



Responding to Hate Protocol

– Mount Pleasant Elementary School District

3434 Marten Ave.
San Jose, CA 95148



from the Superintendent and Board of Trustees

The Governing Board believes in the founding principle of democracy, that all are created equal, that all have the right life, liberty, and the pursuit of happiness. We believe that educational environment that should and will be free of hate, discrimination, and prejudice that is a result of any real or perceived characteristic, such as race, color, creed, immigration status, gender, gender identity, sexual orientation, disability or any other reason. The Board will not tolerate any act of intolerance or hate and will use all its' power and abilities to protect the students, staff, and community from those acts.

Goals

1. To identify and establish protocols for school and district administrators to respond to issues of hate and bias at school.
2. Identifying and supporting school staff and administrators to create a school culture to prevent hate and bias issues on school grounds.

The Protocol is divided into four sections:


I. Before a Crisis Occurs

- A. Frequently assess the schools' climate to defuse tensions, prevent escalation and prevent problems from escalation
- B. Prevention Activities
- C. Train Staff and Administration
- D. Involve Community

II. When There is a Crisis

- A. Address all 9 key points when responding to a hate or bias crisis in our schools.

III. After the Worst is Over

- 
- A. Address long-term planning and capacity building
- IV. Protocol Forms to Guide the Process, Document & Assess Response

Before a Crisis Occurs

Assessing and Evaluating School Culture and Climate

School climate refers to the school's effects on students, including teaching practices; diversity; and the relationships among administrators, teachers, parents, and students.


School culture refers to the way teachers and other staff members work together and the set of beliefs, values, and assumptions they share. A positive school climate and school culture promote students' ability to learn.

Needs Assessment

Assessing, evaluating, and responding to areas of need to improve school culture and climate may help prevent hate and bias problems from escalating. Therefore, everyday acts of intolerance such as: “name-calling, slurs, sexual harassment, casual putdowns regarding race, ethnicity, gender, size, abilities, perceived sexual orientation or gender identification. The bias might come in the form of clothing—certain colors or styles— or music or symbols associated with hate groups. Growing intolerance can also be found online, posted [or social media]. Or it might be subtle, a hushed rumor texted like a whisper, phone to phone, person to person.” (Teaching Tolerance, p. 6)

The district and schools will monitor and address issues of intolerance in the following ways:

- Gathering feedback from parents, students, and teachers through surveys.
 - California Healthy Kids Survey (CHKS)-WestEd
 - California School Staff Survey (CSSS)-WestEd
 - California School Parent Survey (CSPS)-WestEd
 - Anonymous communication for students, parents, staff and community members (we will explore the Sandy Hook Anonymous Promise Hotline):
 - https://www.sandyhookpromise.org/anonymous_reporting_system
- Positive Behavior Interventions and Supports (PBIS)
- Student Discipline Data



Once needs are identified through the assessment process the School Climate Team, including parents and students when appropriate, will develop strategies designed to address the needs identified.

Prevention Efforts

Schools should develop and implement strategies designed to prevent and reduce the spread of hate crimes and hate-motivated behavior. Strategies such as those included below should be included:

- Providing community awareness and education regarding hate crimes and hate-motivated incidents
- Building partnerships with community organizations prior to an incident occurring
- Cooperating with law enforcement intelligence networks to better anticipate potential targets for hate crimes
- Cooperation with local high school to identify trends in community
- Community forums to gather feedback on Hate Response Protocol
- Designating specific personnel responsible for training and monitoring implementation of Protocol
- Educating the community about reporting procedures, legal proceedings, victim's rights and victim assistance programs
- Encourage awareness, tolerance and celebration of different classes such as, race, ethnicity, culture, sexual orientation, gender, and religion.
- Incorporate instruction on different protected classes contributions and perspectives with the intent to understand and respect different contributions and perspectives.

Staff Development

The Hate Response Protocol will be reviewed with school staff annually. Staff Development will include information on identifying a hate crime, hate incident and bias motivated behavior reviewing the District code of conduct, District Policy and staff responsibilities. Staff responsibilities in recognizing and responding to hate incidents will be reviewed. All staff should be vigilant to notice and quickly address any acts of intolerance. Staff will review consequences and restorative practices to understand how hate motivated actions impact others.



District Administrative Staff will review the Hate Response Protocol and the Protocol will be included in the District's Comprehensive Safe School Plan to be reviewed and updated annually.

Community Input & Communication

Community input on the Protocol and concerns related to hate motivated behavior in the school community will be collected through Superintendent Forums.

Principals will inform staff, parents and students of prevention and intervention efforts through; staff meetings, coffee with the principal, PTA and School Site Council meetings.

When There is a Crisis

Identify what happened- Document Incident

Identify if Incident is hate-motivated

- **Is it a hate crime?**
 - “For that to be the case, two things are necessary. First, a crime has to have occurred—vandalism, physical assault, arson and so on. Second, the crime must be motivated, in whole or in part, by bias, and the targeted individual or group must be listed in the statutes as a protected class.

 - Federally protected classes are race, religion, ethnicity, nationality, gender, sexual orientation, gender identity, and disability. State and locally protected classes vary. “ (Teaching Tolerance, p.15) According to California penal code 422.55, a “Hate crime” means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: (1) Disability (2) Gender.(3) Nationality.(4) Race or ethnicity.(5) Religion.(6) Sexual orientation.(7) Association with a person or group with one or more of these actual or perceived characteristics.

 - While not identified in the law under a Hate Crime the following classes are also protected under California law; based on the person's actual or perceived characteristics of color, ancestry, national origin, immigration status, ethnic group identification, age, marital status, pregnancy, parental status, physical or mental disability, sex, 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, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610), and should be considered when responding to an incident.

- Is it a bias (hate) incident of harassment or intimidation?

A bias is a tendency, inclination, or prejudice toward or against something or someone usually based on an individual or group's characteristics. Biases are often based on negative stereotypes.

Harassment is "the act of systematic and/or continued unwanted and annoying actions by an individual or a group, including threats and demands towards another individual or group. Harassment is commonly understood as behavior that demeans, humiliates or embarrasses a person or group. In the legal sense, these are behaviors that appear to be disturbing, upsetting or threatening." It may be one significant incident or a pattern of behavior.

Intimidation consists of behavior or acts intended to make an individual or group, fearful, feel less than, or deter from some action by inducing fear.

Bias (hate) incidents are similarly motivated but lack the elements of damage to property, harm – or the immediate threat of harm- or violence.

Assess the Impact How has the school's climate been damaged?

Identify the steps that need to be taken to repair and improve the climate, consider the following nine steps recommended by Teaching Tolerance:

- Put safety first
- Denounce the act
- Investigate
- Involve others
- Work with the media
- Provide accurate information-and dispel misinformation
- Support targeted students or staff
- Seek justice, avoid blame
- Promote healing



Put Safety First

When a hate crime is occurring during school hours, the administration will follow school policies and procedures in regards to:

- Intruder(s) on campus - call a
 - Shelter in Place or
 - Intruder- Run-Hide-Defend;
- Call San Jose Police Department; (911)
- Inform the Superintendent's Office.
- Change radios to district channel for communication

When a hate crime or bias incident has occurred before or after school hours, the administration will follow school policies and procedures in regards to:

- Determine if a hate crime or bias incident has occurred
- Call San Jose Police Department (911)
- Inform the Superintendent's Office
- Collect physical evidence, take Pictures if appropriate,
- Identify any possible witnesses
- Follow Protocol steps for response



Denounce the Act

When a hate crime has occurred, the administration will denounce it in the following manner:

- A written communication/denunciation of the incident will be sent to students, district staff, parents and guardians.
- The denunciation will focus on the following three points:
 - Stating the facts of the incident,
 - Stating that an investigation is underway,
 - Affirming the District's stand on inclusion and denouncing the hate crime or biased act.
- The communication will come from the Superintendent's Office



Investigate

During the investigation phase, the administration will:

- Be knowledgeable of school policies and legal protocols in order to discuss with law enforcement and legal counsel.
- Inform the school community that an investigation is underway and that police officers may be on campus.
- Provide a timeframe for the investigation.
- Perform an investigation immediately in a confidential area.
- Work collaboratively with law enforcement.
- Interview as many witnesses as possible.
- Review security camera video and secure it.
- Provide any physical evidence, photos or surveillance video to law enforcement
- Determine if the incident is part of a pattern of incidents or an isolated incident
- If possible, create a way for witnesses to remain anonymous.



Involve Others

The administration will consider involving the following groups:

Direct Connections

- Faculty and staff
- Students
- Parents and Guardians
- School district Administrators
- Governing Board
- Community members

Indirect Connections

- Government entities
- Community based organizations
- Nonprofits and civic groups
- Faith groups
- Mental health counselors
- Elected officials



Work with the Media

The district's Public Information Officer will work with the media directly and will keep in mind the following points:

- State what has happened.
- Denounce the hateful incident.
- Indicate where the District is in the investigation (early, partway through, nearly done).
- State what steps the school or district is taking in its response to the incident (setting up counseling teams for students and staff, creating an incident response team to investigate the incident).
- Describe supports that already exist in the school.
- Indicate clearly that there is need for more work to be done.
- Remind people that District is an educational institution, well-positioned to raise awareness and increase understanding around the issues raised by the hateful incident.
- State that discipline will be handled in a manner appropriate to the offense, based on school policy and local laws.
- Focus on positive steps the District plans to take rather than on punitive measures against perpetrators.



Provide Accurate Information and Dispel Misinformation

The District will provide accurate information and dispel misinformation as it appears in the various media outlets. In addition, the district will keep a fact sheet regarding the incident.



Support Targeted Individuals or Groups

The District will support victims of a hate crime or bias incident by providing physical safety, denouncing the act and following with appropriate consequences for perpetrators. The following five points will also be considered:

- Not putting victims on the spot.
- Not taking offense if the victims feel that the administration is not doing enough.
- Not making announcements that may reinjure the victim.
- Apologize on behalf of the school community.
- Be sensitive to privacy concerns.



Seek Justice, Avoid Blame

Appropriate action will be taken with an identified offender or group. If the incident is a crime, law enforcement will address it. If the incident is bias driven, school district policy will guide the process.



Promote Healing

The administration will work with the school community to promote healing as the crisis diminishes by having school wide events. The school community will help develop appropriate activities to promote healing in the community.



After the Worst is Over

After dealing with a hate crime or biased incident, the administration and school community will work on the following questions through meetings or surveys:

- What worked well?
- Where are opportunities for improvement?
- What resources did we have, and how did we use them?
- What resources did we lack, and how might we introduce and use new resources in the future?

After gathering the information above, the district will work on planning the long term and capacity building.



Guiding Process & Documentation Forms



1 Responding to Hate & Bias at School: Hate Protocol

The following protocol is for the school Principal to use to respond to a Hate Crime or Bias Incident at School.

Principal or Designee Completing Forms _____

Annual Date Protocol Reviewed with School Climate Team _____

Annual Date Policies & Protocol Reviewed with staff _____

Checklist:

- School Climate Team identified (BEST/PBIS)
- Resources Identified
- Code of Conduct- Positive Behavior Expectations reviewed with staff
- Code of Conduct – Positive Behavior Expectations reviewed with students
- Code of Conduct- Positive Behavior Expectations included in District communication (Handbook)
- School Climate Data reviewed with Team
- School Climate goals identified
- Professional Development for Staff
- Review Hate Response Protocol as part of Comprehensive Safe School Plan review process
- Develop prevention activities with staff


1**Before a Crisis Occurs****Worksheet 1 - School Climate Team****SCHOOL CLIMATE TEAM- (BEST/PBIS Team)****Who will manage incident response on campus?**

Name: _____ Position: _____

Phone: _____ Email: _____

Who will manage incident response for the district?

Name: _____ Position: _____

Phone: _____ Email: _____

Who will communicate about incidents?

Name: _____ Position: _____

Phone: _____ Email: _____

Other Incident Response Team Members:

Name: _____ Position: _____

Phone: _____ Email: _____

Name: _____ Position: _____

Phone: _____ Email: _____

Name: _____ Position: _____

Phone: _____ Email: _____

Name: _____ Position: _____



Phone: _____ Email: _____

PTA /PTSA

Name: _____ Phone: _____

San Jose Police Dept/ Community Officer

Name: _____ Phone: _____

Santa Clara County Office of Education

Name: _____ Phone: _____

Faith Community

Name: _____ Phone: _____

Community Based Organization(s)

Name: _____ Phone: _____

Name: _____ Phone: _____

Other Local Service Providers

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

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Before a Crisis Occurs

Worksheet 2- Our Policies

The District Policy on addressing Hate and Bias incident was last revised on:

November 14, 2018

Campus Code of Conduct (What school structures promote positive conduct?): Current examples(Review 3 B's with students and staff, Be Respectful, Be Responsible and Be Safe, Implement PBIS- Review positive clear expectations of behavior with students three times per year, Praise/reward Positive Behavior, review Anti-Bullying Plan with staff annually, review Code of Conduct and Civility Policy with Staff annually, Maintain zero tolerance practices that are restorative practices rather than punitive), Other school structures? Prevention activities?

Locate the following

- District Policy on addressing Hate & bias incidents (Hate Crime Policy/ Uniform Complaint Procedures, Harassment, Bullying Prevention, Gang Policy, Civility Policy)
- Relevant administrative regulations or other prevailing policies


1**BEFORE A CRISIS OCCURS****Worksheet 3 What is the Climate of our School****What is the Climate of Our School?**

School climate survey used (attach results): _____

Date deployed: _____

Participation rate: _____

Where are our "hot spots" on campus? _____

_____**What is the capacity of our staff to handle bias and hate incidents?**

Professional development provided on diversity-related topics:

Date: _____ Provider: _____

Staff present: _____

_____Content overview: _____



Professional development on district policies and expectations on responding to hate and bias:

Date: _____ Provider: _____

Staff present: _____

Content overview: _____

Other types of relevant training:

Date: _____ Provider: _____

Staff present: _____

Content overview: _____

1 BEFORE A CRISIS OCCURS

Worksheet 4 - Preparation Checklist



Review Incident Response Protocol



Create communication plan- Who to contact, when, review



Provide staff development & review with certificated & classified staff
positive behavior expectations



Gather Community input



Review and revise Hate Response Protocol as part of annual
Comprehensive Safe School Plan Revision

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WHEN THERE'S A CRISIS

Checklist - When Incident Occurs

Principal or Designee Completing Forms _____

Date of Incident: _____

- Determine if incident may be a Hate Crime (using criteria)
- File Report San Jose Police Department (SJPD) Case # _____
- Contact Superintendent's Office
- Complete Incident report forms
- Work Collaboratively with SJPD on investigation
- Complete Internal Investigation
- Gather witness statements if appropriate
- If graffiti/vandalism- collect photos and video of graffiti and cover (tape over/paint over) consistent with SJPD directives and District Policy to prevent further injury
- Superintendent's Office to develop public communication/denunciation to school community
- Assess the impact- (Hostile Environment, threat to safety, student/staff ability to be at school impacted, ability to participate impacted)
- Communication sent to school community, district staff and other parties
- Superintendent/Designee & Principal develop Incident Response Plan for school site
- Actions planned to support those most affected
- Apologize on behalf of the school community
- Planned action to address needs of witnesses & bystanders
- Planned remediation for perpetrators
- Plan established for healing the school community
- Hold meeting to discuss Incident and Action Plan with affected parties and school community and plan, next steps

After Incident (within one week of incident)

- Review District response with school community- collect data for improvement plan

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WHEN THERE'S A CRISIS

Determine if a Hate Crime or bias related Incident may have occurred:

Is it a Hate Crime?

___ Did a crime occur (vandalism, physical assault, arson, harassment, bullying, serious threats, etc.)

___ Was the crime motivated, in whole or in part, by bias, and the targeted individual or group must be listed in the statutes as a protected class.

- Federally protected classes: race, religion, ethnicity, nationality, gender, sexual orientation, gender identity, and disability.
- California penal code 422.55, protected classes, "because of one or more of the following actual or perceived characteristics of the victim: (1) Disability (2) Gender.(3) Nationality.(4) Race or ethnicity.(5) Religion.(6) Sexual orientation.(7) Association with a person or group with one or more of these actual or perceived characteristics."
- *While not identified in the law under a Hate Crime the following classes are also protected from harassment and discrimination under California law; based on the person's actual or perceived characteristics of color, ancestry, national origin, immigration status, ethnic group identification, age, marital status, pregnancy, parental status, physical or mental disability, sex, 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, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610), and should be considered when responding to an incident.*

___ Is it a bias incident of harassment or intimidation?

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Harassment is "the act of systematic and/or continued unwanted and annoying actions by an individual or a group, including threats and demands. Harassment is commonly understood as behavior that demeans, humiliates or embarrasses a person or group, In the legal sense, these are behaviors that appear to be disturbing, upsetting or threatening."

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WHEN THERE'S A CRISIS

Worksheet 1 - Incident Report

Date: _____ Time: _____ Location: _____

Persons Directly Involved in the Incident

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

Witnesses

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

Name: _____ Position (e.g., student, staff, parent): _____

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WHEN THERE'S A CRISIS

CRITICAL INCIDENT DESCRIPTION:

Gather information on the Incident

Was the incident violent? _____

Was property damaged? _____

When and to whom was this event initially reported? _____

Were any steps taken to address the incident? If so, when were these steps taken? _____

What was the outcome? _____

Was anything about this incident communicated to other students or parents? If so, what and by whom? _____

Were victims identified? _____

Were perpetrators identified? _____

Does this incident fall under school discipline? _____

Has this incident reached the threat level? _____

Is there evidence that this incident is part of a larger pattern of bullying or bias (other incidents, vandalism or history of behavior)? _____

Have there been subsequent incidents? If so, please describe in detail. _____

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WHEN THERE'S A CRISIS

Worksheet 3 – Incident Response Plan

INCIDENT RESPONSE PLAN

Planned actions to support those most affected by the incident: _____

School support and community resources needed to implement this plan:

Planned remediation for the perpetrators of the incident: _____

School support and community resources needed to implement this plan: _____

Planned actions to address the needs of witnesses and bystanders: _____

School support and community resources needed to implement this plan: _____

Who is responsible for ensuring follow through on these actions?

Name: Position: _____

Phone: Email: _____

Is there a timetable for completing these actions? If so, describe. _____

Who will communicate with parents and update other stakeholders as necessary?

Name: Position: _____

Phone: Email _____

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WHEN THERE'S A CRISIS

Worksheet 1- After the Worst is Over Survey School Community (Climate Team, Staff)

INCIDENT RESOLUTION EVALUATION

Did we implement our plan effectively?

No Mostly No Neither Yes or No Mostly Yes Yes

Did our incident response team have the right personnel and resources to effectively manage the incident?

No Mostly No Neither Yes or No Mostly Yes Yes

Was the victim(s) adequately supported/ Harm repaired?

No Mostly No Neither Yes or No Mostly Yes Yes

Was the school staff appropriately prepared to respond to the incident?

No Mostly No Neither Yes or No Mostly Yes Yes

Was our communication plan sufficient?

No Mostly No Neither Yes or No Mostly Yes Yes

Were our campus communities prepared to respond to the critical incident?

No Mostly No Neither yes or No Mostly Yes Yes

Did we make effective use of our parent and community allies?

No Mostly No Neither Yes or No Mostly Yes Yes

Was our code of conduct effective in addressing student behavior related to the incident?

No Mostly No Neither Yes or No Mostly Yes Yes