

ACTION, TO SHARE

LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

DISTRIBUTION: All Schools and Offices

ROUTING

SUBJECT: BULLETIN NO. BP-5
PROCEDURES FOR REPORTING
HATE-MOTIVATED INCIDENTS
OR HATE-CRIMES

Local District School
Support Directors
Administrators
School Staff

DATE: November 17, 2000

Due on or before October 31, and April 30 of each year (Attachment H.)

OFFICE: Office of Intergroup Relations

APPROVED: THEODORE T. ALEXANDER, JR., Associate Superintendent

For further information, please call Larry G. Higgins, Administrative Coordinator, Office of Intergroup Relations at (213) 625-6579; or Gwenn Perez, School Police at (213) 625-6691.

This bulletin replaces Office of Intergroup Relations Bulletin No. DP-1 of the same subject dated November 23, 1998.

I. INTRODUCTION

The Los Angeles Unified School District recognizes that hate-motivated incidents/hate crimes (see Section IV, Definitions) jeopardize the safety and well-being of all students and staff and are injurious to those victimized by such behavior. On August 15, 1994, the LAUSD's Board of Education unanimously approved a resolution, which was carried in the form of a motion, that requires procedures and guidelines for data collection and reporting of hate-motivated incidents/hate crimes to be fully implemented by the end of the 1994-95 school year (see Attachment A).

II. PURPOSE

The purpose of this bulletin is to update administrative guidelines for data collection and reporting of hate incidents/hate crimes as well as providing an appropriate response in keeping with Office of School Operations Bulletin No. N-58 (Rev.), Essential Safety Standards Checklist, and Office of Student Health and Human Services Bulletin No. Z-29, Crisis Intervention.

III. BACKGROUND

It is the intent of LAUSD as an educational institution to meet the academic and intellectual needs of all students. In addition, harmonious human relationships are essential to creating a learning and working environment that prepares students in developing the necessary skills for successful communication and interaction with people of diverse backgrounds and understanding the rights and duties of people in our society. (Attachment B)

The District's goal as stated in EDUCATING FOR DIVERSITY: A FRAMEWORK FOR MULTI-CULTURAL AND HUMAN RELATIONS EDUCATION, April, 1992 is:

The goal is to develop students who appreciate and respect diversity, understand the roles and contributions of people of diverse groups, and who are prepared to interact harmoniously, work productively, and thrive personally in a pluralistic society.

Since the issuance of the original document, interethnic and intergroup tension and conflict in our schools as well as in the wider Los Angeles community continue to be a concern to students, staff and parents. This has been exacerbated by a number of factors, including growing economic disparity and dramatic demographic changes. Racial, ethnic, religious, disabilities, cultural and sexual orientation differences are often identified as factors in misunderstandings and physical altercations. Victims are often hesitant to report incidents and school personnel are often hesitant to acknowledge that incidents have occurred on their campus. It has been widely recognized that both hate incidents and hate crimes are inflammatory, cause emotional damage to the victim, and can impact the overall school climate. The lack of appropriate intervention, reporting and follow-up can lead to increased escalation and possible repercussions that may necessitate legal action.

IV. DEFINITIONS

- A. Hate-Motivated Incidents (formerly referred to as Bias-Motivated Incidents). Defined as an act or an attempted act which constitutes an expression of hostility against a person or property or institutions because of the victim's real or perceived race, religion, disability, gender, nationality or sexual orientation. This may include using bigoted insults, taunts, or slurs, distributing or posting hate-group literature or posters, defacing, removing, or destroying posted materials or announcements, posting or circulating demeaning jokes, or leaflets.
- B. Hate Crimes. 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 institutions which in any way constitutes an expression of hostility toward the victim because of his or her actual or perceived race, religion, disability, gender,

nationality or sexual orientation. This includes, but is not limited to, threatening telephone calls, hate mail, physical assault, vandalism, cross burnings, destruction of religious symbols and fire bombings.

V. ADMINISTRATIVE GUIDELINES FOR RESPONSE AND REPORTING OF HATE-INCIDENTS/HATE CRIMES

Each safe school plan shall designate responsible school personnel (school site crisis team) and a systematic process should be established to respond to and report hate-motivated incidents/hate crimes. These steps include victim response and assistance, consultation with and/or reporting to law enforcement, disciplinary action, and reporting. Communication and collaboration are essential to any safe school plan.

- A. Protocol. All incidents shall require appropriate staff action, which at a minimum, provide for the following:
1. Respond quickly to incidents whether the victim is a student, staff member, or community member. [The motivation behind the act determines whether an incident is hate-motivated (Attachment C). School police can be contacted for consultation/investigation on hate incidents as well as reporting hate crimes.]
 2. Ensure physical safety of victim. Guidelines of Crisis Intervention, Bulletin No. Z-29 can be followed, if necessary.
 3. Reassure the victim and victim's family that this will be taken seriously. Providing additional resources, victim assistance and community services as well as legal resources can be helpful. (Attachment D).
 4. Complete an investigation of the incident, including the questioning of victim(s) and witness(es) and involvement of law enforcement when appropriate (Attachment E). Preserve evidence of incident by photographing any property damage, graffiti, or injury to the victim.
 5. Submit a hate-motivated incident/hate crime report to the appropriate district offices. (Attachment F)
 6. Determine proper disciplinary action to be taken. (Attachment G)
 7. Determine whether or not additional follow-up activities are necessary, i.e., staff development and student educational activities in the area of human relations (see VI. AWARENESS PROGRAM below and Attachment D).

- B. Disciplinary Action. Disciplinary action taken against any student shall be applied pursuant to E.C. 48900, *Grounds for Suspension and Expulsion*, and E.C. 48900.5, *Suspension; restrictions on imposition; exception.* (Attachment G) Disciplinary action taken against any staff member shall be pursuant to appropriate Board policies and procedures.

Certain acts of a serious nature, i.e., those involving physical injury, weapons, or incidents related to robbery or extortion must be dealt with according to District policy.

However, for lesser offenses, the law clearly requires the use of alternatives to suspension or expulsion unless the principal or the operations administrator determines that the pupil's presence poses a danger to persons or property or threatens to disrupt the instructional process.

For hate-motivated incidents, disciplinary responses deemed most appropriate fall into the areas of awareness, counseling and communication. Include direct involvement of all appropriate parties (students, parents, school personnel, and community resources). Additionally, alternative services for both perpetrator and victims that keep students in school and that continue the learning experience need to be considered and/or developed.

- C. Reporting. Current state law requires that districts report crime statistics to the California Department of Education, twice annually. LAUSD has revised reporting procedures that provide for the ongoing collection of information about hate-motivated incidents/hate crimes. This allows for monitoring and serves as a needs assessment for addressing human relations issues.

Hate motivated incident reports should include information that indicates qualifying factors. To assist the school staff in developing a better understanding of what might constitute a hate-motivated incident/hate crime, refer to "Questions to Consider." (Attachment C)

- D. Certification of Staff Training. Each school site administrator (school safety committee) will discuss the content of this bulletin with all employees at the beginning of the school year, at least one other time during the school year, and with all new employees at the time of their assignment.

On or before October 31 and April 30 of each year, each school site administrator must submit certification that employees understand this policy and the procedures outlined in this bulletin. (Attachment H)

VI. AWARENESS ACTIVITIES/CURRICULUM

The principal of each school, in a collaborative effort with the school site's Safe School Committee shall develop and implement educational programs and activities that integrate human relations skills and actively combat behaviors of name-calling, exclusion, harassment, discrimination, hate and bigotry. Educating for Diversity: A Framework for Multicultural and Human Relations, April 1992, lists recommendations on strategies, student activities, and district and community resources to implement programs that address intergroup conflict. The prevention of hate-motivated incidents/hate crimes should be addressed as an integral part of a school plan.

Any activity or program that addresses hate-motivated behavior must be based on school site and community recommendations and should provide staff and students with a variety of opportunities to share their perspectives and to voice their concerns. Information regarding what constitutes hate-motivated behavior and the importance of reporting incidents when they occur should also be included.

Both school-wide and classroom activities that incorporate human relations, multicultural and anti-bias, anti-prejudice curriculums and skill building can minimize or eliminate hate-motivated incidents/hate crimes and educate students, staff and parents in the understanding and appreciation of diversity. The Office of Intergroup Relations' staff is available to provide curriculum, services, consultation, and resources in these areas.

Classroom curriculum materials which focus on hate-motivated incidents/hate crimes are available and should be incorporated where appropriate. Materials developed by the Anti-Defamation League, California 3R's Project, National Conference for Community and Justice, and Facing History and Ourselves Foundation may be used. (Attachment D)

VII. ATTACHMENTS

The attachments A-H are from a document entitled, "Los Angeles Unified School District Board Policy, Administrative Guidelines, and Response Protocol to Address Hate Crime/Bias-Incidents on School Campuses." They were developed to include administrative guidelines and response protocol in addressing hate crime/incidents on school campuses.

In addition, input was received from L.A. County Human Relations Commission, L.A. District Attorney's Office on Hate Crimes, LAUSD School Police, LAUSD School Mental Health Unit, Anti-Defamation League and the California Task Force for Statewide Hate Crime Prevention Training.

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LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

BULLETIN NO. BP-5
November 17, 2000

ATTACHMENT A

Data Collection of Hate Crimes and Intergroup Conflicts

On August 15, 1994, the Los Angeles Board of Education unanimously approved a resolution on Data Collection on Hate Crimes and Intergroup Conflicts. This resolution requires data collection on hate crimes/bias-related incidents to be fully implemented by the end of the 1994-95 school year.

Whereas, Hate crimes and intergroup conflicts are both significant and pernicious elements in our schools as they are in the wider Los Angeles community;

Whereas, The schools have a responsibility to address issues of intergroup relations and bigotry;

Whereas, The Los Angeles Unified School District currently has no means of quantifying the extent of these problems in the schools or of measuring progress in reducing the problems; and

Whereas, Many government entities, including the Los Angeles County Human Relations Commission and the Federal Government, collect data on hate crimes; therefore, be it

Resolved, That the Board of Education of the City of Los Angeles direct the Superintendent to develop and implement a procedure for schools to record and report (1) hate crimes (as defined by the Los Angeles County Human Relations Commission) and (2) hate incidents of intergroup conflict which involve students, staff, parents, or community members such as incidents involving racial, ethnic, and religious groups, immigrants, the disabled, gays and lesbians, gender issues, etc.;

Resolved, That this data be used publicly to measure the extent of the problem and of progress in solving it; and

Resolved, That this data collection be fully implemented by the end of the 1994-95 school year.

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LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

BULLETIN NO. BP-5
November 17, 2000

ATTACHMENT B

Resolution of the Board of Education
TO ENFORCE THE RESPECTFUL TREATMENT OF ALL PERSONS
Motion Presented by
Board President, Jackie Goldberg

Motion #1

Whereas, Good human relations are essential to the goal of achieving a democratic society;

Whereas, What people say to one another has a dramatic effect on the self-esteem and dignity of individuals;

Whereas, The number of hostile acts against various groups of people have dramatically increased in recent years;

Whereas, Students learn from what they hear from peers and adults on the playground and in the school; and

Whereas, Reducing tensions among students and school personnel is highly desirable; therefore, be it

Resolved, That the Los Angeles Unified School District reaffirm its policy that students and adults in both schools and offices should treat all persons equally and respectfully and refrain from the willful or negligent use of slurs against any person on the basis of race, language spoken, color, sex, religion, handicap, national origin, immigration status, age, sexual orientation, or political belief; and be it further

Resolved, That the District further ask that a school-wide code of discipline regarding name-calling be developed at each school, and enforced by teachers, administrators, and other staff members; and be it further

Resolved, That District administrators bring this policy to the attention of all employees and students, and to constructively administer its enforcement.

Whereas, The number of hostile acts against various groups of people have dramatically increased in recent years;

Whereas, Each school and office must always be a place of safety for every student and District employee; and

Whereas, Reducing acts of racial/ethnic hostility is a critical goal in the schools and in the larger community as well; therefore, be it

Resolved, That acts motivated by hate or bigotry will not be tolerated within the Los Angeles Unified School District, such acts to include intimidation, verbal harassment, physical force directed against another student, their family, or their property, motivated either in whole or in part by hostility to their race, language spoken, color, sex, religion, handicap, national origin, immigration status, age, sexual orientation, or political belief; and be it further

Resolved, That any violation of this policy will result in disciplinary action.

Passed October 10, 1988

LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

BULLETIN NO. BP-5
November 17, 2000

ATTACHMENT C

FACTORS IN IDENTIFYING HATE MOTIVATED INCIDENTS/HATE CRIMES INTRODUCTION

All hate motivated incidents/hate crimes will not be tolerated and shall be reported and recorded according to LAUSD procedure. Any act of hate whether an incident or a crime, that is substantially based, either in whole or in part upon the victim's actual or perceived race, religion, nationality, sexual orientation, disability or gender shall be treated seriously by all staff and documented according to policy.

The following questions are helpful in determining the existence of a hate motivated incident and/or crime.

1. Did the incident occur all or in part because of actual or perceived race, nationality, religion, disability, gender or sexual orientation?
2. Has the victim or the victim's group been subjected to repeated attacks of a similar nature?
3. Is the victim the only member or one of a few of his/her group in school, in the neighborhood? Did the victim's family recently move into the neighborhood?
4. When multiple incidents occur at the same time, are all victims of the same race, ethnicity, religion, disability, gender, or sexual orientation?
5. Has the victim been associated with recent or past activities relating to his/her own race, nationality, religion, disability, gender, or sexual orientation? (holiday celebrations, religious meetings?)
6. Has there been prior or recent news coverage of events of a similar nature?
7. Is there an ongoing neighborhood problem that may have initiated or contributed to the incident?
8. Does the incident indicate possible involvement by an organized group? For example:
Is there documented or suspected organized group activity in the area?
Is the literature printed?
9. Does the party (ies) responsible have an understanding of the impact of their activity on the victim and other group members?

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LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

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November 17, 2000

ATTACHMENT D

RESOURCES

VICTIM ASSISTANCE RESOURCES

1. LAUSD School Mental Health Services
Marleen Wong, Director
(323) 754-2856
(818) 997-2640
(Mental health services for students.)
2. LAUSD Employee Assistance Program
1 (800) 955-2873
(Mental health services, 24-hours daily
for employees.)
3. Children of the Night
Dr. Lois Lee, Executive Director
Ms. Vikki Balet, Program Director
14530 Sylvan Street
Van Nuys, CA 91411
(818) 908-4474
(800) 551-1300 (24-hour hotline)
(Emergency shelter for homeless teenagers.)
4. Gay and Lesbian Center
Anti-Violence Project
Jeff Kim, Project Director
1625 N. Schrader Blvd.
Los Angeles, CA 90028
1 (800) 373-2227 (Hotline)
(323) 993-7673
5. Korean Youth/Community Center, Inc.
John Ho Song, Executive Director
680 S. Wilton Place
Los Angeles, CA 90010
(213) 365-7400
(Services for children and adolescents only.)
6. L. A. City Human Relations Commission
Joe Hicks, Executive Director
200 N. Main Street, Room 700
Los Angeles, CA 90015
(213) 485-4495
7. L. A. Commission on Assaults
Against Women (LACAAW)
Patricia Giggans, Executive Director
605 W. Olympic Blvd., Suite 400
Los Angeles, CA 90015
Hotline (213) 626-3393
Office (213) 955-9090
8. L.A. County Human Relations
Commission
Robin Toma, Executive Director
320 W. Temple St., #1184
Los Angeles, CA 90012
(213) 974-7611
9. National Association for the Advancement
of Colored People (NAACP)
Geraldine Washington, President
3910 W. Martin Luther King Blvd., # 202
Los Angeles, CA 90008
(323) 296-2630
10. (NAACP) San Fernando Branch
Zedar Broadous, President
11234 Glenoaks Blvd.
Pacoima, CA 91331
(818) 899-4357
11. United Cambodian Community, Inc.
Andrew Danni, Director
2338 E. Anaheim Street
Long Beach, CA 90804
(562) 433-2490

LEGAL RESOURCES

1. Anti-Defamation League
Tamar Galatzan, Director, Legal Affairs
10495 Santa Monica Blvd.
Los Angeles, CA 90025
(310) 446-8000

LEGAL RESOURCES (cont'd)

2. Asian Pacific American Legal Center
Stewart Kwoh, Executive Director
1145 Wilshire Blvd., 2nd Floor
Los Angeles, CA 90017
(213) 977-7500
3. LAMBDA Legal Defense
(gay and lesbian issues)
Jenny Pizer, Managing Attorney
6030 Wilshire Blvd., Suite 200
Los Angeles, CA 90036
(323) 937-2728
4. Los Angeles, District Attorney
Carla Arrañaga, Deputy D.A.
Hate Crime Suppression Unit
320 W. Temple St., 7th Floor
Los Angeles, CA 90012
(213) 974-3798
Fax (213) 613-2707
5. Women's Equal Rights Legal Defense
and Education Fund
6300 Wilshire Blvd., Suite 1500
Los Angeles, CA 90048
(323) 653-8087
3. Constitutional Rights Foundation
Todd Clark, Executive Director
601 S. Kingsley Drive
Los Angeles, CA 90005
(213) 487-5590 Fax (213) 386-0459
4. Facing History and Ourselves Foundation
Dan Alba, L. A. Program Director
1276 East Colorado Blvd., Suite 207
Pasadena, CA 91105
(626) 744-1177 - Fax (626) 744-1170
dan_alba@facing.org
5. Japanese American Citizens League
244 S. San Pedro St., #406
Los Angeles, CA 90012
(213) 626-4471
6. L. A. County Office of Education Multicultural
Education and Intergroup Relations
9300 Imperial Hwy., Rm. 299
Downey, CA 90242
(562) 922-6323
7. Mexican American Legal Defense and
Educational Fund (MALDEF)
634 South Spring Street, 11th Floor
Los Angeles, CA 90014
(213) 629-2512

EDUCATIONAL RESOURCES

1. Anti-Defamation League
Marjorie Green, Director of
Educational Policy and Programs
10495 Santa Monica Blvd.
Los Angeles, CA 90025
(310) 446-8000
2. California 3Rs Project First Amendment
1 Market St.
Stewart Tower, 21st Floor
San Francisco, CA 94105
(415) 281-0900 - Fax (415) 281-3940
marciab@pcc.freedomforum.org
mbeauchamp@pcd.freedomforum.org
8. Multicultural Collaborative (MCC)
Benjamin Torres, Project Director
315 W. 9th Street, #315
Los Angeles, CA 90015
(213) 624-7992
9. Muslim Public Affairs Council (MPAC)
Salam Al-Marayati, Director
3010 Wilshire Blvd., #217
Los Angeles, CA 90010
(213) 383-3443

EDUCATIONAL RESOURCES (cont'd)

10. National Conference for Community
and Justice
Lecia Brooks, Program Specialist
Human Relations Training Program
1055 Wilshire Blvd., #1615
Los Angeles, CA 90017
(213) 250-8787

11. National Office of Samoan Affairs
Pat Luce, Executive Director
20715 S. Avalon, Suite 200
Carson, CA 90746
(310) 538-0555

LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

BULLETIN NO. BP-5
November 17, 2000

ATTACHMENT F

REPORT OF HATE-MOTIVATED INCIDENT/HATE CRIME

School _____ Date: _____
Cluster _____ Time: _____ a.m./p.m.
Name of person making report: _____

Victim's Name: _____
Male/Female _____ Grade _____ Adult _____ Non-Site personnel _____

Perpetrator's Name _____
Male/Female _____ Grade _____ Adult _____ Non-Site personnel _____

TYPE OF INCIDENT: Harassment 9 * Threat 9 * Assault 9 * Verbal (including racial slurs) 9
Telephone 9 * Leafleting 9 * Physical 9 * Mail 9 * E-Mail 9 * Fax 9

Other: _____

Vandalism: Graffiti 9 * Property Damage 9 * Arson 9 * Bombing 9 * Cross Burning 9
Attempted Bombing 9 * Arson Attempt 9 * Other _____

Target: Student 9 * Staff/Faculty 9 * Parent 9 * School Property 9 * Student Property 9
Other: _____

Narrative Description - Be as specific as possible. Please include the racial, ethnic, religious, sexual orientation, physical or mental disability of the victim and perpetrator as it pertains to the incident/crime and motivation behind the incident/crime. Attach additional sheet if necessary.

<u>Types of Action Taken:</u>	Victim	Perpetrator	Date		Victim	Perpetrator	Date
Counseled by Administrator	_____	_____	_____	Referral to Parents	_____	_____	_____
Detention	_____	_____	_____	Referral to law enforcement	_____	_____	_____
Suspension	_____	_____	_____	Referral counseling	_____	_____	_____
Expulsion recommendation	_____	_____	_____	Referral mediator	_____	_____	_____

Other (specify) _____

Principal/Designee Signature _____ Employee No. _____

Distribution: Operations Administrator - Office of Intergroup Relations - Office of School Operations

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LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

BULLETIN NO. BP-5
November 17, 2000

ATTACHMENT G

EDUCATION CODES

§48900. *Grounds for suspension or expulsion; legislative intent*

A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to one or more of subdivisions (a) to (o), inclusive:

(a)(1) Caused, attempted to cause or threatened to cause physical injury to another person; or

(2) Willfully used force or violence upon the person of another, except in self-defense.

(b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance or material as a controlled

substance, alcoholic beverage, or intoxicant.

(e) Committed or attempted to commit robbery or extortion.

(f) Caused or attempted to cause damage to school property or private property.

(g) Stolen or attempted to steal school property or private property.

(h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to cigarettes, cigars, miniature cigars, clove, cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his own prescription products.

(I) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "*imitation firearm*" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261,

266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance which occur at any time, including, but not limited to, any of the following:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school sponsored activity.

It is the intent of the Legislature that alternatives to suspensions or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities. (*Added by Stats. 1983, c. 498, § 91, eff. July 28, 1983. Amended by Stats. 1984, c. 23, § 1; Stats. 1984, c. 536, § 1; Stats. 1985, c. 318, § 1; Stats. 1986, c. 111, § 1; Stat. 1986, c. 1136, § 1; Stats. 1987, c. 383, § 1; Stats. 1989, c. 1306, § 1; Stats 1992, c. 909 (S.B. 1930) § 1; Stats 1994, c. 1198 (A.B. 2543), § 5; Stats 1995, c. 972 (S.B. 966), § 6; Stats. 1996, c. 915 (A.B. 692) § 1; Stats. 1997, c. 637 (A.B. 412), § 1.*)

§ 48900.2. *Additional grounds for suspension or expulsion; sexual harassment*

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive. (*Added by Stats 1992, c. 909 (S.B. 1930) § 2.*)

§ 48900.3. *Hate violence*

In addition to the reasons specified in Section 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 33032.5. (*Added by Stats. 1994, c. 1198 (A.B. 2543), § 6.*)

§ 48900.4. *Additional grounds for suspension or expulsion; harassment, threats, or intimidation*

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the

superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment. (Added by Stats. 1994, c. 1017 (A.B. 2752), § 1.)

§ 48900.5. *Suspension; restrictions on imposition; exception*

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.

(Added by Stats, 1983, c. 498, § 91, eff. July 28, 1983. Amended by Stats. 1983, c. 1302, § 20, eff. Sept. 30, 1983; Stats. 1985, c. 907, § 1, eff. Sept. 23, 1985.)

LOS ANGELES UNIFIED SCHOOL DISTRICT
Specially Funded & Parent/Community Programs Division

BULLETIN NO. BP-5
November 17, 2000

ATTACHMENT H

To: _____, Superintendent

From: _____, Administrator

_____ School

ADMINISTRATOR'S CERTIFICATION OF STAFF TRAINING
ON HATE-MOTIVATED INCIDENTS/HATE CRIMES

I certify that:

- C The procedures and materials outlined in the "Procedures for Reporting Hate-motivated Incidents or Hate Crimes" bulletin were discussed with all certificated and classified employees on _____.
(Date)
- C A hate-motivated incident reporting procedure has been established at my school/site. Procedures have been discussed with all certificated and classified employees and will be discussed with any new employee assigned to this location.

DUE ON OR BEFORE OCTOBER 31 AND APRIL 30 OF EACH YEAR.

Administrator's Signature

Date

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