

## **Students**

### **HATE-MOTIVATED BEHAVIOR**

The Governing Board 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, actual or perceived 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 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 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)*

**Students**

**HATE-MOTIVATED BEHAVIOR** (continued)

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.

*(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 Prohibition of discrimination on the basis of sex*

*33025 Hate violence defined*

*48900.3 Suspension for hate violence*

**PENAL CODE**

*186.21 Street terrorism; legislative findings and declarations*

*422.6-422.95 Civil Rights*

*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: Governing Board 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>*