

BURLINGTON SCHOOL DISTRICT PROCEDURE

PROCEDURE CODE C15P1: HATE SPEECH

Purpose

Hate speech is against BSD's policies and procedures related to the Prevention of Hazing, Harassment, and Bullying for Students. An **act of hate** is a crime and will be reported to law enforcement.

This procedure outlines expectations for how a school leader should respond to acts of hate speech, including anonymous acts where there is no identifiable perpetrator. This procedure presents the required steps to handle hate speech in our public schools, emphasizes respect and dignity for all individuals, and upholds a commitment to a safe educational environment. This procedure is also designed to be used as part of our Restorative Code of Conduct and our Hazing, Harassment, and Bullying (HHB)/Title IX Policies and Procedures.

Rationale

The District implements many different strategies to teach the importance of diversity, equity, and inclusion, as well as the harmful effects of hate speech. Still, there are instances of hate speech that occur, and these procedures provide clear, immediate steps to take when this happens. **The use of vulgar and obscene speech is expressly prohibited within our schools, on our school buses, and within the context of any school/school-sponsored activity.** Bigoted, sexist, racist, antisemitic, homophobic, Islamophobic, Transphobic, Ableist Slurs, and other similarly dehumanizing language are likely to cause a substantial disruption to our learning environment and shall be considered vulgar and/or obscene. The District reserves the right to take disciplinary and/or restorative action when any student, staff, or BSD community member is found to have engaged in conduct that violates this standard.

Definitions

"Hate speech" refers to offensive discourse targeting a group or an individual based on their protected categories (such as race, creed, color, disability, marital status, sex, sexual orientation, gender expression, gender identity, national origin, immigration status, citizenship - [9 VSA § 4502](#)) and that may threaten individual safety and the well-being of a specific identity group, and/or the school community as a whole.

"Hate Crime" is defined as any crime committed in Vermont that is maliciously motivated by the victim's actual or perceived race, color, religion, national origin, sex, ancestry, age, service in the armed forces of the United States, disability, sexual orientation or gender identity is a hate crime. The perpetrator can be given additional penalties at sentencing. Hate crimes should be reported to your local law enforcement agency. Prosecutors can seek increased penalties for hate crimes, including longer jail sentences and higher fines.

Procedure

1. Report the Incident - Immediate Reporting: Any instance of hate speech must be reported immediately to a school official (teacher, administrator, or counselor). The reporter or school official will document this using the school's referral form. This includes hate speech written on bathroom walls, desks, playground equipment, and/or other school property. At any point that an act of hate or hate speech impacts the community, the building administrator should reach out to the Director of Equity and the Superintendent.

2. Initial Assessment - A designated school official (DE/NDC) will assess the report to determine the seriousness of the incident, including potential threats to the safety of individuals or the school community.

3. **Photograph and Remove Visual Evidence** - A designated school official will document any visual evidence by taking a photograph and linking it to the incident report. Property Services staff should be contacted to promptly remove the harmful symbols to reduce ongoing harm to the community.

4. **Investigation** - Conduct a prompt and thorough investigation of the reported incident utilizing procedures highlighted through HHB or Title IX.

- In the case of anonymous acts of hate, report these as an incident in the School Referral Form as per BSD's procedure to document incidents with "No Known Offender."

5. **Documentation and Determination of Response** - Any incident of hate speech could be harassment and should have a conduct form completed so the BA can look at it and determine if it rises to the level of harassment. Document and address these incidents using the outlined BSD HHB procedural steps (in the school's referral form, PowerSchool, and HHB tracking sheets). If an incident does rise to the level of investigation, determine appropriate actions based on the findings using the Restorative Code of Conduct and the BSD HHB policy and procedure.

6. **Communication** - Administrators, in consultation with the District Communications Specialist, will determine the need for necessary communication and to whom.

8. **Follow-Up** - Monitor the situation to ensure that the responses are effective and that the affected individuals feel safe and supported in the school environment. Check in with victims and witnesses to assess their well-being and provide ongoing support as needed.

Clerical Information

<i>BSD Version:</i>	BSD C15P1 Procedure
<i>Date Adopted:</i>	7/10/2026
<i>Legal Reference(s):</i>	6 V.S.A. §1161a (discipline) 16 V.S.A. §1162 (suspension and expulsion) 20 U.S.C. §§1400 et seq.(IDEA) 29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973) VT State Board of Education Manual of Rules & Practices §4311, §4312, §4313; § 2120.8.12, §2122.1, §4500.
<i>Policy Reference:</i>	C15 Student Conduct and Discipline