

HATE-MOTIVATED BEHAVIOR

~~In order to create~~ **The Governing Board is committed to providing** a safe learning environment ~~for all that protects~~ students, ~~the Governing Board desires to protect the right of every student to be free~~ from ~~hate-motivated behavior~~ **discrimination, harassment, intimidation, bullying,** and ~~will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights 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~~ **other behavior motivated by a person's hostility towards another person's real or perceived** ~~race, ethnicity, culture, heritage, national origin,~~ **immigrant status, sex, gender, sex,** sexual orientation, ~~physical/mental attributes, or~~ **religious beliefs** belief, age, disability, or any other physical or cultural characteristic. The Superintendent or ~~practices~~ **designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.**

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(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~~ 5145.7 - Sexual Harassment)

(~~cf. 5149 - At Risk Students~~)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. ~~These~~ **Such collaborative** efforts shall ~~be focused~~ **focus on providing** ~~ensuring~~ an efficient use of district and community resources, **developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.**

(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~~)

The district shall provide **students with** age-appropriate instruction ~~to help promote an~~ **that includes the development of social-emotional learning, promotes their** understanding of and respect for human rights, diversity, and ~~tolerance~~ **acceptance** in a multicultural society, and ~~to provide~~ **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~~6142.94 - History-Social Science Instruction)

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.

(cf. 6164.2 - Guidance/Counseling Services)

BP 5145.9(b)

HATE-MOTIVATED BEHAVIOR (continued)

The Superintendent or designee shall ensure that **the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.**

The Superintendent or designee shall provide staff ~~receive with~~ training on recognizing and preventing hate-motivated behavior and on ~~strategies to help respond appropriately to such behavior~~effectively enforcing rules for appropriate student conduct.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

~~Grievance Procedures~~ Complaint Process

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~~Any~~ student or parent/guardian who believes ~~he/she~~**the student** is a victim of hate-motivated behavior **is strongly encouraged to report the incident to a teacher, the principal, or other staff member.**

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 ~~Principal. Upon receiving such a complaint, the Principal~~ principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)

~~(cf. 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~~
11 - Questioning and Apprehension by Law Enforcement)

Any complaint of hate-motivated behavior shall be ~~subject to discipline~~investigated and, if determined to be discriminatory, shall be resolved in accordance with law, ~~Board policy,~~

~~and administrative regulation~~ and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. 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.

(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.~~

Legal Reference: (see next page)

~~BP 5145.7 - Sexual Harassment~~9(c)

~~Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Principal, Superintendent 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.~~

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

HATE-MOTIVATED BEHAVIOR (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-~~4687~~4670 Uniform ~~Complaint Procedures~~complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX
110.25 Prohibition of discrimination based on age

Management Resources:

~~CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES PUBLICATIONS~~
~~California Student Safety and Violence Prevention—Laws and Regulations, April 2004~~

~~*Bullying at School, 2003*~~

~~CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS~~

~~*Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018*~~

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

~~Protecting Students from Dear Colleague Letter: Harassment and Hate Crime: A Guide for Schools, 1999~~
~~*Bullying, October 2010*~~

~~U.S. DEPARTMENT OF JUSTICE PUBLICATIONS~~

~~Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997~~

~~*Dear Colleague Letter: Prohibited Disability Harassment, July 2000*~~

~~WEB SITES~~

~~CSBA: <http://www.csba.org>~~

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

~~California Department of Education: <http://www.cde.ca.gov>~~

~~National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>~~

~~California Office of the Attorney General: <http://oag.ca.gov>~~

~~U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>~~

~~U.S. Department of Justice, Community Relations Service: <http://www.usdojjustice.gov/ers>~~

~~<https://www.usdojjustice.gov/ers>~~

PERRIS UNION HIGH SCHOOL DISTRICT
Perris, California

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