

STUDENT	5114.8
PERSONNEL	4118.14
	4218.14

## Hate-Based Conduct

Respecting diversity and fostering inclusion are core goals of the Weston Board of Education as we help students become civically engaged and develop critical skills for a global perspective. The Weston Board of Education is committed to creating and maintaining an educational environment that embraces diversity and inclusion, and believes our community is strengthened by the richness of each other's diverse characteristics, identities, statuses, backgrounds, beliefs, traditions, and opinions.

Hate-based conduct is antithetical to the Board's commitment to diversity and inclusion and will not be tolerated. As such, it is the policy of the Board that hate-based conduct is prohibited, whether by students, Board employees, or third parties subject to the control of the Board. The Board's prohibition of hate-based conduct expressly extends to academic, nonacademic, and extracurricular activities, including athletics. Further, the Board expressly prohibits hate-based conduct on school grounds; at a school-sponsored activity (including, without limitation, on a school bus); or off school grounds if such conduct is seriously disruptive of the educational process. Discrimination and/or retaliation against an individual who reports or assists in the investigation of hate-based conduct is likewise prohibited.

For the purposes of this policy, **hate-based conduct** means conduct that attacks, threatens, intimidates, degrades, or otherwise infringes on the rights of an individual based on such individual's race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status. Such conduct includes, but is not limited to, the use of a written, oral, or electronic communication or a physical act or gesture that:

1. is reasonably expected to cause substantial emotional harm (including a reasonable fear of physical harm) to an individual;
2. creates a hostile environment for such individual at school or during a school-sponsored activity; and/or
3. substantially disrupts the educational process or the orderly operation of a school.

Hate-based conduct may also include, without limitation, conduct that violates other Board policies and administrative regulations (*e.g.*, Policy and Regulation 4218.11, Non-Discrimination (Personnel); Policy and Regulation 4218.12, Sex Discrimination and Sexual Harassment (Personnel); Policy and Regulation 5114.6, Sex Discrimination and Sexual Harassment (Students); Policy 5131.911, Bullying Prevention and Intervention Policy; Policy and Regulation 5145, Non-Discrimination (Students)).

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

For the purposes of this policy, “gender identity or expression” means a person’s gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity, or any other evidence that the gender-related identity is sincerely held, part of a person’s core identity, or not being asserted for an improper purpose.

Any allegations of hate-based conduct will be brought before an appropriate body, in accordance with the Board’s student conduct and discipline policies. That body will consider the circumstances surrounding such alleged conduct, including, but not limited to, how a reasonable person would have interpreted such conduct, while balancing the protection of students from emotional harm and the constitutional right to free speech.

Students who are found to have engaged in hate-based conduct shall be subject to intervention ranging from school counseling and restorative justice opportunities to school discipline, up to and including expulsion, in accordance with Board Policy 5114 (Student Discipline), and consistent with state and federal law. Employees who are found to have engaged in hate-based conduct shall be subject to discipline, up to and including termination of employment, in accordance with any applicable Board policies, administrative regulations, and/or contractual provisions, and consistent with state and federal law.

Allegations of conduct that violates other Board policies, such as allegations of discrimination, harassment (including, but not limited to, sexual harassment), and/or bullying, will be handled under the appropriate policies and administrative regulations (*e.g.*, Policy and Regulation 4218.11, Non-Discrimination (Personnel); Policy and Regulation 4218.12, Sex Discrimination and Sexual Harassment (Personnel); Policy and Regulation 5114.6, Sex Discrimination and Sexual Harassment (Students); Policy 5131.911, Bullying Prevention and Intervention Policy; Policy and Regulation 5145, Non-Discrimination (Students)).

Cross references:

Policy 1255, Civility

Policy 1258, Non-Discrimination

Policy 4218.11, Non-Discrimination (Personnel)

Regulation 4218.11, Administrative Regulations Regarding Discrimination Complaints (Personnel)

Policy 4218.12, Sex Discrimination and Sexual Harassment (Personnel)

Regulation 4218.12, Sex Discrimination and Sexual Harassment Complaint Procedure (Personnel)

Policy 4118.5, Social Networking - Personnel

Policy 5114, Student Discipline

Policy 5114.1, Alternative Educational Opportunities for Expelled Students

Policy 5114.6, Sex Discrimination and Sexual Harassment (Students)

Regulation 5114.6, Administrative Regulations Regarding Sex Discrimination and Sexual Harassment

Policy 5131.1, Bus Conduct

Policy 5131.5, Vandalism

Policy 5131.91(a), Hazing/Initiation

Policy 5131.911, Bullying Prevention and Intervention Policy

Policy 5145, Non-Discrimination (Students)

Regulation 5145, Administrative Regulations Regarding Discrimination Complaints (Students)

Policy 5145.2(a), Freedom of Speech/Expression

ADOPTED: November 16, 2020