

**CASCADE UNION ELEMENTARY SCHOOL DISTRICT  
MASTER BOARD POLICIES AND ADMINISTRATIVE REGULATIONS**

**HATE MOTIVATED BEHAVIOR**

**BP 5145.6**

**STUDENTS**

The Governing Board is committed to providing a respectful, inclusive, and safe learning environment that protects students from discrimination, harassment, intimidation, bullying, or any other type of behavior that is motivated by hate.

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, 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.

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 in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

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.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

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Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's web site in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

### Complaints

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 compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint 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 or other applicable procedure. 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.

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#### State References

5 CCR 4600-4670 Uniform complaint procedures  
5 CCR 4900-4965 Nondiscrim elem/second educ prog  
EC 200-262.4 Educ equity; prohib discrim basis of sex  
EC 32282 School safety plans  
EC 48900.3 Suspension for hate violence  
EC 48900.4 Suspension or expulsion for threats or harassment  
PC 422.55 Definition of hate crime  
PC 422.6 Crimes, harassment

#### Federal References

28 CFR 35.107 Nondiscrim basis of disability; complaints  
34 CFR 100.3 Discrimination prohibited  
34 CFR 104.7 Desig of resp empl for Section 504  
34 CFR 106.8 Desig of resp empl/adopt griev proc  
34 CFR 110.25 Notif nondiscrim on the basis of age

#### Management Resources

CA Ofc Atty Genl Pub-CA Dept Jst Guide Acc to Pub Records  
CDE Pub-01-05 Guide Pilot Txt/Instr Matl r 1/15  
US DOE, OCR Pub-Dear Coll-Nondiscrim Admin Sch Discip,  
AASA The School Superintendents Association website

#### Cross References

0410 Nondiscrim District Programs and Activities  
0450 Comprehensive Safety Plan

#### 3515 Campus Security

3515.4 Recovery for Property Loss Or Damage  
4131, 4231 Staff Development  
5131 Conduct  
5131.2 Bullying  
5131.4 Student Disturbances  
5131.5 Vandalism and Graffiti  
5136 Gangs  
5137 Positive School Climate  
5138 Conflict Resolution/Peer Mediation  
5141.52 Suicide Prevention  
5144 Discipline  
5144.1 Suspension and Expulsion/Due Process  
5145.11 Questioning and Apprehension by Law Enforcement  
5145.12 Search and Seizure  
5145.2 Freedom of Speech/Expression  
5145.3 Nondiscrimination/Harassment  
5148.2 Before/After School Programs  
6142.8 Comprehensive Health Education  
6144 Controversial Issues  
6163.4 Student Use of Technology  
6164.2 Guidance/Counseling Services  
6173.1 Education for Foster Youth

(7/09 5/18) 6/26

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