

HATE-MOTIVATED BEHAVIOR

The Board of Trustees affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

- (cf. 0410 - Nondiscrimination in District Programs and Activities)*
- (cf. 0450 - Comprehensive Safety Plan)*
- (cf. 3515.4 - Recovery for Property Loss or Damage)*
- (cf. 5131.5 - Vandalism, Theft and Graffiti)*
- (cf. 5136 - Gangs)*
- (cf. 5137 - Positive School Climate)*
- (cf. 5145.3 - Nondiscrimination/Harassment)*
- (cf. 5145.7 - Sexual Harassment)*
- (cf. 6141.6 - Multicultural Education)*

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

- (cf. 1312.1 - Complaints Concerning District Employees)*
- (cf. 1312.3 - Uniform Complaint Procedures)*

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

- (cf. 3515.3 - District Police/Security Department)*
- (cf. 4158/4258/4358 - Employee Security)*
- (cf. 5144 - Discipline)*
- (cf. 5144.1 - Suspension and Expulsion/Due Process)*
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

In addition, the district shall provide counseling and appropriate sensitivity training and diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

- (cf. 6164.2 - Guidance/Counseling Services)*

The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

HATE-MOTIVATED BEHAVIOR (continued)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.

At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate-motivated behavior.

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination on the basis of sex*

48900.3 *Suspension for hate violence*

PENAL CODE

186.21 *Street terrorism; legislative findings and declarations*

422.55-422.86 *Hate Crimes*

11410-11414 *Terrorism*

13023 *Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability*

13519.6 *Hate crimes, training courses and guidelines*

UNITED STATES CODE, TITLE 18

245 *Federally protected activities*

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Board of Trustees Strategies to Combat School Violence, 1995

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF EDUCATION

PUBLICATIONS

Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators, Law Enforcement and Communities, 1997

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

WEB SITES

CDE: <http://www.cde.ca.gov>

California Association of Human Relations Organizations: <http://www.cahro.org>

United States Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR/index.html>