

**HATE-MOTIVATED BEHAVIOR**

The Governing Board is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or 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, Theft and Graffiti)*

*(cf. 5136 - Gangs)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5141.52 – Suicide Prevention)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on 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/r education 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)*

The District shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and 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. 6142.94 – History-Social Science Instruction)*

## **HATE-MOTIVATED BEHAVIOR** (continued)

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

### **Complaint Process**

A student or parent/guardian who believes 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 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. 5145.11 – Questions and Apprehension by Law Enforcement)*

Any complain 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. 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. 51414 – Discipline)*

*(cf. 5144.1 – Suspension and Expulsion/Due Process)*

*(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))*

*Legal Reference: (see next page)*

*Legal Reference:*

EDUCATION CODE

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

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*

UNITED STATES CODE, TITLE 5

4600-4670 *Uniform Complaint Procedures*

4900-4965 *Nondiscrimination in elementary and secondary education programs*

*CODE OF FEDERAL REGULATIONS, TITEL 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:*

CSBA PUBLICATIONS

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*

*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 PUBLICATIONS*

*Dear Colleague Letter: Harassment and Bullying, October 2010*

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

WEB SITES

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

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

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>

U.S. Department of Justice: <http://www.justice.gov>

Policy  
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**MOUNTAIN UNION ELEMENTARY SCHOOL DISTRICT**  
Montgomery Creek, California