



POLICY AND PROCEDURE

Title:	Hate Crimes, Harassing Conduct and Bullying
Policy No.:	4.25
Department:	University of Nevada Northern Command Police Services
Contact:	University of Nevada Northern Command Police Services

Policy

A hate crime is defined in Nevada law as a crime listed under NRS 193.1675 or NRS 207.185 against another person which is motivated by virtue of the victim's actual or perceived race, religion, color, age, sex, sexual orientation, military status, disability, national origin, gender identity or expression, or genetic information. Hate crimes are particularly repugnant to the mission of the Nevada System of Higher Education (NSHE) and detrimental to the responsibility of NSHE to provide a safe environment for education, research and service for the NSHE community. (NSHE Title 4, Chapter 1, Section 32)

Harassment in Nevada law is defined under NRS 388.125 and means a willful act or course of conduct that is not otherwise authorized by law and is: 1. Highly offensive to a reasonable person; and 2. Intended to cause and actually causes another person to suffer serious emotional distress. The U.S. Dept. of Education advises that harassing conduct may take many forms, including verbal acts and name calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful or humiliating.

Bullying in Nevada law is defined under NRS 388.122 means a willful act or course of conduct on the part of one or more students which is not authorized by law, and which exposes a student 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 student to suffer harm or serious emotional distress. Under Nevada law this includes NRS 388.123 Cyber-bullying which is defined as bullying through the use of electronic communication. Bullying fosters a climate of fear and disrespect that can seriously impair the physical and psychological health of its victims and create conditions that negatively affect learning, thereby undermining the ability of students to achieve their full potential (U.S. Dept. of Education).

The Nevada System of Higher Education (NSHE) states the following in Board Policy Title 4, Chapter 8, Section 14. NSHE is committed to providing a place of work and learning free of discrimination on the basis of a person's age (40 or older), disability, whether actual or perceived by others (including service-connected disabilities), gender (including pregnancy related conditions), military status or military obligations, sexual orientation, gender identity or expression, genetic information, national origin, race (including hair texture and protected hairstyles such as natural hairstyles, afros, bantu knots, curls, braids, locks and twists), color, or religion (protected classes). Discrimination on the basis of a protected class, including unlawful harassment, which is a form of discrimination, is illegal under federal and state law. Where unlawful discrimination is found to have occurred, NSHE will act to stop the unlawful discrimination, to prevent its recurrence, to remedy its effects, and to discipline those responsible. No employee, student, or other member of the campus community, either in the workplace or in the academic environment, should be subject to unlawful discrimination. It is expected that students, faculty and staff will treat one another and campus visitors with respect.

Great Basin College subscribes to the dictates of Nevada law and NSHE regulations regarding hate crimes, harassment and bullying. The college has a zero-tolerance policy regarding crimes against members of the College

community. Great Basin College and NSHE support the Legislative declaration concerning safe and respectful learning as stated in NRS 388.312 where The Legislature declares that:

1. A learning environment that is safe and respectful is essential for the pupils enrolled in the public schools in this State to achieve academic success and meet this State's high academic standards;
2. Any form of harassment or intimidation in public schools seriously interferes with the ability of teachers to teach in the classroom and the ability of pupils to learn;
3. The intended goal of the Legislature is to ensure that:
 - (a) The public schools in this State provide a safe and respectful learning environment in which persons of differing beliefs, characteristics and backgrounds can realize their full academic and personal potential;
 - (b) All administrators, teachers, and other personnel of public schools in this State demonstrate appropriate behavior on the premises of any public school by treating other persons, including, without limitation, pupils, with civility and respect and by refusing to tolerate harassment or intimidation; and
 - (c) All persons in public schools are entitled to maintain their own beliefs and to respectfully disagree without resorting to violence, harassment, or intimidation; and
4. By declaring its goal that the public schools in this State provide a safe and respectful learning environment, the Legislature is not advocating or requiring the acceptance of differing beliefs in a manner that would inhibit the freedom of expression, but is requiring that pupils with differing beliefs be free from abuse and harassment.

Procedure

1.0 Emergency Procedure

If a student, staff member or faculty member is in immediate danger call 911. After phoning 911, the threatened person should contact the Center Director or in Elko the University of Nevada Northern Command Police Services. The GBC safety and security website provides the numbers to contact the center director or Elko campus University of Nevada Northern Command Police Services for immediate assistance and the designated emergency contact persons to report any type of problem or crime. The website is <http://www.gbcnv.edu/security/emergency.html>. All persons who believe they may be the victims of a hate crime, harassing conduct or bullying should first file a report then contact the Vice President of Academic and Student Affairs or if an employee the human resources office to discuss the incident and begin an internal campus investigation.

2.0 Reporting Hate Crimes, Harassing Conduct and Bullying

At Great Basin College hate crimes, harassing conduct and bullying like any other crime, should be reported by students or faculty or staff immediately. The safety and security website provides directions on how and when to report a crime including calling 911 to contact the police department or county sheriff to file a criminal report. It is the policy of the Great Basin College University of Nevada Northern Command Police Services that all major crimes including hate crimes strongly suggest a victim or witness file a report with them or the Center's local police department to file a complaint. A report must also be filed with your local GBC center director or directly with the office of the Vice President of Academic and Student Affairs.

3.0 Campus Administrative Procedures

Once the immediate situation has been handled and everyone is safe or if needed, has received medical attention, then the center director or Northern Command Police Services will contact the appropriate vice president. The vice president will then contact the college president. At Great Basin College the Vice President of Academic and Student Affairs is also the administrative officer and will begin campus administrative procedures in accordance with the Nevada System of Higher Education Code, Title 2, Chapter 6, Rules and Disciplinary procedures for faculty except DRI, and degree revocations. Chapter 10: Rules of Conduct and Procedures for students of the Nevada System of Higher Education. State of Nevada Employee Handbook, Department of Administration NAC 284.646-284.650.

4.0 Crime Investigation

The University of Nevada Northern Command Police Services or the center director will be the direct contact for the local police agency investigating the crime. Based on the exact situation and the decision by the victim regarding filing a criminal complaint the University of Nevada Northern Command Police Services may assist the police agency in their investigation or assist the administrative officer as directed, to conduct the internal investigation The investigation shall be prompt, thorough, impartial, and equitable and resolution of complaints and shall identify the

appropriate management level with final decision-making authority. The person filing the complaint and the person who is the subject of the complaint have equal rights to be interviewed, identify witnesses, and provide documentation pertaining to the complaint and if an appeal is provided, to appeal the decision.

Great Basin College will comply with the NSHE Standard of Review as stated in Title 4, Chapter 8. The standard for evaluating complaints shall be a preponderance of the evidence (i.e., the evidence establishes that it is more likely than not that the prohibited conduct occurred).

5.0 Victim Support

Support and assistance will be offered to the victim of any crime and all persons will be strongly encouraged to follow through with their criminal complaint. The NSHE recognizes that confidentiality is important. However, confidentiality cannot be guaranteed. Examples of situations where confidentiality cannot be maintained include, but are not limited to, necessary disclosures during an investigation, circumstances where the NSHE is required by law to disclose information (such as in response to legal process), or when an individual is in harm's way.

6.0 Further Information

Should any member of the campus community have questions, the Great Basin College general catalog clearly states the NSHE and GBC conduct policies. This includes what is considered misconduct under NSHE Code Title 2, Chapter 6 Rules and Disciplinary Procedures for Faculty except DRI. NSHE Code Title 2, Chapter 10 Rules of Conduct and Procedures for Students. NSHE Code Title 4 Chapter 8 Student Recruitment and Retention Policy Equal Employment Opportunity Policy and Affirmative Action Program for NSHE. This includes any act prohibited by local, state or federal law that occurs on System premises or at a System-sponsored function on or off such premises. The GBC hate crimes, harassment and bullying policy can be reviewed at the GBC safety and security website, which provides directions on how and when to report a crime. Any person having concerns regarding possible hate crimes, harassment or bullying or actions to themselves or others should contact the University of Nevada Northern Command Police Services to discuss their concerns, or the office of the Vice President of Academic and Student Affairs or the human resources office.

7.0 Training

The University of Nevada Northern Command Police Services will include hate crime, harassment and bullying prevention training (recognition, a response and reporting) within the campus safety and public building safety training programs. These programs are offered upon request to all students, faculty and staff. These topics are included in the yearly required online training on sexual harassment and other types of unlawful harassment for all employees. The Housing director also explains and discusses hate crime, harassment and bullying prevention and violation consequences during the mandatory training for housing students at the beginning of the school year. Hate crime, harassment and bullying prevention will be included in the college catalog and the GBC student handbook which is used for new student orientation.

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Contact the assistant to the president for any questions, corrections, or additions.