HATE-MOTIVATED BEHAVIOR

In order to create a safe learning environment for all students, the Monterey County Board of Education (County Board) 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 County Board and the Monterey County Superintendent of Schools (County Superintendent) 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.

(cf. 0410 - Nondiscrimination in MCOE Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate)
(cf. 5141.52 - Suicide Prevention)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)

The County Superintendent and the Monterey County Office of Education staff are expected to 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.

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6141.94 - History-Social Science Instruction)

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

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/Principal. Upon receiving such a complaint, the Coordinator/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, County Board policy, and administrative regulation. The County Superintendent or designee should provide the necessary counseling, guidance and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 1312.1 - Complaints Concerning MCOE Employees)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5131- Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.7 - Sexual Harassment)
(cf. 6164.2 - Guidance/Counseling Services)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, County Superintendent or designee, and/or law enforcement, as appropriate.

(cf. 4158/4258/4358 - Employee Security)

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