall review the record presented at the hearing at the committee's level at their next regularly scheduled meeting allowable under NRS 241.020. The Board of Trustees may make a decision at the same or may make a decision at their next regularly scheduled meeting. The decision of the Board of Trustees shall be in writing and delivered to the complainant by registered mail. The Board's decision shall be final.

Copies of the Complaint Form and the Disposition Form are attached and, as such, are a part of this regulation.

Adopted: August 24, 1993

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 301
CERTIFIED STAFF

COMPLAINT FORM

This complaint is filed under:

( ) Section 504 – Rehabilitation Act 1973

( ) Title IX – Educational Amendments of 1972

( ) Title VI – Civil Rights Act of 1964

( ) Title I – Americans with Disabilities Act (ADA)

Name:_____ Date:_____
Complainant

Position:_____ Site Location:_____

Description of Complaint: (Add additional pages if needed)_____

_____

_____

_____

_____

_____

_____

_____

_____

_____
Signature of Complainant

Return to Appropriate Compliance Officer:

Title I (ADA)	Human Resources
Title VI and Title IX	Human Resources
Section 504	Student Support Services

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 301
CERTIFIED STAFF

DISPOSITION OF COMPLAINT FORM

This complaint is filed under:

( ) Section 504 – Rehabilitation Act 1973

( ) Title IX – Educational Amendments of 1972

( ) Title VI – Civil Rights Act of 1964

( ) Title I – Americans with Disabilities Act (ADA)

To:_____ Date:_____
Complainant

From:_____
Name of Compliance Officer

Disposition of Complaint:_____

_____

_____

_____

_____

Supporting Evidence and Reasons:_____

_____

_____

_____

_____
Signature of Compliance Officer

Appeal Must be Filed By:_____
Next Level of Appeal:_____

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 301.1
CERTIFIED STAFF

AFFIRMATIVE ACTION PLAN

It is the policy of the Carson City School District to take affirmative action to accomplish the following short term and long range goals in its employment systems for certified and classified employees:

1. To guarantee fair treatment of applicants and employees in matters relating to personnel administration regardless of race, color, national origin, religious creed, age, physical handicap, or sex excepting those positions where a particular sex is a bona fide occupational qualification;

2. To identify and correct any employment practice that is not job related and has an adverse effect on minority groups and women;

3. To require that affirmative action employment practices be established and adhered to as the controlling factors in all personnel actions including but not limited to recruiting, screening, hiring, assigning, paying, evaluating, promoting, demoting, laying off, and disciplining; and

4. To establish and attempt to achieve long-range employment goals within the next ten years that would reasonably assure that the Carson City School District employees reflect the ethnic composition of the community.

The Superintendent shall delegate, on approval of the Board of School Trustees, responsibility for the development and enforcement of regulations, reporting procedures and plan for evaluation of the effectiveness of the program, all of which result in equal employment opportunities reflecting the spirit and intent of this policy.

Reference: Policy No. 302
Adopted: August 29, 1979

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 401.1
CLASSIFIED STAFF

AFFIRMATIVE ACTION PLAN

It is the policy of the Carson City School District to take affirmative action to accomplish the following short term and long range goals in its employment systems for certificated and classified employees:

1. To guarantee fair treatment of applicants and employees in matters relating to personnel administration regardless of race, color, national origin, religious creed, age, physical handicap, or sex excepting those positions where a particular sex is a bona fide occupational qualification;

2. To identify and correct any employment practice that is not job related and has an adverse effect on minority groups and women;

3. To require that affirmative action employment practices be established and adhered to as the controlling factors in all personnel actions including but not limited to recruiting, screening, hiring, assigning, paying, evaluating, promoting, demoting, laying off, and disciplining; and

4. To establish and attempt to achieve long-range employment goals within the next ten years that would reasonably assure that the Carson City School District employees reflect the ethnic composition of the community.

The Superintendent shall delegate, on approval of the Board of School Trustees, responsibility for the development and enforcement of regulations, reporting procedures, and plan for evaluation of the effectiveness of the program, all of which result in equal employment opportunities reflecting the spirit and intent of this policy.

Reference: Policy No. 401
Adopted: August 29, 1979

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 302
CERTIFIED STAFF

RECRUITMENT AND SELECTION OF PERSONNEL

The basic purpose of personnel recruitment and selection shall be to fill existing vacancies with individuals who meet established qualifications and who appear likely to succeed in the position to which they are assigned. It shall be the duty of the Associate Superintendent of Human Resources, with the advice and encouragement of the Superintendent, to establish the necessary criteria and procedures for the recruitment and selection of employees.

The following criteria shall apply to the recruitment and selection process of all School District personnel:

1. Highly qualified and desirable applicants shall be actively sought.

2. Selection shall be based solely on merit and eligibility for employment and shall not be affected by an applicant's race, religion, sex, age, disability, national origin, or color consistent with applicable federal, state, and local laws and regulations.

Adopted: August 29, 1979
Revised: December 13, 1994

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 403
CLASSIFIED STAFF

EMPLOYMENT

The Board recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with qualified and competent personnel.

The Superintendent shall approve the employment, fix the compensation, and establish the term of employment for each classified employee hired by this District.

No administrative or supervisory employee of the District shall recommend for hire, supervise, or evaluate an employee, certified or classified, who is a relative within the third degree of consanguinity or affinity of the said administrative or supervisory employee or the said administrative or supervisory employee's spouse.

A classified employee hired to fill any position in the School District may be credited with outside experience, if the prior position is similar in nature and written verification of employment in the prior position has been received from the previous employer. The Associate Superintendent of Human Resources will determine if the positions are similar in nature.

Adopted: August 29, 1979
Revised: February 28, 2006

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 344

CERTIFIED STAFF

FAMILY AND MEDICAL LEAVE ACT

It shall be the policy of the Carson City School District to uphold the provisions of the Family and Medical Leave Act of 1993.

This policy goes into effect upon the termination of Carson City School District collective bargaining agreements or February 5, 1994, whichever comes first.

Reference: Regulation 344
Adopted: January 25, 1994

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 344

CERTIFIED STAFF

FAMILY AND MEDICAL LEAVE ACT

Effective upon the termination of collective bargaining agreements or February 5, 1994, whichever comes first, the Carson City School District regulations for the Family and Medical Leave Act are as follows:

Eligible Employees

Employees are eligible under the Family and Medical Leave Act if they worked for the Carson City School District for at least 12 months and for at least 1,250 hours during the months preceding the Family and Medical Leave Act leave. Subject to the conditions of this regulation, eligible employees may request up to twelve (12) weeks family and medical leave during a twelve-month period.

Any employee who works principally in an instructional capacity who would be on leave for greater than 20% of the total number of working days in the period during which the leave would extend, may be required to take leave for periods of particular duration or transfer temporarily to an alternative equivalent position that better accommodates the leave.

Any employee who works primarily in an instructional capacity and who requests a period of leave near the conclusion of the academic term, may be required to continue the leave until the end of the term.

Permissible Purposes of Family and Medical Leaves

An eligible employee may request a family and medical leave for any of the following reasons:

1) The birth of the employee's child;*
2) The placement of a child with the employee in connection with an adoption or foster care;*
3) To care for a child, parent, or spouse who has a serious health condition;*

*In a situation where both spouses are employed by Carson City School District, the family unit is only entitled to an aggregate 12-week maximum leave period. If one spouse is ineligible for FMLA leave, the eligible spouse is entitled to the full leave period. If each spouse is entitled to the full leave period and if each spouse has used less than the 12-week leave for qualified purposes, each would be entitled to the unused portion of the 12 week entitlement.

4) Due to a serous health condition that prevents the employee from performing the functions of his position.

Any leave of absence that is granted to an employee under this policy or any other policy for a purpose specified above shall be credited against the 12-week limit contained in this policy.

Leave taken to care for a new born or newly-adopted child must be completed within 12 months after the birth or adoption. Leave taken to care for a terminally ill child may be taken only once for any given child. The District may require confirmation by a health care provider of the employee's need for family leave.

"Child" is defined as a biological, adopted or foster child, a stepchild, a legal ward who is under 18 years of age or incapable of self care due to a mental or physical disability. A "serious health condition" is one caused by injury, illness, impairment, or physical or mental condition that involves (a) inpatient care or (b) continuing treatment by a health care provider.

Benefits During Leave

An employee who is granted a family and medical leave of absence must utilize any accrued vacation and other applicable paid time off during the period of the leave. Any portion of a leave that occurs after all vacation and other applicable paid time off have been exhausted shall be without pay. For purposes of this policy's 12-week limitation, any paid and unpaid portions of the leave of absence shall be added together whether or not they are taken consecutively.

Health insurance benefits ordinarily provided by the Carson City School District, and for which the employee is otherwise eligible, will be continued during the period of the leave. The Carson City School District will continue to pay its share of the premiums for the period of the leave, up to a maximum of 12 weeks. The cost of dependent coverage normally borne by the employee will remain the sole responsibility of the employee. The employee must pay his share of the premiums for dependent coverage by making timely payments to the Carson City School District, in care of the Accounting Department, at the same time as such payments would be made if they were paid via payroll deductions. The employee should make arrangements with the Accounting Department to pay the cost of such dependent coverage.

Notification Rules

An employee must provide proper notification as a condition of eligibility for this leave. The employee must notify the Human Resources Office in writing of the need for such a leave, the date it will commence, and the anticipated duration of the leave. The employee must provide 30 days advance notice, unless the family leave is not foreseeable, in which case the employee must notify the District of the expected leave within one (1) working day of the beginning of the leave. A failure to comply with these notice rules may result in denial or postponement of the requested leave. However, if the need for a family and medical leave results from an emergency or is

otherwise unforeseeable, the leave will not be denied simply because an employee fails to provide advance notice.

Certification By Health Care Provider

If an employee requests a leave due to a serious health condition of the employee or a family member, the employee must support the request with a certification issued by the health care provider of the individual with the serious health condition. The certification should include the following information:

1) The date, if known, on which the serious health condition commended;
2) The probable duration of the condition;
3) An estimate of the amount of time that the health care provider believes that the employee needs to care for the individual requiring the care; and
4) A statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the individual requiring care. If an employee requests intermittent leave for planned medical treatment, the certification should specify the dates on which such treatment is expected to be given and the duration of such treatment. If the time estimated by the health care provider under (3) above expires, the employee must submit a recertification if the employee desires additional leave. In addition, extensions will not be granted that cause the total period of the leave to exceed the 12-week limitation identified above.

Reemployment Privileges

An employee who complies with the provisions of this policy will be guaranteed reemployment upon expiration of an approval leave, provided that the total period of the leave does not exceed 12 weeks. The employee will be reemployed in the same or an equivalent position as that which he occupied when the leave commenced. An employee who takes a leave because of his own serious health condition must provide a medical certification verifying that he is able to return to work in the same manner as employees who return from other types of medical leave. If an employee fails to return for work immediately following the expiration of the approved leave, the employee will be considered to have voluntarily separated from the Carson City School District's employ.

Adopted: January 25, 1994

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 345

CERTIFIED STAFF

AMERICANS WITH DISABILITIES ACT

The Carson City School District supports and is committed to comply with the provisions of the Americans with Disabilities Act (ADA) 1990. The District will not tolerate discrimination against persons, including members of the public, prospective qualified employees, employees and students, with disabilities protected by the Americans with Disabilities Act.

Disability Defined

Disabilities addressed by this policy include: 1) a physical or mental impairment that substantially limits one or more major life activities; 2) a record of such an impairment; or 3) being regarded as having such an impairment.

Discrimination Defined

Denial of services or benefits, including employment opportunity or benefits, because of a disability.

Reasonable Accommodation

The School District will provide reasonable accommodation in accordance with the ADA to members of the public, prospective qualified employees, employees and students with known disabilities.

Complaint Procedure

Any person who feels they have been unlawfully discriminated against in violation of this policy will immediately file a written complaint with the Superintendent or the Associate Superintendent of Human Resources, who shall conduct an investigation, in consultation with legal counsel. At the completion of the investigation the complaining party will be notified in writing as to whether there was a violation of this policy and any corrective measures.

Posting

This policy will be posted in the District Office and at each building site within the School District.

POLICY No. 345 – CONTINUED

Implementation

The Superintendent will insure that the District has prepared: 1) a written self-assessment of any potential barriers to accessibility and use by disabled persons after receiving public input; 2) a written transition plan with a capital improvement timetable to retrofit District facilities not later than January 26, 1995 in accordance with the ADA; and 3) written job descriptions that clearly identify essential functions of all positions within the District.

Records/Confidentiality

Record of complaints will be retained for a minimum of 1 year. If a person is required to submit to a post-employment (promotion) offer medical examination the record of such exam will be confidentially maintained in a separate employee file pursuant to the ADA.

ADA Coordinator

The District's ADA Coordinator is the Associate Superintendent of Human Resources, 1402 W. King Street, Carson City, NV, 775-283-2130.

Reference

ADA of 1990.

Amendments of State/Federal Law

This policy will conform to the current requirements of Nevada and Federal law pertaining to unlawful discrimination based on disabilities.

Adopted: April 26, 1994

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 345
CERTIFIED STAFF

COMPLAINT FORM

This complaint is filed number:

( ) TITLE I – AMERICANS WITH DISABILITIES ACT (ADA)

( ) TITLE II – AMERICANS WITH DISABILITIES ACT (ADA)

Name:_____ Date:_____
Complainant

Position:_____ Site Location:_____

Description of Complaint: (Add additional pages if needed)_____

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Signature of Complainant

Return to Compliance Officer:
TITLE I/II (ADA)

Associate Superintendent, Human Resources

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 345
CERTIFIED STAFF

DISPOSITION OF COMPLAINT FORM

This complaint is filed under:

( ) TITLE I – AMERICANS WITH DISABILITIES ACT (ADA)

( ) TITLE II – AMERICANS WITH DISABILITIES ACT (ADA)

TO:_____ DATE:_____
Complainant

FROM:_____
Name of Compliance Officer

Disposition of Complaint:_____

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Supporting Evidence and Reasons:_____

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Signature of Compliance Officer

Appeal Must be Filed By:_____
Next Level of Appeal:_____

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 343
CERTIFIED STAFF

EMPLOYEES
HARASSMENT/SEXUAL HARASSMENT AND INTIMIDATION

A. Intimidation and Harassment

Prohibited harassment is defined as behavior consisting of verbal or physical conduct which ridicules, degrades, etc., a person because of his/her race, color, national origin, age, sex, disability, and/or religious preference.

Nothing contained herein shall be construed or interpreted to prohibit or in any way to discourage the genuine discussion of issues or use of materials for academic, educational, employment, discipline, or instructional purposes.

Prohibited harassment exists when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. Otherwise adversely affects an individual's employment, property, or academic opportunities.

Examples of general harassment include, but are not limited to, behaviors that ridicule, degrade, harass, etc., a person because of his/her race, color, national origin, age, sex, disability, and/or religious preference such as:

1. Unwelcome comments, ethnic or racial slurs and jokes, threats, etc.;
2. cartoons, graffiti, posters, visuals, etc., with offensive connotations, though nothing in this regulation shall be interpreted to prohibit use of such materials for genuine academic, educational or instructional purposes;
3. sabotage; criticism, unreasonable monitoring of any individual's work, etc., and
4. hitting; intentionally blocking the path of; body, hand or facial gestures.

B. Sexual Harassment

Sexual harassment is generally defined as unwelcome sexual advances, requests for favors and other verbal, nonverbal or physical conduct of a sexual or gender-directed nature when:

1. Submission is made either explicitly or implicitly a term or condition of an individual's employment or education; or
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
3. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or of creating an intimidating, hostile or offensive employment or educational environment.

An "intimidating, hostile or offensive employment or educational environment" means an environment in which:

1. Any unwelcome behavior with sexual connotation which makes an employee or student feel uncomfortable, humiliated, or embarrassed, or
2. any aggressive, harassing behavior in the workplace or school directed toward an individual based on their sex and which interferes with their ability to perform at work.

The following are some examples of sexual harassment or intimidation:

1. Sexual advances (employee to employee only) which are unwanted (this may included situations which began as reciprocal, but later ceased to be reciprocal)
2. Sexual gestures, verbal abuse, sexually-oriented jokes, innuendos or obscenities
3. Displaying of sexually suggestive objectives, pictures, cartoons, or posters
4. Sexually suggestive letters, notes, threats, or invitations
5. Employment or education benefits affected in exchange for sexual favors
6. Physical conduct such as assault, attempted rape, impeding or blocking movement, or unwelcome touching
7. Hazing, or daring to perform in unsafe work or learning practices, particularly directed toward employees and/or students in nontraditional or athletic settings.

C. Prevention

It is the policy of this District to provide regular in-service education and training about harassment and sexual harassment and intimidation for employees and students. Such inservice and training shall include:

1. Awareness concerning the various types of harassment and intimidation; how the harassment and intimidation manifests itself; and the devastating emotional and educational consequences of harassment and intimidation.
2. Training in the appropriate methods to facilitate positive human relations among pupils without the use of harassment and intimidation so that pupils may realize their full academic and personal potential.

3. Methods to improve the school environment in a manner that will facilitate positive human relations among pupils.

4. Methods to teach skills to pupils so that pupils are able to replace inappropriate behavior with positive behavior.

D. Informal and Formal Resolutions of Complaints

INFORMAL: The District is committed to the prompt and equitable resolution of all reports or complaints. An individual may voluntarily choose informal measures, but will be informed of the options and timelines available to them in formal complaints procedures. The following informal steps may be tried if the individual chooses and if the harassment is not severe:

1. Inform the individual or his/her supervisor/site administrator that his/her behavior is unwelcome, offensive or inappropriate. Confrontation is not required, however, and notice may be accomplished in a letter developed with the assistance of a supervisor, site administrator or District's Associate Superintendent of Human Resources.

Request a copy of the District's harassment policy/regulation so that reporting processes are clear.

FORMAL: At any time, an individual may choose to initiate the formal procedure to resolve the problem. At no time shall an individual's attempts at informal resolution be used to delay or excuse the District's responsibility to investigate reports of harassment in a prompt and equitable manner, with or without a formal complaint.

All individuals are permitted and encouraged to have a friend, association representative, or advisor present with them for moral support during any stage of the reporting and investigation. Once a report or complaint has been filed with the first level supervisor, or site administrator who is not involved in the alleged harassment, or District's Associate Superintendent of Human Resources, a confidential and expeditious investigation shall begin following the procedures outlined in the "District's Complaint Procedure" on pages 5 through 8 of this regulation.

DOCUMENTATION: When a formal or informal complaint is made, an individual should keep notes, a journal, and/or a record of dates, times, places, witnesses, and description of each incident. Save all notes and records in a safe place. All complaint forms shall be filed with the site administrator and the District's Associate Superintendent of Human Resources.

E. Confidentiality

A report of harassment or sexual harassment or intimidation and the investigation is to be kept in strictest confidence, where practical, for the protection of all parties involved.

The District's obligation to investigate and take corrective action may supersede an individual's right of privacy.

Pending the completion of the investigation, however, the Superintendent may take any action necessary to protect the alleged victim, or other employees or students consistent with requirements of applicable regulations and statutes, if any.

F. Sanctions

Consistent with the requirements of applicable regulations or statutes, the Superintendent may take such action as deemed necessary and appropriate after the completion of the investigation. All parties involved in the investigation shall be notified of the decision of the Superintendent.

The due process rights of all individuals will be protected and any rights under any collective bargaining contract will be followed.

A substantiated charge against an employee of the District shall subject the employee to disciplinary action in accordance with any appropriate employee contract, up to and including discharge.

A substantiated charge against a student of the District shall subject said student to disciplinary action in accordance with school rules, including class changes, suspension and or expulsion.

G. False Accusations

Persons perpetrating false or fabricated accusations will be held responsible for their actions, and may be subject to disciplinary action as listed in Section F Sanctions, above.

H. Notification

Notice of this policy and regulation, the District's prevention plan, and grievance procedures shall be posted in prominent locations in all District buildings, including information on how to receive copies. Notices shall also be included in student and staff handbooks, and given to families. Notices will be updated annually with the names, locations, and numbers of contact persons throughout the District.

I. Remediation

Staff and student targets of harassment and witnesses of harassment will be provided counseling and other support services available from staff and other resources of the District to help deal with the effects of intimidation and harassment.

J. Reporting

Employees who believe they may have been harassed or intimidated should contact the first level supervisor who is not involved in the alleged harassment, site administrator or the District's Associate Superintendent of Human Resources.

K. Other Sources of Assistance

Nevada Equal Rights Commission

U.S. Department of Education
Office for Civil Rights, Regional office

State Department of Education

Legal References:

Title VII of the Civil Rights Act of 1964
Other State and Federal Implementing Regulations

Carson City School District Human Resources Division
Harassment Complaint Procedure

A. Any person who believes he/she has been or is being subjected to prohibited harassment of any kind by any individual associated with the District is encouraged to bring such harassment to the attention of whichever of the following with whom he/she is most comfortable: his/her supervisor or department administrator or site administrator, the Associate Superintendent of Human Resources, or the Superintendent. Complaint forms shall be prepared and filed with the site administrator and the Associate Superintendent of Human Resources.

B. Any non-employee of the District who feels he/she is being harassed by any individual associated with the District is encouraged to bring such to the attention of the Associate Superintendent of Human Resources of the Superintendent.

C. All harassment complaints will be handled in a timely and confidential manner. Information will only be shared with individuals who have a legitimate "need to know."

D. Prompt attention and appropriate disciplinary action (up to and including termination for employees or suspension or expulsion for students) designed to stop the harassment immediately and to prevent its recurrence will be taken if an investigation reveals harassment has occurred.

E. All persons shall be protected from coercion, intimidation, retaliation, interference, or discrimination as a result of filing a complaint or assisting in an investigation.

F. Any person who feels he/she has been or is being harassed may utilize the District's informal or formal complaint procedure.

G. The Informal Complaint Procedure consists of the following:

1. Informal Resolution

   a. The affected person is encouraged to meet with the alleged harasser and inform him/her of the unwelcome behavior and that if the behavior stops, no further action will be pursued. Confrontation is not required, however. An informal complaint form may be used if the employee wishes.
   b. The person who believes he/she has been harassed is also encouraged to contact an appropriate supervisor or administrator identified above to apprise them of the alleged harassment.
   c. The appropriate supervisor or administrator will follow up by contacting the complainant to ensure the alleged harassment has ceased.

2. Informal Meeting: Administrator/Supervisor

   a. The affected person may inform the appropriate administrator or supervisor of the alleged harassment and request that the administrator or supervisor meet with the individual to discuss the allegation. The administrator or supervisor will meet with the individual, and inform him/her of the alleged unwelcome behavior. The person will be informed that if the alleged behavior stops no formal action will be pursued.
   b. The appropriate administrator will follow up by contacting the complainant to ensure the alleged harassment has ceased.

H. An affected person may utilize the following formal complaint procedure initially or, if after having used the informal complaint procedure, the unwelcome behavior continues.

I. The Formal Complaint Procedure consists of the following:

1. Site Administrator

   a. The complainant may inform the appropriate site administrator of the alleged harassment and request the administrator contact the District's Associate Superintendent of Human Resources to inform him/her of the alleged harassment verbally or may use the Formal Complaint Form.

b. The District's Associate Superintendent of Human Resources will meet with the complainant to discuss the specifics of the complaint. A formal investigation will then be conducted.

2. District's Associate Superintendent of Human Resources

a. The complainant may inform the Associate Superintendent of Human Resources and inform him/her of the alleged harassment, and may report the alleged harassment verbally or may use the Formal Complaint Form.

b. The District's Associate Superintendent of Human Resources or his/her designee will meet with the complainant to discuss the specifics of the complaint. A formal investigation will then be conducted.

J. A formal investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. Once the investigation is concluded, a review of the information will be conducted and a decision rendered regarding action to be taken. A meeting will be held with the complainant to communicate the results of the investigation. A meeting will also be held with the alleged harasser to communicate the results of the investigation and action to be taken, if any.

K. In determining what action is to be taken, the investigator shall consider the nature of the behavior, past incidents or past continuing patterns of behavior by either the alleged harasser or the complainant, the relationships between the parties involved, and the context in which the alleged incidents occurred. In all cases, the alleged harasser shall have an opportunity to review and rebut all evidence gathered against him or her before the investigation is completed.

The District shall take disciplinary or remedial action as appropriate to ensure that further harassment or intimidation does not occur. Such action may include but is not limited to; 1) counseling, awareness training, parent-teacher conferences, warning, transfer, suspension and/or expulsion or termination of an employment or appointment.

District action taken for violation of this policy shall be consistent with the requirements of applicable collective hargaining agreements, Nevada Revised Statutes (NRS), federal law and Carson City School District Policies.

L. Interference or Retaliation

A) A school official shall not directly or indirectly interfere with or prevent the disclosure of information concerning a violation of State Laws dealing with harassment or intimidation. A "school official" means: (a) A member of the

B) Board of Trustees of the District; or (b) a licensed or unlicensed employee of the District

C) No cause of action may be brought against a pupil or an employee or volunteer of a school who reports a violation of NRS 388.135 unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.

M. Record Keeping

The record of a complaint, investigation of harassment/intimidation, as well as the disposition of the complaint and any disciplinary or remedial action will be maintained by the Human Resources Department in a confidential file.

Adopted: January 14, 1992

Revised: January 11, 1994
September 8, 1998
November 28, 2006

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 343
CERTIFIED STAFF

SEXUAL HARASSMENT COMPLAINT FORM

This complaint is filed number:

( ) SECTION 703-TITLE VII

Name:_____ Date:_____
Complainant

Position:_____ Site Location:_____

Description of Complaint: (Add additional pages if needed)_____

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Signature of Complainant

Return to Compliance Officer:
SECTION 703—TITLE VII

Associate Superintendent, Human Resources

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 343
CERTIFIED STAFF

SEXUAL HARASSMENT
DISPOSITION OF COMPLAINT FORM

This complaint is filed under:

( ) SECTION 703 – TITLE VII

TO:_____ DATE:_____
Complainant

FROM:_____
Name of Compliance Officer

Disposition of Complaint:_____

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Supporting Evidence and Reasons:_____

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Signature of Compliance Officer

Appeal Must be Filed By:_____
Next Level of Appeal:_____

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 343.1
CERTIFIED STAFF

PREVENTION OF SEXUAL MISCONDUCT TOWARD STUDENTS

Policy

The District prohibits any form of sexual misconduct (including sexual abuse, sexual molestation, and sexual harassment) toward students on the part of District employees, administrators, officials, and District approved volunteers.

This policy expands upon the District policy on the prevention of sexual harassment. Because the District has a particular interest in maintaining student safety and well-being, it has established this additional policy to specifically address sexual misconduct toward students.

Adopted: January 14, 2003

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION No. 343.1
CERTIFIED STAFF

PREVENTION OF SEXUAL MISCONDUCT TOWARD STUDENTS

Conduct

Sexual misconduct as used in this policy is:

- Any conduct that meets the definition of sexual harassment contained in District policy.
- Any conduct or communication that explicitly or implicitly conditions a student's participation in an educational program or activity on submission to sexual conduct.
- Any conduct or communication that explicitly of implicitly indicates that an educational decision will be based on the student's submission to sexual conduct.
- Any conduct or communication of a sexual nature that is sufficiently severe, persistent, or pervasive and objectively offensive that it limits a student's ability to participate in or benefit from an educational program or activity or creates a hostile or abusive educational environment.
- Any conduct or communication that is immoral conduct within the meaning of NRS 391.311 (4) including but not limited to sexual assault, statutory sexual seduction, incest, commission of certain sexual acts in public, open or gross lewdness, indecent exposure, and lewdness with a minor.

  Note: The District acknowledges the applicability of criminal statutes relating to sexual conduct toward a student, including NRS 201.540, which indicates that it is a felony for a teacher, administrator, coach, volunteer or teacher's aide or auxiliary nonprofessional employee who assists with instruction or supervision of pupils, to engage in sexual conduct with pupils ages 14 through 17. Other criminal statutes which are pertinent to this policy include, but are not limited to, NRS 201.195, solicitation of a minor to engage in acts constituting crimes against nature; NRS 201.230, lewdness with a child under 14; NRS 200.366, sexual assault; NRS 200.368, statutory sexual seduction; NRS 201.560, using a computer to lure children, etc.

Examples of behavior which constitute sexual misconduct include but are not limited to:

- Making sexual advances or gestures toward student
- Coercing, forcing, or attempting to coerce or force sexual intercourse or any sexual act with a student
- Engaging in sexual intercourse or any sexual act with any student
- Touching oneself sexually or talking about one's sexual activity in front of students
- Spreading rumors about or discussing students' sexual activity
- Sexually motivated or inappropriate touching, patting, grabbing, or pinching a student's body, whether that student is of the same or the opposite sex. Note: This prohibition does not preclude legitimate, non-sexual physical conduct which may include but is not limited to the use of necessary restraints to avoid physical harm to persons or property or conduct such as a teacher's consoling or congratulatory hug of a student or the demonstration of an athletic move by a teacher or student requiring contact with another student
- Other sexual behavior or communication, including requests for sexual favors, whether or not accompanied by implied or overt threats concerning a student's educational status or implied or overt promises of preferential treatment.

REGULATION No. 343.1 – CONTINUED

Reporting Procedures:

The District encourages every student who believes s/he has been the recipient of sexual misconduct and every student or other individual who has knowledge of sexual misconduct to report immediately the alleged act(s) to a teacher, school counselor, principal, or other appropriate District official. The report shall be in writing. The District will keep the name of the person making the report confidential to the extent possible and will make it available only to those individuals who are necessarily involved in the investigation and the administration of the complaint. The person receiving the report shall document the time and place of the report and the name of the person making the report. Any teacher, administrator, official, volunteer, or other school employee who has or receives information that a student has or may have been a recipient of sexual misconduct is required to report the alleged acts to the Associate Superintendent in charge of Human Resources no longer than 48 hours after receiving the information. Failure to make this report as prescribed may result in disciplinary or other appropriate action against the teacher, administrator, official, volunteer, or other school employee.

(As required by NRS 432B.220, in situations where there is reasonable cause to believe that a child has been abused or neglected, a school administrator, teacher, librarian, or counselor must report this to child welfare services or a law enforcement agency within 24 hours.)

Investigation:

The District shall promptly investigate all complaints or allegations of sexual misconduct. It will keep all investigations confidential to the extent possible. The District will release information obtained only to those individuals who are necessarily involved in the investigation and the administration of the complaint, or as required by law. The District will inform the individual filing the complaint, as well as the individual against whom the complaint was made, of the final determination. All employees and students questioned as part of an investigation will be told and expected to refrain from discussing the matter with anyone except agency or legal representatives.

The initial investigation will be conducted by a qualified and objective school official not named in the complaint or by an outside investigator. The investigator will act with due regard for the rights of all individuals and, in particular, to ensure any rights of students to have their parent(s)/ guardian(s)/ present during questioning. If the initial investigation indicates that a criminal act may have occurred, the investigator shall immediately notify the Superintendent who will in turn immediately report the matter to the law enforcement agency having jurisdiction.

The District treats all complaints or allegations of sexual misconduct seriously and expects all employees and students to be candid and truthful during the investigation process. If credible evidence indicates that a participant in the investigation has made intentionally false or malicious statements, the District will discipline or take other appropriate action against that participant.

District Action:

Upon determination that a violation of this policy has occurred, the District will provide written notice of the results of the investigation to the complainant and the person accused of the violation. If warranted, the District will also initiate appropriate remedial and/or disciplinary action consistent with the findings of the report and the requirements of applicable collective bargaining agreements, District policy, and state and federal law.

Reprisal:

The District will not tolerate any form of retaliation toward any person who reports alleged sexual misconduct in good faith, assists another in filing a complaint, or provides truthful statements during an investigation.

The District will discipline or take other appropriate action against any student, school personnel, volunteers, administrators, or officials for threatening, intimidating, or interfering with the educational or school-related extra curricular opportunities of any person who complains of sexual misconduct, or reports sexual misconduct, or who testifies or participates in a proceeding, investigation, or hearing related to a complain of sexual misconduct.

Any student who believes s/he is being retaliated or discriminated against in any manner whatsoever as a result of having filed a complaint, provided information, testified, or participated in a proceeding, investigation, or hearing related to a complaint of sexual misconduct or provided advice and/or assistance to one who filed a complaint should immediately notify the Superintendent or Principal who shall take appropriate timely action to review and resolve the allegation.

Training:

All District employees, volunteers, officials, and administrators will participate in an initial training session and in periodic training updates on the prevention of sexual misconduct, will be given a copy of the District's policy, and will sign an acknowledgement of receipt of such policy. The District will provide all new employees with a copy of this policy and afford employees an opportunity to discuss the contents during orientation.

Dissemination of Policy:

The District will make this policy available to parents or guardians and all students, as appropriate, during annual registration. The District will also publish the policy in student handbooks, and post the policy in the District administrative offices and in school offices. At least annually, the District will publicize this policy in school newsletters or other publications used to communicate District policies to parents and guardians.

Adopted: January 14, 2003

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 543
STUDENTS

STUDENTS
HARASSMENT/SEXUAL HARASSMENT AND INTIMIDATION
SAFE AND RESPECTFUL LEARNING ENVIRONMENT

In order to provide a learning environment that is safe and respectful, the Carson City School District will not tolerate any form of harassment, including sexual harassment, intimidation or bullying of its employees or students. Any form of harassment, intimidation, or bullying seriously interferes with the ability of teachers to teach in the classroom and the ability of students to learn. It will be a violation of this policy for any employee or student of this School District to engage in any harassment, intimidation, or bullying of other employees or students.

All administrators, principals, teachers, and other personnel of the District will demonstrate appropriate behavior by treating all people with civility and respect by refusing to tolerate harassment, intimidation, or bullying. All persons are entitled to maintain their own beliefs and may respectfully disagree without resorting to violence, harassment, intimidation, or bullying.

Harassment/Intimidation Defined

Harassment and Intimidation is defined as behavior consisting of verbal or physical conduct which ridicules, degrades, etc., a person because of his/her race, color, national origin, age, sex, disability, and/or religious preference. Harassment and Intimidation are willful acts or courses of conduct that are highly offensive to a reasonable person and are intended to cause or actually cause another person to suffer serious emotional distress and pose a threat of immediate harm or actually inflicts harm to another person or to the property of another person.

Sexual Harassment Defined

Sexual harassment between employees, employees and students, and/or students is generally defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when submission or rejection is used as a basis for employment decisions or the conduct has the purpose or effect of unreasonable interference with an individual's work or academic performance or creating an intimidating, hostile or offensive working/school environment.

POLICY No. 543 – CONTINUED

Bullying Defined

Bullying means a willful act or course of conduct that is not otherwise authorized by law and that exposes a pupil repeatedly and over time to one or more negative actions which is highly offensive to a reasonable person and is intended to cause and actually causes the pupil to suffer harm or serious emotional distress. Such negative actions may include, without limitation:

1. Destroying the property of a pupil
2. Excluding a pupil from participating in activities;
3. Extorting a pupil;
4. Gossiping maliciously;
5. Speaking disparagingly about the ethnicity of a pupil
6. Staring and glaring;
7. Taunting;
8. Teasing;
9. Unreasonably banning the ability of a pupil to enter or exit an area;
10. Using gestures with the intent to cause and actually causing a pupil to suffer harm or serious emotional distress; and
11. Using oral, written or electronic communication with the intent to cause and actually causing a pupil to suffer harm or serious emotional distress.

Complaint/Investigation - Employees

All complaints of sexual harassment will be treated seriously and confidentially. Any employee who is subjected to bullying, intimidation, harassment/sexual harassment, or has knowledge of bullying, intimidation, harassment/sexual harassment of another employee, will immediately file a written complaint detailing the bullying, intimidation, harassment/sexual harassment event with one of the following persons: his/her supervisor, site administrator, or the District's Associate Superintendent of Human Resources. All complaint forms will be filed with both the site administrator/supervisor and the District's Associate Superintendent of Human Resources.

If the report involves the Associate Superintendent of Human Resources, the reporter shall contact the Superintendent. If the report involves a Board of Trustees member or the Superintendent, the reporter shall contact the Nevada Department of Education equity coordinator.

A complainant's failure to immediately report the complaint may hinder the District's ability to take prompt and appropriate remedial action.

Complaint/Investigation – Students

The District encourages students who are targets of bullying, harassment or intimidation and students who have first-hand knowledge of such bullying, harassment or intimidation to report such claims. Students should report incident(s) to any teacher, counselor, or school administrator.

POLICY No. 543 – CONTINUED

The District will act promptly on all complaints, which come to its attention.

Punishment for Violation of Policy

A substantiated complaint against an employee will result in disciplinary action which may include termination. The complaint is subject to the grievance procedure established with each employee group.

A substantiated complaint against a student will result in disciplinary action which may include suspension, expulsion, or other applicable disciplinary measures.

Harassment, Intimidation, and Bullying is prohibited in Public Schools

Posting of the Policy

This policy will be posted in the District's Human Resources Division, all employee break rooms, on the District's website, within each copy of the rules of behavior for pupils that the District provides for pupils, and other locations determined by the District.

Implementation and Professional Development

All employees will be provided a copy of this policy and complaint procedure. The Superintendent will implement this policy by training all administrators, principals, teachers and other school personnel in an effort to help prevent harassment, sexual harassment, intimidation, and bullying in the District. The Superintendent may develop further written procedures to implement this policy.

Amendments

This policy will conform to the current requirements of Nevada and Federal law pertaining to unlawful harassment/sexual harassment.

Reference: NRS 388.125, NRS 388.129, NRS 388.132, NRS 388.135, NRS 392.463, NRS 613.330, Administrative Regulation 343

Adopted: January 14, 1992

Revised: January 11, 1994
September 8, 1998
November 28, 2006
August 25, 2009
October 9, 2012 - Title Change

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 543
STUDENTS

HARASSMENT/SEXUAL HARASSMENTAND INTIMIDATION SAFE AND RESPECTFUL LEARNING ENVIRONMENT

A. Intimidation and Harassment

Prohibited harassment is defined as behavior consisting of verbal or physical conduct which ridicules, degrades, etc., a person because of his/her race, color, national origin, age, sex, disability, and/or religious preference.

Nothing contained herein shall be construed or interpreted to prohibit or in any way to discourage the genuine discussion of issues or use of materials for academic, educational, employment, discipline, or instructional purposes.

Prohibited harassment exists when the conduct:

1. has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. otherwise adversely affects an individual's employment, property, or academic opportunities.

Examples of general harassment include, but are not limited to, behaviors that ridicule, degrade, harass, etc., a person because of his/her race, color, national origin, age, sex, disability, and/or religious preference such as:

1. Unwelcome comments, ethnic or racial slurs and jokes, threats, etc.;
2. cartoons, graffiti, posters, visuals, etc., with offensive connotations, though nothing in this regulation shall be interpreted to prohibit use of such materials for genuine academic, educational or instructional purposes;
3. sabotage; criticism, unreasonable monitoring of any individual's work, etc., and
4. hitting; intentionally blocking the path of; body, hand or facial gestures.

B. Bullying

Bullying means a willful act or course of conduct that is not otherwise authorized by law and that exposes a pupil repeatedly and overtime to one or more negative actions which is highly offensive to a reasonable person and is intended to cause and actually causes the pupil to

suffer harm or serious emotional distress. Such negative actions may include, without limitation:

1 Destroying the property of a pupil;
2. Excluding a pupil from participating in activities;
3. Extorting a pupil;
4. Gossiping maliciously;
5. Speaking disparagingly about the ethnicity of a pupil;
6. Staring and glaring;
7. Taunting;
8. Teasing;
9. Unreasonably banning the ability of a pupil to enter or exit an area;
10. Using gestures with the intent to cause and actually causing a pupil to suffer harm or serious emotional distress; and
11. Using oral, written or electronic communication with the intent to cause and actually causing a pupil to suffer harm or serious emotional distress.

C. Sexual Harassment

Sexual harassment is generally defined as unwelcome sexual advances, requests for favors and other verbal, nonverbal or physical conduct of a sexual or gender-directed nature when:

1. Submission is made either explicitly or implicitly a term or condition of an individual's employment or education; or
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
3. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or of creating an intimidating, hostile or offensive employment or educational environment.

An "intimidating, hostile or offensive employment or educational environment" means an environment in which:

1. Any unwelcome behavior with sexual connotation which makes an employee or student feel uncomfortable, humiliated, or embarrassed, or
2. any aggressive, harassing behavior in the workplace or school directed toward an individual based on their sex and which interferes with their ability to perform at work.

The following are some examples of sexual harassment or intimidation:

1. Sexual advances (employee to employee only) which are unwanted (this may included situations which began as reciprocal, but later ceased to be reciprocal)
2. Sexual gestures, verbal abuse, sexually-oriented jokes, innuendos or obscenities

3. Displaying of sexually suggestive objectives, pictures, cartoons, or posters
4. Sexually suggestive letters, notes, threats, or invitations
5. Employment or education benefits affected in exchange for sexual favors
6. Physical conduct such as assault, attempted rape, impeding or blocking movement, or unwelcome touching
7. Hazing, or daring to perform in unsafe work or learning practices, particularly directed toward employees and/or students in nontraditional or athletic settings.

D. Prevention

It is the policy of this District to provide regular in-service education and training about harassment, sexual harassment, intimidation, and bullying for employees and students. Such in-service and training shall include:

1. Awareness concerning the various types of bullying, harassment and intimidation; how the bullying, harassment and intimidation manifests itself; and the devastating emotional and educational consequences that may occur.
2. Training in the appropriate methods to facilitate positive human relations among pupils without the use of bullying, harassment and intimidation so that pupils may realize their full academic and personal potential.
3. Methods to improve the school environment in a manner that will facilitate positive human relations among pupils.
4. Methods to teach skills to pupils so that pupils are able to replace inappropriate behavior with positive behavior.

E. Informal and Formal Resolutions of Complaints

INFORMAL: The District is committed to the prompt and equitable resolution of all reports or complaints. An individual may voluntarily choose informal measures, but will be informed of the options and timelines available to them in formal complaints procedures. The following informal steps may be tried if the individual chooses and if the harassment is not severe:

1. Inform the individual or his/her supervisor/site administrator that his/her behavior is unwelcome, offensive or inappropriate. Confrontation is not required, however, and notice may be accomplished in a letter developed with the assistance of a supervisor, site administrator or District's Associate Superintendent of Human Resources.

Request a copy of the District's harassment policy/regulation so that reporting processes are clear.

FORMAL: At any time, an individual may choose to initiate the formal procedure to resolve the problem. At no time shall an individual's attempts at informal resolution be used to delay or excuse the District's responsibility to investigate reports of harassment in a prompt and equitable manner, with or without a formal complaint.

All individuals are permitted and encouraged to have a friend, association representative, or advisor present with them for moral support during any stage of the reporting and investigation. Once a report or complaint has been filed with the first level supervisor, or site administrator who is not involved in the alleged harassment, or District's Associate Superintendent of Human Resources, a confidential and expeditious investigation shall begin following the procedures outlined in the "District's Complaint Procedure" on pages 5 through 8 of this regulation.

DOCUMENTATION: When a formal or informal complaint is made, an individual should keep notes, a journal, and/or a record of dates, times, places, witnesses, and description of each incident. Save all notes and records in a safe place. All complaint forms shall be filed with the site administrator and the District's Associate Superintendent of Human Resources.

F. Confidentiality

A report of bullying, harassment, sexual harassment or intimidation and the investigation is to be kept in strictest confidence, where practical, for the protection of all parties involved.

The District's obligation to investigate and take corrective action may supersede an individual's right of privacy.

Pending the completion of the investigation, however, the Superintendent may take any action necessary to protect the alleged victim, or other employees or students consistent with requirements of applicable regulations and statutes, if any.

G. Sanctions

Consistent with the requirements of applicable regulations or statutes, the Superintendent may take such action as deemed necessary and appropriate after the completion of the investigation. All parties involved in the investigation shall be notified of the decision of the Superintendent.

The due process rights of all individuals will be protected and any rights under any collective bargaining contract will be followed.

A substantiated charge against an employee of the District shall subject the employee to disciplinary action in accordance with any appropriate employee contract, up to and including discharge.

A substantiated charge against a student of the District shall subject said student to disciplinary action in accordance with school rules, including class changes, suspension and or expulsion.

H. False Accusations

Persons perpetrating false or fabricated accusations will be held responsible for their actions, and may be subject to disciplinary action as listed in Section G Sanctions, above.

I. Notification

Notice of this policy and regulation, the District's prevention plan, and grievance procedures shall be posted in prominent locations in all District buildings, including information on how to receive copies. Notices shall also be included in student and staff handbooks, and given to families. Notices will be updated annually with the names, locations, and numbers of contact persons throughout the District.

J. Remediation

Staff and student targets of bullying, intimidation and harassment and witnesses of bullying, intimidation and harassment will be provided counseling and other support services available from staff and other resources of the District to help deal with the effects of bullying, intimidation and harassment.

K. Reporting

Employees who believe they may have been bullied, harassed or intimidated should contact the first level supervisor who is not involved in the alleged bullying, intimidation or harassment, site administrator or the District's Associate Superintendent of Human Resources.

L. Other Sources of Assistance

Nevada Equal Rights Commission

U.S. Department of Education
Office for Civil Rights, Regional office

State Department of Education

Legal References:

Title VII of the Civil Rights Act of 1964
Other State and Federal Implementing Regulations

Carson City School District Human Resources Division
Harassment Complaint Procedure

1. Any person who believes he/she has been or is being subjected to prohibited harassment or bullying of any kind by any individual associated with the District is encouraged to bring such harassment or bullying to the attention of whichever of the following with whom he/she is most comfortable: his/her supervisor or department administrator or site administrator, the Associate Superintendent of Human Resources, or the Superintendent.

Complaint forms shall be prepared and filed with the site administrator and the Associate Superintendent of Human Resources.

2. Any non-employee of the District who feels he/she is being bullied, intimidated or harassed by any individual associated with the District is encouraged to bring such to the attention of the Associate Superintendent of Human Resources of the Superintendent.

3. All bullying, intimidation and harassment complaints will be handled in a timely and confidential manner. Information will only be shared with individuals who have a legitimate "need to know."

4. Prompt attention and appropriate disciplinary action (up to and including termination for employees or suspension or expulsion for students) designed to stop the bullying, intimidation and harassment immediately and to prevent its recurrence will be taken if an investigation reveals harassment has occurred.

5. All persons shall be protected from coercion, intimidation, retaliation, interference, or discrimination as a result of filing a complaint or assisting in an investigation.

6. Any person who feels he/she has been or is being bullied, intimidated or harassed may utilize the District's informal or formal complaint procedure.

7. The Informal Complaint Procedure consists of the following:

   A. Informal Resolution

      1. The affected person is encouraged to meet with the alleged harasser and inform him/her of the unwelcome behavior and that if the behavior stops, no further action will be pursued. Confrontation is not required, however. An informal complaint form may be used if the employee wishes.
      2. The person who believes he/she has been bullied, intimidated or harassed is also encouraged to contact an appropriate supervisor or administrator identified above to apprise them of the alleged situation.

      3. The appropriate supervisor or administrator will follow up by contacting the complainant to ensure the alleged bullying, intimidation or harassment has ceased.

B. Informal Meeting: Administrator/Supervisor

1. The affected person may inform the appropriate administrator or supervisor of the alleged bullying, intimidation or harassment and request that the administrator or supervisor meet with the individual to discuss the allegation. The administrator or supervisor will meet with the individual, and inform him/her of the alleged unwelcome behavior. The person will be informed that if the alleged behavior stops no formal action will be pursued.
2. The appropriate administrator will follow up by contacting the complainant to ensure the alleged harassment has ceased.

8. An affected person may utilize the following formal complaint procedure initially or, if after having used the informal complaint procedure, the unwelcome behavior continues.

9. The Formal Complaint Procedure consists of the following:

A. Site Administrator

1. The complainant may inform the appropriate site administrator of the alleged bullying, intimidation or harassment and request the administrator contact the District's Associate Superintendent of Human Resources to inform him/her of the alleged harassment verbally or may use the Formal Complaint Form.

2. The District's Associate Superintendent of Human Resources will meet with the complainant to discuss the specifics of the complaint. A formal investigation will then be conducted.

B. District's Associate Superintendent of Human Resources

1. The complainant may inform the Associate Superintendent of Human Resources and inform him/her of the alleged bullying, intimidation or harassment, and may report the alleged harassment verbally or may use the Formal Complaint Form.

2. The District's Associate Superintendent of Human Resources or his/her designee will meet with the complainant to discuss the specifics of the complaint. A formal investigation will then be conducted.

10. A formal investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. Once the investigation is concluded, a review of the information will be conducted and a decision rendered regarding action to be taken. A meeting will be held with the complainant to communicate the results of the investigation. A meeting will also be held with the alleged harasser to communicate the results of the investigation and action to be taken, if any.

11. In determining what action is to be taken, the investigator shall consider the nature of the behavior, past incidents or past continuing patterns of behavior by either the alleged harasser or the complainant, the relationships between the parties involved, and the context in which the alleged incidents occurred. In all cases, the alleged harasser shall have an opportunity to review and rebut all evidence gathered against him or her before the investigation is completed.

    The District shall take disciplinary or remedial action as appropriate to ensure that further bullying, harassment or intimidation does not occur. Such action may include but is not limited to; 1) counseling, awareness training, parent-teacher conferences, warning, transfer, suspension and/or expulsion or termination of an employment or appointment.

    District action taken for violation of this policy shall be consistent with the requirements of applicable collective bargaining agreements, Nevada Revised Statutes (NRS), federal law and Carson City School District Policies.

12. Interference or Retaliation

    1. A school official shall not directly or indirectly interfere with or prevent the disclosure of information concerning a violation of State Laws dealing with harassment or intimidation. A "school official" means: (a) A member of the

    2. Board of Trustees of the District; or (b) a licensed or unlicensed employee of the District

    3. No cause of action may be brought against a pupil or an employee or volunteer of a school who reports a violation of NRS 388.135 unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.

13. Record Keeping

The record of a complaint, investigation of bullying, harassment or intimidation, as well as the disposition of the complaint and any disciplinary or remedial action will be maintained by the Human Resources Department in a confidential file.

Adopted: January 14, 1992

Revised: January 11, 1994
September 8, 1998
November 28, 2006
September 8, 2009
October 9, 2012 - Title Change

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 543
STUDENTS

SEXUAL HARASSMENT COMPLAINT FORM

This complaint is filed number:

( ) SECTION 703-TITLE VII

Name:_____ Date:_____
Complainant

Position:_____ Site Location:_____

Description of Complaint: (Add additional pages if needed)_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____
Signature of Complainant

Return to Compliance Officer:
SECTION 703—TITLE VII

Associate Superintendent, Human Resources

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 543
PUPILS

SEXUAL HARASSMENT
DISPOSITION OF COMPLAINT FORM

This complaint is filed under:

( ) SECTION 703 – TITLE VII

TO:_____ DATE:_____
Complainant

FROM:_____
Name of Compliance Officer

Disposition of Complaint:_____

_____

_____

_____

_____

_____

_____

_____

Supporting Evidence and Reasons:_____

_____

_____

_____
Signature of Compliance Officer

Appeal Must be Filed By:_____
Next Level of Appeal:_____

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 543.1
STUDENTS

PREVENTION OF SEXUAL MISCONDUCT TOWARD STUDENTS

The District prohibits any form of sexual misconduct (including sexual abuse, sexual molestation, and sexual harassment) toward students on the part of District employees, administrators, officials, and District approved volunteers.

This policy expands upon the District policy on the prevention of sexual harassment. Because the District has a particular interest in maintaining student safety and well-being, it has established this additional policy to specifically address sexual misconduct toward students.

Adopted: November 1, 1998
Revised: October 9, 2012 - Title Change

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION NO. 543.1
STUDENTS

PREVENTION OF SEXUAL MISCONDUCT TOWARD STUDENTS

Conduct

Sexual misconduct as used in this policy is:

- Any conduct that meets the definition of sexual harassment contained in District policy.
- Any conduct or communication that explicitly or implicitly conditions a student's participation in an educational program or activity on submission to sexual conduct.
- Any conduct or communication that explicitly of implicitly indicates that an educational decision will be based on the student's submission to sexual conduct.
- Any conduct or communication of a sexual nature that is sufficiently severe, persistent, or pervasive and objectively offensive that it limits a student's ability to participate in or benefit from an educational program or activity or creates a hostile or abusive educational environment.
- Any conduct or communication that is immoral conduct within the meaning of NRS 391.311 (4) including but not limited to sexual assault, statutory sexual seduction, incest, commission of certain sexual acts in public, open or gross lewdness, indecent exposure, and lewdness with a minor.

  Note: The District acknowledges the applicability of criminal statutes relating to sexual conduct toward a student, including NRS 201.540, which indicates that it is a felony for a teacher, administrator, coach, volunteer or teacher's aide or auxiliary nonprofessional employee who assists with instruction or supervision of pupils, to engage in sexual conduct with pupils ages 14 through 17. Other criminal statutes which are pertinent to this policy include, but are not limited to, NRS 201.195, solicitation of a minor to engage in acts constituting crimes against nature; NRS 201.230, lewdness with a child under 14; NRS 200.366, sexual assault; NRS 200.368, statutory sexual seduction; NRS 201.560, using a computer to lure children, etc.

Examples of behavior which constitute sexual misconduct include but are not limited to:

- Making sexual advances or gestures toward student
- Coercing, forcing, or attempting to coerce or force sexual intercourse or any sexual act with a student
- Engaging in sexual intercourse or any sexual act with any student
- Touching oneself sexually or talking about one's sexual activity in front of students
- Spreading rumors about or discussing students' sexual activity
- Sexually motivated or inappropriate touching, patting, grabbing, or pinching a student's body, whether that student is of the same or the opposite sex. Note: This prohibition does not preclude legitimate, non-sexual physical conduct which may include but is not limited to the use of necessary restraints to avoid physical harm to persons or property or conduct such as a teacher's consoling or congratulatory hug of a student or the demonstration of an athletic move by a teacher or student requiring contact with another student
- Other sexual behavior or communication, including requests for sexual favors, whether or not accompanied by implied or overt threats concerning a student's educational status or implied or overt promises of preferential treatment.

Reporting Procedures:

The District encourages every student who believes s/he has been the recipient of sexual misconduct and every student or other individual who has knowledge of sexual misconduct to report immediately the alleged act(s) to a teacher, school counselor, principal, or other appropriate District official. The report shall be in writing. The District will keep the name of the person making the report confidential to the extent possible and will make it available only to those individuals who are necessarily involved in the investigation and the administration of the complaint. The person receiving the report shall document the time and place of the report and the name of the person making the report. Any teacher, administrator, official, volunteer, or other school employee who has or receives information that a student has or may have been a recipient of sexual misconduct is required to report the alleged acts to the Associate Superintendent in charge of Human Resources no longer than 48 hours after receiving the information. Failure to make this report as prescribed may result in disciplinary or other appropriate action against the teacher, administrator, official, volunteer, or other school employee.

(As required by NRS 432B.220, in situations where there is reasonable cause to believe that a child has been abused or neglected, a school administrator, teacher, librarian, or counselor must report this to child welfare services or a law enforcement agency within 24 hours.)

Investigation:

The District shall promptly investigate all complaints or allegations of sexual misconduct. It will keep all investigations confidential to the extent possible. The District will release information obtained only to those individuals who are necessarily involved in the investigation and the administration of the complaint, or as required by law. The District will inform the individual filing the complaint, as well as the individual against whom the complaint was made, of the final determination. All employees and students questioned as part of an investigation will be told and expected to refrain from discussing the matter with anyone except agency or legal representatives.

The initial investigation will be conducted by a qualified and objective school official not named in the complaint or by an outside investigator. The investigator will act with due regard for the rights of all individuals and, in particular, to ensure any rights of students to have their parent(s)/ guardian(s)/ present during questioning. If the initial investigation indicates that a criminal act may have occurred, the investigator shall immediately notify the Superintendent who will in turn immediately report the matter to the law enforcement agency having jurisdiction.

The District treats all complaints or allegations of sexual misconduct seriously and expects all employees and students to be candid and truthful during the investigation process. If credible evidence indicates that a participant in the investigation has made intentionally false or malicious statements, the District will discipline or take other appropriate action against that participant.

District Action:

Upon determination that a violation of this policy has occurred, the District will provide written notice of the results of the investigation to the complainant and the person accused of the violation. If warranted, the District will also initiate appropriate remedial and/or disciplinary action consistent with the findings of the report and the requirements of applicable collective bargaining agreements, District policy, and state and federal law.

Reprisal:

The District will not tolerate any form of retaliation toward any person who reports alleged sexual misconduct in good faith, assists another in filing a complaint, or provides truthful statements during an investigation.

The District will discipline or take other appropriate action against any student, school personnel, volunteers, administrators, or officials for threatening, intimidating, or interfering with the educational or school-related extra curricular opportunities of any person who complains of sexual misconduct, or reports sexual misconduct, or who testifies or participates in a proceeding, investigation, or hearing related to a complain of sexual misconduct.

Any student who believes s/he is being retaliated or discriminated against in any manner whatsoever as a result of having filed a complaint, provided information, testified, or participated in a proceeding, investigation, or hearing related to a complaint of sexual misconduct or provided advice and/or assistance to one who filed a complaint should immediately notify the Superintendent or Principal who shall take appropriate timely action to review and resolve the allegation.

Training:

All District employees, volunteers, officials, and administrators will participate in an initial training session and in periodic training updates on the prevention of sexual misconduct, will be given a copy of the District's policy, and will sign an acknowledgement of receipt of such policy. The District will provide all new employees with a copy of this policy and afford employees an opportunity to discuss the contents during orientation.

Dissemination of Policy:

The District will make this policy available to parents or guardians and all students, as appropriate, during annual registration. The District will also publish the policy in student handbooks, and post the policy in the District administrative offices and in school offices. At least annually, the District will publicize this policy in school newsletters or other publications used to communicate District policies to parents and guardians.

Adopted: January 14, 2003
Revised: October 9, 2012 - Title Change

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 710
PROPERTY

TOBACCO FREE SCHOOL DISTRICT FACILITIES

It is the policy of Carson City School District (the "District") that smoking and the use of tobacco products of any kind is prohibited in all buildings, on all grounds and property of the District ("District property"). For purposes of this policy, District property includes any building used for instruction, administration, support services, maintenance, parking, loading docks, or storage. District property also includes all school grounds, playing fields, playgrounds, and District-owned vehicles. This policy applies to all students, employees, volunteers, and the public.

Enforcement

Students and District staff will be subject to disciplinary action for violations of this policy. Members of the general public who are using tobacco products in/on District property will be asked to comply with this policy.

Students

All violations of this policy by students shall be referred to a building administrator.

A student is considered to be in violation of this policy either through possession or use of tobacco products in/on District property. For a first offense, students will be issued a tobacco contract and for a second offense, students will receive a 3 day suspension.

Staff

Appropriate disciplinary actions will be implemented regarding employees who smoke or use tobacco products in/on District property.

Public

Signs making it clear to the public that smoking is prohibited will be displayed in areas most often used by community groups. Individuals who are observed smoking in/on District property will be informed of this policy and their cooperation requested.

Individuals or groups using District property who fail to adhere to this policy will have their authorization to use District property revoked.

Reference: NRS 202
Adopted: August 29, 1979
Revised: November 12, 1996
January 9, 2007
Reviewed: March 22, 2011

NOTICE

TO: ALL CARSON CITY SCHOOL DISTRICT EMPLOYEES
(Including all licensed, classified, substitute and temporary employees)

RE: DRUG AWARENESS PROGRAMS

The "Anti-Drug Abuse Act" of 1988 requires the establishment of a drug education and awareness program for all employees in an effort to maintain a drug-free workplace.

The penalties for failure to satisfy the law's requirements include:

1. Suspension or termination of payments on existing federal contracts or grants; and

2. De-barment from future federal contracts or grants for up to five years.

Carson City School District must take the following steps:

- All employees are hereby notified that the Carson City School District prohibits possession, use and distribution of illegal drngs in the workplace. The School District will take appropriate disciplinary action in accordance with the laws of the State of Nevada and School Board Policy and Regulations.

- Educational programs will be available to all School District staff which explains to employees the dangers of drug use in the workplace.

- The School District will provide information on counseling and rehabilitation services for any employee with drug problems.

- Employees are required to abide by the School District's drug-free workplace standards, must notify the employer of convictions for drug violations that occur in the workplace.

- The School District will notify the agency that manages the organization's contracts and grants whenever an employee is convicted of a drug offense that occurred in the workplace.

- The School District will impose disciplinary penalties on employees who are convicted of drug offenses in the workplace, or may require such people to participate in drug rehabilitation or treatment programs.

- The Carson City School District will make good faith efforts to maintain a drug-free workplace.

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 318
CERTIFIED STAFF

STAFF INFRACTIONS

In the event of an infraction of district rules by an employee, it shall be the policy of the Board to apply the statutes of the state, these policies, and the regulations of the district with equal consideration to each staff member.

Reference: NRS 386.350
Adopted: August 29, 1979

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 318
CERTIFIED STAFF

STAFF INFRACTIONS-DRUG AND ALCOHOL ABUSE

Drinking of alcoholic beverages or use of controlled substances while on duty, or being under the influence of alcohol or narcotics during duty hours, is evidence of unprofessional conduct and unfitness for service and constitutes grounds for dismissal.

Evidence of alcohol or drug abuse while on duty which impairs an employee's job effectiveness during normal working hours will be handled in the following manner:

1. The immediate supervisor will confer with the employee about the nature of the problem and the need for remediation. The employee will be given written notice that working under the influence of alcohol or drugs will not be permitted. Employees whose work activities are impaired as a result of drug or alcohol abuse will be referred for medical attention.

2. If a second incident occurs, the supervisor will again confer with the employee and will give the employee a written recommendation to seek remedial treatment. Upon written recommendations from a physician, sick leave may be used for remedial treatment in this regard.

3. If remedial treatment is rejected, or if a third incident occurs, the employee will be subject to appropriate discipline action under the provisions of NRS 391.

The primary objectives of this procedure are to assist employees to overcome problems related to alcohol and drugs and to be productive members of the staff. Every effort, consistent with successful operation of the schools, will be made to assist the employee in recognizing and remediating problems of this nature.

Adopted: April 15, 1981
Revised: December 1, 1983

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 225
PROGRAM

DRUG AND ALCOHOL FREE WORKPLACE PROGRAM STATEMENT AND POLICY

This policy statement is provided to employees, volunteers and job applicants (who have been offered employment conditioned upon successfully passing a drug/alcohol test) as notice of the District's Drug and Alcohol Free Workplace Program and Policy.

The intent of this policy is to enhance the safety and security of the children and staff served by the District and promote an alcohol and drug-free workplace. Carson City School District requires the following types of tests: Job applicant testing (pre-employment testing), Pre-service testing of volunteers (may be required); Reasonable-suspension testing; Post-accident reasonable-suspension testing (following an on-the-job vehicular or other accident); and Follow-up testing. The features of each type of drug testing are detailed in Administrative Regulation 225.

The manufacture, distribution, sale, purchase, consumption, dispensing, possession or use of alcohol or any controlled substance, (as defined by local, state, or federal law and including prescription drugs not legally obtained or not being used in the manner, combination, quantity or by the person for whom the prescription is issued) is prohibited as follows: a) while on District premises; b) while conducting District business; c) while operating any District vehicles, machinery, or equipment; or d) while participating in any school or District activity, trip or program.

No employee or volunteer shall report for duty, remain on duty, operate any District vehicle, machinery or equipment or participate in a school or District activity, trip or program while under the influence of or impaired by, alcohol or any controlled substance.

No employee or volunteer involved in an on-the-job accident shall use alcohol or non-prescription drug until the earlier of; a) eight (8) hours following the accident or b) undergoing a post-accident alcohol/drug test.

Adopted: February 12, 2008

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 225
PROGRAM

DRUG AND ALCOHOL FREE WORKPLACE PROGRAM STATEMENT AND NOTICE AND ADMINISTRATIVE REGULATION

DRUG AND ALCOHOL FREE WORKPLACE PROGRAM

1. **Notice:** Notice of this Administrative Regulation is being provided to employees (see **Appendix C**), volunteers and job applicants who have been offered employment conditioned upon successfully passing a drug/alcohol test as a notice of adoption of the Carson City School District Drug and Alcohol Free Workplace Program (herein referred to as the District and the "Program" as required by the context.)

2. **General Policy:** The manufacture, distribution, sale, purchase, consumption, dispensing, possession or use of alcohol or any controlled substance, (as defined by local, state or federal law and including prescription drugs not legally obtained or not being used in the manner, combination, quantity or by the person for whom the prescription is issued) is prohibited as follows:
   a) while on District premises;
   b) while conducting District business;
   c) while operating any District vehicles, machinery or equipment;
   d) while participating in any school or District activity, trip or program.

   No employee or volunteer shall report for duty, remain on duty, operate any District vehicle, machinery or equipment, or participate in a school or District activity, trip or program while under the influence of, or impaired by, alcohol or any controlled substance.

   No employee or volunteer involved in an on-the-job accident shall use alcohol or non-prescription drug until the earlier of:
   a) eight(8) hours following the accident, or
   b) undergoing a post-accident alcohol/drug test

3. **Testing Program:** To promote a drug-free workplace, the District will require the following kinds of tests pursuant to this Administrative Regulation:
   a) Job applicant testing (pre-employment testing):
   b) Pre-service testing of volunteers
   c) Reasonable-suspicion testing;
   d) Post-accident reasonable-suspicion testing, following an on-the-job vehicular or other accident;
   e) Follow-up testing.

   All testing will follow federal guidelines (see 49 CFR, part 40). Features of the testing are summarized below:

a) **Pre-Employment/Pre-Service Testing:** Pre-employment testing (see **Appendix D**) will be required of all successful applicants. Employment will be conditioned upon successfully passing a drug/alcohol test. Any applicant for employment who tests positive in the pre-employment testing will not be hired and will not be eligible to re-apply for employment with the District for one year following the confirmed positive test.

Pre-Service Testing may be required of any volunteer who had disclosed or if the background check reveals a history of chemical dependency, substance or alcohol abuse or other drug related problems.

b) **Reasonable Suspicion:** Any employee or volunteer who is reasonably suspected to be under the influence of alcohol or drugs will be required to take a drug or alcohol test. Reasonable suspicion will be determined by a supervisor (as defined by the applicable collective bargaining agreement) who is at least one level above the employee to be tested and has received the training required by Section 12 of this Administrative Regulation. The supervisor's findings will be reviewed by the Alcohol and Drug Program Manager (or his designee) before the testing is authorized. The circumstances supporting that determination will be drawn from specific objective and articulated facts which must be documented (see **Appendix E, F & G**). Reasonable suspicion may include, but is not necessarily limited to the following examples: observable phenomena while at work, such as observation of drug use or the physical symptoms of being under the influence; abnormal conduct, erratic behavior or a significant deterioration in work performance; evidence that an individual has tampered with a drug test; information that the individual has caused or contributed to a vehicular or other accident while at work or on duty or evidence that the employee or volunteer has used, possessed, sold, solicited or transferred drugs on work premises or while operating District vehicles, machinery or equipment.

c) **Post-Accident Testing:** Post-accident testing will be done as soon as possible on all employees or volunteers who are involved as a driver in a District owned vehicle in which an accident occurs while performing their duties; i) on a surviving employee or volunteer when an accident results in loss of human life; ii) when an employee or volunteer receives a citation for a moving violation and one or more of the vehicles involved in the accident is towed from the scene of the accident; or iii) when an employee or volunteer receives a citation for a moving violation and one or more persons involved in the accident receives medical treatment away from the scene of the accident. All employees who possess a Commercial Drivers License as a condition of employment will follow the guidelines as set forth in Administrative Regulation No. 355.

d) **Follow-up Testing:** Employees who have successfully completed an employee assistance program or substance rehabilitation program and return to duty must submit to unannounced drug or alcohol testing at least once a year for a two (2) year period after completion of the program.

4. **Confidentiality:** All aspects of the substance testing process will be kept confidential to the extent allowed by law. In general, all information, reports, statements, memoranda and drug test results, written or otherwise, received by the District through a drug testing program are and will be treated as confidential communications.

5. **Consequences of Refusing to Submit to a Drug Test:** If an employee, applicant or volunteer refuses to a test required by this Administrative Regulation when requested by an authorized District employee, such a refusal will be treated as a positive test result. Failure to complete and sign testing forms, to provide an adequate specimen or otherwise to cooperate with the testing process in a way that prevents the completion of the test will be considered a refusal to test and will be deemed a positive test result. Any attempt to adulterate a specimen or provide a specimen that is adulterated will also be considered a refusal to test and will be deemed a positive test result. Any obstruction too and lack of cooperation with the testing process will be considered a refusal to test and deemed a positive test result. Failure or refusal to appear, participate in, or be available for testing will be deemed a refusal to submit to testing and deemed a positive test result.

6. **Consequences of a Positive Test:** An initial test or "screen" for alcohol or drug is an analytical procedure to determine whether an employee, applicant or volunteer may have a prohibited concentration of alcohol or controller substance in his or her system. A positive test result will require immediate removal of the employee or volunteer from duty. An employee shall be put on a paid leave status. No employee or volunteer shall perform duties after testing positive until the terms specified in this Administrative Regulation have been satisfied.

   When appropriate, the District will require employees with workplace substance violations to satisfactorily participate in an approved Employee Assistance Program (EAP) or rehabilitation program. Employees will not be discharged, disciplined, discriminated against, requested or required to undergo rehabilitation, on the sole basis of a positive screening test result that has not been verified by a confirmation test.

   A confirmation test is a second analytical procedure to confirm the presence of a specified drug or metabolite in a specimen through a different technique than the screen; or a second test that provides specific quantitative data for alcohol following a screening test with a result of two one-hundredths (0.02) or greater is used to confirm an initial positive test. If an employee has a confirmed-positive test result for an alcohol level exceeding 0.02 or for an unlawful controlled substance, the employee will be subject to disciplinary action up to and including termination of employment, consistent with the applicable collective bargaining agreement, if any.

   Applicants for employment with such results will not be hired and will not be eligible to re-apply for employment for one (1) year and volunteers with such results will not be allowed to perform further volunteer functions.

a) **Pre-Employment/Pre-Service Testing:** Pre-employment testing (see **Appendix D**) will be required of all successful applicants. Employment will be conditioned upon successfully passing a drug/alcohol test. Any applicant for employment who tests positive in the pre-employment testing will not be hired and will not be eligible to re-apply for employment with the District for one year following the confirmed positive test.

Pre-Service Testing may be required of any volunteer who had disclosed or if the background check reveals a history of chemical dependency, substance or alcohol abuse or other drug related problems.

b) **Reasonable Suspicion:** Any employee or volunteer who is reasonably suspected to be under the influence of alcohol or drugs will be required to take a drug or alcohol test. Reasonable suspicion will be determined by a supervisor (as defined by the applicable collective bargaining agreement) who is at least one level above the employee to be tested and has received the training required by Section 12 of this Administrative Regulation. The supervisor's findings will be reviewed by the Alcohol and Drug Program Manager (or his designee) before the testing is authorized. The circumstances supporting that determination will be drawn from specific objective and articulated facts which must be documented (see **Appendix E, F & G**). Reasonable suspicion may include, but is not necessarily limited to the following examples: observable phenomena while at work, such as observation of drug use or the physical symptoms of being under the influence; abnormal conduct, erratic behavior or a significant deterioration in work performance; evidence that an individual has tampered with a drug test; information that the individual has caused or contributed to a vehicular or other accident while at work or on duty or evidence that the employee or volunteer has used, possessed, sold, solicited or transferred drugs on work premises or while operating District vehicles, machinery or equipment.

c) **Post-Accident Testing:** Post-accident testing will be done as soon as possible on all employees or volunteers who are involved as a driver in a District owned vehicle in which an accident occurs while performing their duties; i) on a surviving employee or volunteer when an accident results in loss of human life; ii) when an employee or volunteer receives a citation for a moving violation and one or more of the vehicles involved in the accident is towed from the scene of the accident; or iii) when an employee or volunteer receives a citation for a moving violation and one or more persons involved in the accident receives medical treatment away from the scene of the accident. All employees who possess a Commercial Drivers License as a condition of employment will follow the guidelines as set forth in Administrative Regulation No. 355.

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   When appropriate, the District will require employees with workplace substance violations to satisfactorily participate in an approved Employee Assistance Program (EAP) or rehabilitation program. Employees will not be discharged, disciplined, discriminated against, requested or required to undergo rehabilitation, on the sole basis of a positive screening test result that has not been verified by a confirmation test.

   A confirmation test is a second analytical procedure to confirm the presence of a specified drug or metabolite in a specimen through a different technique than the screen; or a second test that provides specific quantitative data for alcohol following a screening test with a result of two one-hundredths (0.02) or greater is used to confirm an initial positive test. If an employee has a confirmed-positive test result for an alcohol level exceeding 0.02 or for an unlawful controlled substance, the employee will be subject to disciplinary action up to and including termination of employment, consistent with the applicable collective bargaining agreement, if any.

   Applicants for employment with such results will not be hired and will not be eligible to re-apply for employment for one (1) year and volunteers with such results will not be allowed to perform further volunteer functions.

7. **Effect of Common Medications:** It is the responsibility of the employee, applicant or volunteer to provide information concerning the use of drugs and medications which may impact a drug test. The most common drugs and medications which may alter or affect a drug test are listed in **Appendix A** to this Administrative Regulation.

8. **Reporting Medications to the MRO:** Both before and after being tested, employees, job applicants and volunteers may confidentially report to the Medical Review Office (MRO) their use of prescription or nonprescription medications that could alter or affect the test.

   An MRO is a licensed physician employed or contracted by the District's drug and alcohol testing vendor, who is qualified to perform testing and knowledgeable in the use of prescription drugs and the pharmacology and toxicology of illicit drugs. The MRO will evaluate the test results, together with the medical history or any other biomedical information to make a final determination of the test results.

9. **Drugs Tested:** The District may test for any of the following drugs, among others: alcohol, including a distilled spirit, wine, a malt beverage or an intoxicating liquor; amphetamines; cannabinoids (marijuana); cocaine; phencyclidine (PCP); hallucinegens; methaqualone (methamphetamines); opiates or narcotics, barbiturates; benzodiazepine; synthetic narcotics; designer drugs; or a metabolite of any of these substances. More details on some of these substances are included in **Appendix B** to this Administrative Regulation. Drug and Alcohol testing will be done at a laboratory approved by the U.S. Department of Health and Human Services.

10. **Response to a Positive Confirmed Test:** An employee, job applicant or volunteer whose test result is confirmed positive may contest or explain the result to the MRO within five (5) working days after receiving written notification of the test result. If the explanation or challenge is unsatisfactory to the MRO, the MRO will report a positive test result to the District.

11. **Employee Assistance and Drug Rehabilitation Programs:** The District Employee Assistance Program (EAP) is a benefit for employees, approved and paid for by the District. It provides counseling services at no charge and is confidential, voluntary and provided by licensed professionals. An employee who voluntarily participates in the EAP and enters treatment and who does not violate the terms of this Administrative Regulation will not be disciplined or subject to any other adverse employment action as a result of such participation.

    The EAP can provide expert assessment of employee personal concerns; confidential and timely identification of services for substance abuse; referrals of employees for appropriate diagnosis, treatment and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work.

12. **Training:** Yearly training/retraining for supervisors includes but is not limited to;
    a) The recognition of the physical, behavioral, speech and performance indicators of alcohol and controlled substance abuse.
    b) The concept and legal requirements of reasonable cause and suspicion alcohol and drug testing.
    c) Transportation of employees for reasonable suspicion/post-accident Alcohol and Drug Testing.
    d) Documenting performance issues associated with alcohol and drug abuse.

13. **Collective Bargaining and Appeal Rights:** This Administrative Regulation will apply in conjunction with applicable collective bargaining agreements and employees have the right to appeal actions taken hereunder using procedures established by the applicable collective bargaining agreement.

    Employees and volunteers may appeal a positive test result to the Associate Superintendent of Human Resources, whose decision is administratively final.

14. **Further Information:** Employees, applicants and volunteers are encouraged to read and be familiar with this Administrative Regulation and corresponding Policy No. 225. Any questions about the Administrative Regulation or Policy should be directed to the District's Human Resources Department.

Reference: Board Policy 225

Adopted: February 12, 2008

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 225 Appendix B
PROGRAM

DRUGS FOR WHICH THE DISTRICT MAY TEST

As noted in the above policy statement, the District may test for any of the following drugs: alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; amphetamines; cannabinoids (marijuana); cocaine, phencyclidine (PCP); hallucinogens; methaqualone (methamphetamines); opiates or narcotics; barbiturates; benzodiazepine; synthetic narcotics; designer drugs; or a metabolite of any of these substances.

Adopted: February 12, 2008

APPENDIX C

EMPLOYEE ACKNOWLEDGMENT OF DRUG AND ALCOHOL FREE WORKPLACE PROGRAM STATEMENT AND NOTICE AND ADMINISTRATIVE REGULATION

I acknowledge that I have received a copy of the Carson City School District's Drug and Alcohol Free Workplace Program and Notice of Administrative Regulation, No. 225, effective February 12, 2008.

I understand that it is my responsibility to abide by the requirements of the Administrative Regulation and related Policy and to comply with the terms of the Policy and Administrative Regulation. I also understand that I can ask my supervisor or the Alcohol and Drug Testing Program Manager for clarification of matters not understood by me.

The current Program Manager is the Manager of Safety Services. Employees will be notified of any change in the Program Manager within fifteen (15) days of the changes and at the beginning of each school year.

_____

Date

_____

Employee Name (Please Print)

_____

Employee Signature

APPENDIX D

CARSON CITY SCHOOL DISTRICT

DRUG TESTING PROGRAM

NOTICE TO APPLICANTS

Carson City School District has a vital interest in maintaining safe, healthful and efficient working conditions for its students and employees. Using or being under the influence of drugs and/or alcohol on the job may post serious safety and health risks not only for our students and the user but to the public and all those who work with the user. The possession, use or sale of an illegal drug or controlled substance may also pose unacceptable risks to safe, healthful and efficient operations.

To meet this compelling interest, individuals who wish to be considered for employment must agree to PRE-PLACEMENT DRUG TESTING AND DRUG AND ALCOHOL TESTING DURING EMPLOYMENT per Administrative Regulation 225.

By completing and signing this Notice and the attached Application for Employment, the applicant understands and agrees to submit to drug testing as a condition of our employment offer as well as to alcohol and drug testing during the course of employment as provided for in Carson City School District's Drug and Alcohol Testing Program. Submission of all altered or adulterated specimen or the substitution of a specimen by the applicant will result in a withdrawal of the employment offer.

ANY APPLICANT WHO IS UNWILLING TO AGREE TO THESE CONDITIONS SHOULD NOT APPLY FOR EMPLOYMENT WITH CARSON CITY SCHOOL DISTRICT

_____

Applicant's Signature

_____

Date

APPENDIX E

CARSON CITY SCHOOL DISTRICT

REASONABLE SUSPICION REPORT

When requesting a drug or alcohol test, Carson City School District's supervisory representative must complete this form.

1. Name: _____
2. Position: _____
3. Date of Incident: _____
4. Time of Incident: _____
5. State objective evidence of reasonable suspicion to believe an individual is in possession of, using or under the influence of drugs and/or alcohol (physical evidence should be retained and stored):
   _____
   _____
6. Protocol for requesting drug and alcohol testing:
   a. Attempt to have another trained Supervisor corroborate your observation.
   b. Contact the Alcohol and Drug Testing Program Manager (or designee) to review evidence and approve testing if appropriate.
7. Call the individual into an office, advise him or her of his or her rights of representation as provided in the applicable Negotiated Labor Agreement and the Weingarten Act (employee only), have the individual sign the Representation Rejection Form (see Appendix E) if representation is rejected. Then present the individual with accusation and evidence.
8. Individual's response (investigate, where appropriate): _____
   _____
   _____
9. Inform the individual of Carson City School District's Testing Program on drugs and alcohol.
10. Request the individual to submit to drug and alcohol testing:
    a. If the individual agrees, arrange for transportation of the employee and representative for sample collection.

b. If the individual refuses to submit to testing:
   1) Ask the individual for reason(s) why he or she refused to submit to drug and alcohol testing: Individuals Response:

      _____

      _____

   2) Inform the individual that Carson City School District's Testing Program requires the individual to consent to testing and that a refusal is grounds for disciplinary action in accordance with appropriate negotiated agreements and NRS 391.

   3) Again request the individual to consent to drug and alcohol testing.
      a) If the individual agrees, follow the procedure for collecting sample.
      b) A management team member will arrange transportation and accompany the individual to the collection site, stay in the waiting room until notified that the collection has been completed and then arrange transportation home for the individual. The individual may have a representative present with them if they choose in accordance with the provisions of the applicable Negotiated Labor Agreement.
      c) If the individual still refuses complete "Refusal to Test Form" (see Appendix G), inform the individual that he/she is on investigative Administrative Leave with pay pending the District's decision on the matter. Request the individual sign the refusal to test form.

11. After sample collection, inform the individual that he or she is on investigative Administrative Leave with pay (employees only) pending test results and Carson City School District's decision on the matter.

12. In cases where the individual is suspected of being under the influence of drugs and or alcohol, arrange transportation (i.e., taxi) home for the individual. If the individual refuses transportation, attempt to persuade the individual to change his/her mind. Do not detain or physically restrain the individual. In cases where the individual refuses transportation and the individual's condition suggests that the individual presents a potential or actual safety risk to themselves or other drivers, notify the police. Inform the individual that you intend to call the police unless the individual accepts transportation. Seek corroborating witnesses to verify the individuals refusal of transportation.

_____

Supervisor/Designee Date

_____

Alcohol and Drug Testing Program Manager/Designee Date

APPENDIX F

CARSON CITY SCHOOL DISTRICT

EMPLOYEE RESPONSE FORM

EMPLOYEE REPRESENTATION REJECTION

I have been advised of my right to representation in connection with a request that I submit to a drug and alcohol test, as set out in the negotiated collective bargaining agreement with the Carson City School District and as allowed by law (the Weingarten Act), and I have seen the evidence of reasonable suspicion giving rise to the request that I submit to such testing and I hereby knowingly and voluntarily reject my right to representation at this time.

_____

Employee's Signature

_____

Date

_____

Immediate Supervisor

_____

Date

_____

Alcohol and Drug Testing Program Manager/Designee

_____

Date

APPENDIX G

CARSON CITY SCHOOL DISTRICT

EMPLOYEE RESPONSE FORM

REFUSAL TO TEST

I acknowledge that Carson City School District has requested that I submit to drug and alcohol testing pursuant to its Drug and Alcohol Testing Program. I further understand that I have previously received a copy of the District's Drug and Alcohol Testing Program.

I understand that the testing is voluntary on my part, and that I may refuse to submit and that such refusal will be grounds for disciplinary action up to and including possible termination in accordance with the applicable Negotiated Labor Agreement and NRS 391.

With full knowledge of the foregoing, I hereby refuse to submit to drug and alcohol testing.

_____
Employee's Signature

_____
Date

_____
Immediate Supervisor

_____
Date

_____
Alcohol and Drug Testing Program Manager/Designee

_____
Date

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 409
CLASSIFIED STAFF

DISCIPLINARY ACTIONS

Upon the recommendation of the employee's supervisor or principal and with the concurrence of the Superintendent, any classified employee may be suspended, provided that such suspension serves to allow time to investigate an incident, which may be cause for dismissal.

The employee may be suspended with or without pay, depending on the circumstances relative to the suspension, as determined jointly by the supervisor or principal and the Superintendent.

Employees suspended without pay will not be permitted to use any accrued sick leave benefits while on suspension. No employee can accrue leave benefits while on suspension. Any employee so dismissed will have the right to an opportunity for a hearing with the principal or supervisor who recommends dismissal. Appeal from the decision of the said principal or supervisor may be taken to the Superintendent, whose decision shall be final.

Adopted: January 10, 1978
Revised: August 29, 1979

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 409
CLASSIFIED STAFF

DISCIPLINARY ACTIONS

A classified employee may be dismissed for reasons including, but not limited to, the following:

1. Inefficiency, incompetence, or negligence in the performance of assigned duties;
2. Insubordination, or failure to follow orders;
3. Conflict with other workers, fighting, quarreling, etc.;
4. Refusal to transfer;
5. Unauthorized absence, excessive absences or the abuse of leave, or tardiness;
6. Physical or mental incapacity which causes failure to perform the assigned work of the position;
7. Under the influence of alcohol or controlled substances while on duty;
8. Excessive use of alcohol or controlled substances while not on duty which impairs the employee's effectiveness while on duty;
9. Conviction of a felony, or a crime involving moral turpitude or the use or selling of narcotics;
10. Pilfering or stealing School District property;
11. Disgraceful or inappropriate conduct in a school or the community;
12. Activity, which is incompatible with the policies, rules and regulations adopted by the Board of School Trustees.

Any employee who is dismissed will have the right to a hearing with the administrator or supervisor who is responsible for the dismissal. Appeals may be taken to the Superintendent, whose decision is final.

Adopted: April 15, 1981
Amended: September 1, 1983

APPENDIX E

CARSON CITY SCHOOL DISTRICT

REASONABLE SUSPICION REPORT

When requesting a drug or alcohol test, Carson City School District's supervisory representative must complete this form.

1. Name: _____
2. Position: _____
3. Date of Incident: _____
4. Time of Incident: _____
5. State objective evidence of reasonable suspicion to believe an individual is in possession of, using or under the influence of drugs and/or alcohol (physical evidence should be retained and stored):
   _____
   _____
6. Protocol for requesting drug and alcohol testing:
   a. Attempt to have another trained Supervisor corroborate your observation.
   b. Contact the Alcohol and Drug Testing Program Manager (or designee) to review evidence and approve testing if appropriate.
7. Call the individual into an office, advise him or her of his or her rights of representation as provided in the applicable Negotiated Labor Agreement and the Weingarten Act (employee only), have the individual sign the Representation Rejection Form (see Appendix E) if representation is rejected. Then present the individual with accusation and evidence.
8. Individual's response (investigate, where appropriate): _____
   _____
   _____
9. Inform the individual of Carson City School District's Testing Program on drugs and alcohol.
10. Request the individual to submit to drug and alcohol testing:
    a. If the individual agrees, arrange for transportation of the employee and representative for sample collection.

b. If the individual refuses to submit to testing:
   1) Ask the individual for reason(s) why he or she refused to submit to drug and alcohol testing: Individuals Response:

      _____

      _____

   2) Inform the individual that Carson City School District's Testing Program requires the individual to consent to testing and that a refusal is grounds for disciplinary action in accordance with appropriate negotiated agreements and NRS 391.

   3) Again request the individual to consent to drug and alcohol testing.
      a) If the individual agrees, follow the procedure for collecting sample.
      b) A management team member will arrange transportation and accompany the individual to the collection site, stay in the waiting room until notified that the collection has been completed and then arrange transportation home for the individual. The individual may have a representative present with them if they choose in accordance with the provisions of the applicable Negotiated Labor Agreement.
      c) If the individual still refuses complete "Refusal to Test Form" (see Appendix G), inform the individual that he/she is on investigative Administrative Leave with pay pending the District's decision on the matter. Request the individual sign the refusal to test form.

11. After sample collection, inform the individual that he or she is on investigative Administrative Leave with pay (employees only) pending test results and Carson City School District's decision on the matter.

12. In cases where the individual is suspected of being under the influence of drugs and or alcohol, arrange transportation (i.e., taxi) home for the individual. If the individual refuses transportation, attempt to persuade the individual to change his/her mind. Do not detain or physically restrain the individual. In cases where the individual refuses transportation and the individual's condition suggests that the individual presents a potential or actual safety risk to themselves or other drivers, notify the police. Inform the individual that you intend to call the police unless the individual accepts transportation. Seek corroborating witnesses to verify the individuals refusal of transportation.

_____

Supervisor/Designee Date

_____

Alcohol and Drug Testing Program Manager/Designee Date

BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

POLICY No. 409
CLASSIFIED STAFF

DISCIPLINARY ACTIONS

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The employee may be suspended with or without pay, depending on the circumstances relative to the suspension, as determined jointly by the supervisor or principal and the Superintendent.

Employees suspended without pay will not be permitted to use any accrued sick leave benefits while on suspension. No employee can accrue leave benefits while on suspension. Any employee so dismissed will have the right to an opportunity for a hearing with the principal or supervisor who recommends dismissal. Appeal from the decision of the said principal or supervisor may be taken to the Superintendent, whose decision shall be final.

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BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT

REGULATION No. 409
CLASSIFIED STAFF

DISCIPLINARY ACTIONS

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1. Inefficiency, incompetence, or negligence in the performance of assigned duties;
2. Insubordination, or failure to follow orders;
3. Conflict with other workers, fighting, quarreling, etc.;
4. Refusal to transfer;
5. Unauthorized absence, excessive absences or the abuse of leave, or tardiness;
6. Physical or mental incapacity which causes failure to perform the assigned work of the position;
7. Under the influence of alcohol or controlled substances while on duty;
8. Excessive use of alcohol or controlled substances while not on duty which impairs the employee's effectiveness while on duty;
9. Conviction of a felony, or a crime involving moral turpitude or the use or selling of narcotics;
10. Pilfering or stealing School District property;
11. Disgraceful or inappropriate conduct in a school or the community;
12. Activity, which is incompatible with the policies, rules and regulations adopted by the Board of School Trustees.

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Adopted: April 15, 1981
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APPENDIX F

CARSON CITY SCHOOL DISTRICT

EMPLOYEE RESPONSE FORM

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_____

Employee's Signature

_____

Date

_____

Immediate Supervisor

_____

Date

_____

Alcohol and Drug Testing Program Manager/Designee

_____

Date

APPENDIX G

CARSON CITY SCHOOL DISTRICT

EMPLOYEE RESPONSE FORM

REFUSAL TO TEST

I acknowledge that Carson City School District has requested that I submit to drug and alcohol testing pursuant to its Drug and Alcohol Testing Program. I further understand that I have previously received a copy of the District's Drug and Alcohol Testing Program.

I understand that the testing is voluntary on my part, and that I may refuse to submit and that such refusal will be grounds for disciplinary action up to and including possible termination in accordance with the applicable Negotiated Labor Agreement and NRS 391.

With full knowledge of the foregoing, I hereby refuse to submit to drug and alcohol testing.

_____
Employee's Signature

_____
Date

_____
Immediate Supervisor

_____
Date

_____
Alcohol and Drug Testing Program Manager/Designee

_____
Date

In accordance with the "Anti-Drug Abuse Act" of 1988, the Carson City School District is providing the following list of counseling and rehabilitation services available to any employee with drug or alcohol problems. If any employee needs help in receiving services, please contact the School District Human Resources office at 283-2130.

COMMUNITY DRUG ABUSE SERVICES

RESIDENTIAL COUNSELING CENTERS

Carson Tahoe Regional Healthcare 445-8000
Veterans Administration Alcohol Dependence .....786-7200 or 888-838-6256

SELF-HELP GROUPS

Alanon 348-7103
Alcoholics Anonymous 355-1151
Narcotics Anonymous 883-5110
National Council on Alcoholism & Drug Dependence 1-800-622-2255

INFORMATION AND ASSISTANCE PHONE LINES

Carson Tahoe (Life Stress Services) 445-7350
Poison Control (Renown Medical Center) 982-5757
Suicide Prevention and Crisis Call Center 1-877-885-4673
Northern Nevada Adult Mental Health Services 688-2001
Join Together Northern Nevada (Reno) 324-7557
Horizon Health 1-888-482-2733