

Policy 5145.9: Hate-Motivated Behavior

Status: ADOPTED

Original Adopted Date: 01/23/2013 | **Last Revised Date:** 03/1/2023 | **Last Reviewed Date:** 03/01/2023

In order

~~The Governing Board is committed to create~~providing a respectful, inclusive, and safe learning environment for all that protects students, the Governing Board desires to protect the right of every student to be free from hate-discrimination, harassment, intimidation, bullying, or any other type of behavior that is motivated behavior and will by hate.

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

~~The Superintendent Chief Learning Officer or designee shall design strategies to promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights, prevent incidents of hate-motivated behavior to the extent possible, and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.~~

~~(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 and Graffiti)~~

~~(cf. 5136 – Gangs)~~

~~(cf. 5137 – Positive School Climate)~~

~~(cf. 5141.52 – Suicide Prevention)~~

~~(cf. 5145.3 – Nondiscrimination/Harassment)~~

~~(cf. 5147 – Dropout Prevention)~~

~~(cf. 5149 – At-Risk Students)~~

~~The Superintendent Chief Learning Officer~~ address such incidents in a timely manner when they occur.

The Superintendent Chief Learning Officer or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Thesean environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall be focused on providing an efficient usefocus on the development of effective prevention strategies and response plans, provision of districtassistance to students affected by hate-motivated behavior, and community resources.

~~(cf. 1020 - Youth Services)~~

~~(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)~~

~~(cf. 1700 - Relations Between Private Industry and the Schools)~~

~~(cf. 5148.2 - Before/After School Programs)~~

~~(cf. 5148.3 - Preschool/Early Childhood Education)~~

~~(cf. 6020 - Parent Involvement)~~

/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction to help promotethat:

1. 1. Includes the development of social-emotional learning
2. Promotes an understanding of, awareness, appreciation, and respect for human rights, human relations, diversity, and toleranceacceptance in a multicultural society and to provide
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively.

~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~

~~(cf. 6142.3 - Civic Education)~~

~~(cf. 6142.4 - Service Learning/Community Service Classes)~~

~~(cf. 6141.94 - History Social Science Instruction)~~

The Superintendent Chief Learning Officer or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

Grievance Procedures

~~Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/Principal. Upon receiving such a complaint, the Coordinator/Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.~~

~~(cf. 1312.1 - Complaints Concerning District Employees)~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~(cf. 5131 - Conduct)~~

~~(cf. 5144 - Discipline)~~

~~(cf. 5144.1 - Suspension and Expulsion/Due Process)~~

~~(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~

~~(cf. 5145.7 - Sexual Harassment)~~

~~Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent Chief Learning Officer or designee, and/or law enforcement, as appropriate.~~

~~(cf. 3515.3 - District Police/Security Department)~~

~~(cf. 4158/4258/4358 - Employee Security)~~

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent Chief Learning Officer or designee shall provide staff with training that:

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

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1. Promotes an understanding of diversity, equity, and inclusion
 2. Discourages the development of discriminatory attitudes and practices
 3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
 4. Supports the prevention, recognition, and response to hate-motivated behavior

5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior

6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's web site in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

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