

PREVENTION OF SEXUAL MISCONDUCT TOWARD STUDENTS

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

A person who:

- (a) Is 21 years of age or older;
- (b) Is or was employed in a position of authority or is or was volunteering in a position of authority at a Nye County public school; and
- (c) Engages in sexual conduct with a pupil who is 16 or 17 years of age and:
 - (1) Who is or was enrolled in or attending the school at which the person is or was employed or volunteering; or
 - (2) With whom the person has had contact in the course of performing his/her duties as an employee or volunteer,

Is guilty of a category C felony.

A person who:

- (a) Is 21 years of age or older;
- (b) Is or was employed in a position of authority or is or was volunteering in a position of authority at a Nye County public school; and
- (c) Engages in sexual conduct with a pupil who is 14 or 15 years of age and:
 - (1) Who is or was enrolled in or attending the public school at which the person is or was employed or volunteering; or
 - (2) With whom the person has had contact in the course of performing his/her duties as an employee or volunteer,

Is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

State law defines a position of authority as:

- A teacher or instructor;
- An administrator;
- A head or assistant coach; or
- A teacher's aide or an auxiliary, nonprofessional employee who assists licensed personnel in the instruction or supervision of pupils pursuant to NRS 391.100.

Reviewed: September 15, 2015
Adopted: February 26, 2003
Revised: October 27, 2015

NEPN/NSBA Classification: ACA/ACG, GBAA, JBA

Legal Reference: NRS 193.130, 200.366, 200.368, 201.195, 201.230, 201.540, 201.560,
391.100 & 391.311