

Students

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. 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 if they occur, so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(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. [5145.7](#) - Sexual Harassment)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

(cf. [1020](#) - Youth Services)

(cf. [1400](#) - Relations Between Other Governmental Agencies and the Schools)

(cf. [1700](#) - Relations Between Private Industry and the Schools)

(cf. [5148.2](#) - Before/After School Programs)

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides 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. [6142.94](#) - History-Social Science Instruction)

Complaint Process

Any student who believes he/she is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member or shall immediately contact the Coordinator for Nondiscrimination.

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

(cf. [3515.3](#) - District Police/Security Department)

(cf. [5145.11](#) - Questioning and Apprehension by Law Enforcement)

Upon receiving such a complaint, the Coordinator/Principal shall immediately investigate the complaint in accordance with law and school-level complaint process/grievance procedures as specified in the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. 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.

(cf. [1312.1](#) - Complaints Concerning District 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))

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.

(cf. 6164.2 - Guidance/Counseling Services)

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*

Management 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>

(6/99 7/09) 5/18

Jamestown School Board Approval August 8, 2018