

## **HATE-MOTIVATED BEHAVIOR**

In order to create a safe learning environment for all students, the Board of Trustees desires to protect the right of every student to be free from hate-motivated behavior 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 or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

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

### **Grievance Procedures**

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Principal. Upon receiving such a complaint, the 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.

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.

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.

*Legal Reference: (see next page)*

*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 Uniform Complaint Procedures*

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

Policy  
adopted: March 21, 2013

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California