



Hate Motivate Behavior Administrative Regulation

Precursors to Hate Violence

Hate violence prevention requires being able to recognize precursors to violence and having effective strategies in place to respond. These behaviors include:

1. Use of racial, ethnic, immigration status, national origin, disability, gender identity, sexual orientation, religious, or sexual slurs
2. Use of symbols of hate, such as a swastika or a burning cross
3. Similar behavior by the wrongdoer towards other students from the same racial, ethnic, religious, disabled, gender or sexual orientation group or immigration status
4. Graffiti that identifies or targets particular groups with racial, ethnic, immigration status, religious, or sexual overtones

Examples of Hate Violence

Examples of hate violence include, but are not limited to:

1. A physical attack or a threat of bodily harm, on the basis of another's race, gender, ethnicity, national origin, immigration status, religion, disability, sexual orientation or gender identity
2. Intimidating or threatening language based on a student's race, gender, ethnicity, national origin, immigration status, religion, disability, sexual orientation, or gender identity

3. Damage to a student's personal property or belongings because of race, gender, ethnicity, national origin, immigration status, religion, disability, sexual orientation or gender identity

4. Circulation of written or online material or pictures

School Site Proactive Measures

SDCCS has developed its own proactive measures to prevent bullying, hate violence and bias-related incidents. These measures include:

1. Specify the rules of conduct as part of the school's published disciplinary policies.
2. Establish and disseminate policies and procedures for responding to hate crimes or bias-related incidents.
3. Develop a range of corrective actions for those who violate hate-prevention policies with a firm position in taking disciplinary actions against all injurious manifestations of hate, from ethnic slurs, racial epithets and graffiti, to vandalism and violence. The steps of restorative practice should take place with all parties involved.
4. Assess the existing school climate, review incident reports, and identify potential problems, work with staff to proactively prevent any incidents.
5. Provide age-appropriate hate prevention, empathy and perspective taking training to all students through activities, assemblies, and other school-related activities.
6. Provide education and training for conflict resolution, teaching students the techniques of resolving interpersonal conflicts and inter-group relations.
7. Encourage students to participate in the development of class norms and agreements regarding expected behavior.
8. Provide structured opportunities for integration. Encourage students to interact across racial and ethnic lines through activities, multiage settings and buddy groups.

9. Follow-up with victims is critical. They should be checked on - briefly - daily, then weekly to make sure the bullying/harassment/hate crime does not continue.

District Coordinated Preventive Measures

1. Provide hate prevention training to all staff, including teachers, administrators and support staff. All staff members should be aware of the various manifestations of hate and be capable of addressing hate incidents. Teachers shall intervene when they observe bullying happening- and take corrective action. Staff shall report instances and work with others to move through corrective actions, teaching and restorative practices.

2. Develop partnerships with families, community organizations, and law enforcement agencies, including parent groups, youth serving organizations, criminal justice agencies, victim assistance organizations, businesses, and advocacy groups.

San Diego Cooperative Charter School shall adopt and publicize policies that prohibit discrimination, harassment, intimidation, and bullying on the basis of a student's actual or perceived nationality, ethnicity, or immigration status. Those policies must be translated in the student's primary language if at least 15 percent of the students enrolled in the school speak a single primary language other than English.

- SDCCS shall notify parents and guardians of their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information related to "Know Your Rights" immigration enforcement established by the Attorney General. In addition, SDCCS shall inform students who are victims of hate crimes of their right to report such crimes.
- SDCCS shall adopt a process for receiving complaints of and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the following actual or perceived characteristics:

*disability

*nationality

*gender

*gender expression

*gender identity

*race or ethnicity

*religion

*sexual orientation

*immigration status

*association with a person or group with one or more of the aforementioned characteristics

The complaint process must include, but is not limited to, the following steps:

- A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, they shall take immediate steps to intervene when safe to do so.
- A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by SDCCS.
- An appeal process afforded to the complainant should he/she disagree with the resolution of a complaint.
- SDCCS shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
- SDCCS shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.
- SDCCS shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs.
- SDCCS shall also train teachers, staff, and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training should, at a minimum, provide district personnel with skills to do the following:
 - Discuss the varying immigration experiences among members of the student body and school community;

- Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
- Identify the signs of bullying and harassing behavior;
- Take immediate corrective action when bullying is observed; and
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

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

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

CODE OF FEDERAL REGULATIONS, TITLE 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

Resources:

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 Association of Human Relations Organizations: <http://www.cahro.org>

California Department of Education: <http://www.cde.ca.gov>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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

Policy Adopted:

Date approved: