

Santa Barbara Unified School District

Administrative Regulation

AR 5145.9

Students

HATE-MOTIVATED BEHAVIOR

Procedures for data collection and reporting hate crime and bias-motivated incidents

Definitions

Hate crimes are defined under specific penal code sections as an act or an attempted act by any person against the person or property of another individual or group which in any way constitutes an expression of hostility toward the victim because of his or her race, religion, disability, gender, ethnicity, or sexual orientation. This includes, but is not limited to, verbal threats, threatening phone calls, hate mail, physical assault, vandalism, cross burnings, destruction of religious symbols and fire bombings.

Bias-motivated incidents are defined as school-related behavior which constitutes an expression of hostility against the person or property of another because of the victim's race, religion, disability, gender, ethnicity, or sexual orientation. However, bias-motivated incidents include those actions that are clearly motivated by bias, but do not meet the necessary elements required to prove a crime. This may include such behavior as non-threatening name calling, using racial slurs, or disseminating racist leaflets.

Administrative guidelines for reporting hate crimes and bias-motivated incidents

All incidents involving a hate crime or bias-motivated act(s) shall be responded to immediately and shall include, at a minimum, the following:

1. Each school shall establish an Incident Response Team (IRT) composed of the principal (or designee); a counselor, a school psychologist, a teacher, and a student who have undergone appropriate training.
2. When a hate crime or bias-motivated incident occurs, staff must notify the principal/designee immediately.
3. When a hate crime or bias-motivated incident occurs, the Superintendent or Deputy Superintendent will immediately be notified by the principal or designee.
4. The IRT shall be convened immediately when an incident is reported, will investigate the incident, and determine steps to be taken, including, but not limited to:
 - Interviewing the victim(s) and witness(es) by the principal
 - Counseling for the victim, as appropriate
 - Calling the parents of all students directly involved and meeting with them
 - Notifying law enforcement
5. The principal shall complete and submit a Hate Crime/Bias-Motivated Incident Report

6. The IRT will determine whether or not additional follow-up activities are necessary, i.e. staff and student awareness activities, individual or group counseling, etc.
7. The IRT will assist the victim(s), if applicable, and provide references to victim-support agencies.
8. The principal in consultation with the Superintendent and the Deputy Superintendent will determine proper disciplinary action to be taken.
9. Disciplinary action taken against any student shall be applied pursuant to Ed Code 489000, Grounds for Suspension and Expulsion Board Policy 5144.1.
10. Each school site administrator will discuss in-depth the content of this bulletin with all employees at the beginning of the school year, at least one time during the school year, and with all new employees at the time of their assignment.
11. By the due dates, each school site administrator will certify that employees understand this policy and the procedures outlined in this bulletin.

Awareness and staff development programs

School programs

The principal of each school, in a collaborative effort with staff, students, and parents will develop effective measures to eliminate hate crimes/bias-motivated incidents and to educate students, staff, and parents in cultural understanding and in promoting racial harmony.

Effective programs which address hate crimes/bias-motivated behavior must be based on school-site and community recommendations, and should provide students a variety of opportunities to share their perspectives and to voice their concerns. The program should include information regarding what qualifies as a hate crime or bias-motivated behavior and the importance of reporting incidents when they occur.

School-wide activities to heighten awareness could include assemblies, student forums, newsletters, bulletins, student newspaper articles, peer counseling, conflict resolution, classroom activities, and PTA or other parent-group presentations.

Forms

The following forms will be used to identify and document incidents involving hate crimes or bias-motivated acts:

1. Questions to Consider in Identifying Hate Crimes or Bias-Motivated Incidents
2. Response Protocol for Hate Crimes/Bias-Motivated Incidents – Santa Barbara Unified School District
3. Report of Hate Crimes/Bias-Motivated Incidents
4. Administrator’s Certification of Staff Training on Hate Crimes/Bias-Motivated Incidents

These forms are available in the principal’s office of each school and in the District Administration Office.

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