

## VENTURA COUNTY BOARD OF EDUCATION

**BOARD POLICY NO. 5145.9**

**ADOPTED: 08/26/02**

**CLASSIFICATION: Students**

**REVISED: 05/29/12  
09/25/23**

**SUBJECT: Hate-Motivated Behavior**

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The Ventura County Board of Education and the County Superintendent are committed to providing a respectful, inclusive, and safe environment that protects students from discrimination, harassment, intimidation, bullying, or 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 County 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 County 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 Ventura County Office of Education (VCOE) 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, VCOE 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 County 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

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 VCOE's website in a manner that is readily and easily accessible to parents/guardians and students.

### 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 VCOE'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 site administrator, VCOE'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 VCOE'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 site administrator or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

#### Legal References:

##### EDUCATION CODE

200-262.4	Prohibition of discrimination
32280-32289.5	School Safety Plans
48900.3	Suspension for hate violence
48900.4	Suspension or expulsion for harassment, threats, or intimidation

##### GOVERNMENT CODE

11135	Prohibition of discrimination
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##### 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 programs receiving state or federal financial assistance

##### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107	Nondiscrimination on basis of disability; complaints
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##### CODE OF FEDERAL REGULATIONS, TITLE 34

100.3	Prohibition of discrimination on basis of race, color or national origin
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104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
106.30	Discrimination on the basis of sex in education programs and activities; definitions
106.44	Recipient's response to sexual harassment
106.45	Grievance process for formal complaints of sexual harassment
106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
110.25	Prohibition of discrimination based on age