

# FY26 Hate-Bias Incidents

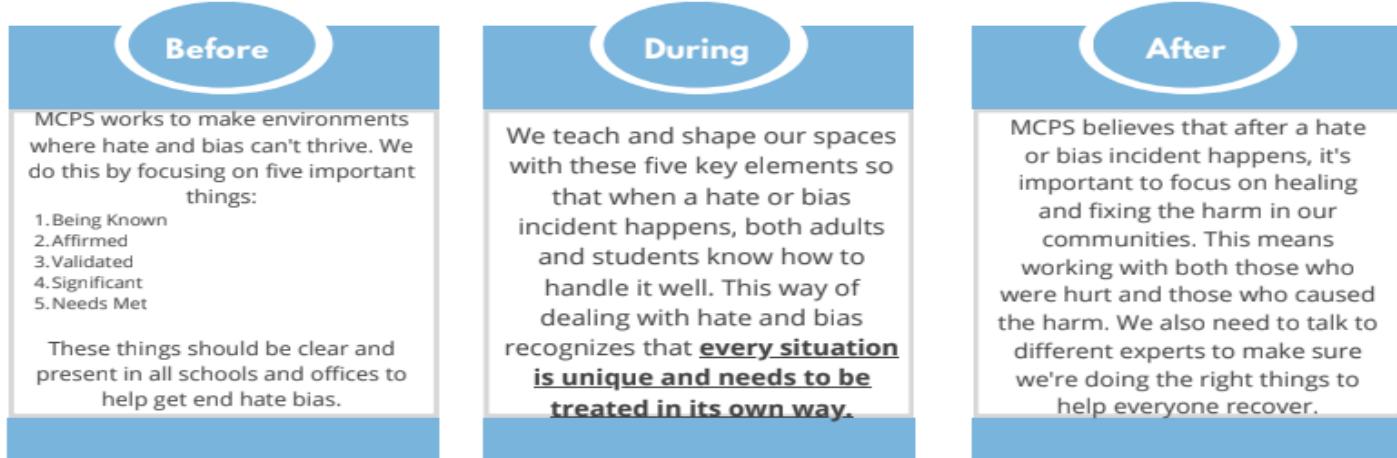
## RESPONDING PROCEDURES



Founded on the principles of Board of Education (Board) [Policy ACA: Nondiscrimination, Equity, and Cultural Proficiency](#), Montgomery County Public Schools (MCPS) considers a **hate bias incident as any act or expression of hostility or aggression, motivated either in whole or in substantial part by another person's or group's protected class\***, but that does not constitute a crime under State or federal law.

### Commitment to Equity and Response to Hate-Bias Incidents:

Hate-bias incidents undermine the district's mission to serve all students and staff while advancing equity, inclusion, and diversity. The Board affirms that true equity extends beyond legal compliance and requires intentional efforts to confront implicit bias and dismantle structural barriers to belonging. Accordingly, MCPS is actively reviewing its current protocols for identifying and responding to hate-bias incidents. During this process, the district remains steadfast in its commitment to fostering equitable and excellent learning environments—cultures in which hate and bias cannot take root—through a comprehensive framework that addresses prevention (before), response (during), and recovery (after).



Our classrooms must remain spaces where students will learn about diverse perspectives and viewpoints, aligning with our core values of inclusivity and acceptance. Any allegation of hate-bias is unique and will be addressed through the lens of motivation, impact and the larger context of those involved.

## Reporting Incidents of Hate Bias

MCPS investigates all allegations of hate-bias that: a) occur on school property (or bus), b) at a school-sponsored activity or event, or c) substantially disrupt the orderly operation of a school learning environment. Examples include, but are not limited to, hate speech; using a racial, ethnic, or other slur; displaying hateful or racist symbols, flags, or drawings; mocking a disability; or telling offensive “jokes” about someone's identity. To more effectively address incidents of hate and bias in schools, MCPS has developed a reporting system informed by input from school staff and community organizations. This system categorizes incidents into three levels based on multiple factors to ensure that each response is appropriate and effective. By considering both the motivation and impact of an incident, this approach aligns with existing MCPS policies and ensures that all affected individuals receive the necessary support. The overarching goal is to promote safer, more inclusive learning environments while addressing incidents with the seriousness they warrant and taking into account the developmental understanding of those involved.

The purpose of our revised reporting system is to make sure that the response to each incident is suitable, effective, while also being coherent and consistent with MCPS processes. This makes sure that everyone affected gets the support they need. The main goal is to make schools safer and more welcoming for all students. It treats incidents of hate and bias with the seriousness they need, while also using the context of the actions/individuals involved to determine needs, supports, and after-care actions

# HATE-BIAS REPORTING PROCESS:

## INCIDENT / COMPLAINT:

- 1. Student, staff member, parent/guardian, or bystander makes a verbal or written report to any staff member/administrator.

## INQUIRY / FACT-FINDING:

- 1. The school principal or designee conducts an initial assessment of the reported allegation or incident to determine the context, as well as the degree of intent, risk, threat, or targeted violence posed by an individual or group. \*\*Document the beginning of the fact-finding through your investigative notes and/or timeline of the incident.
- 2. Consultation with the central support team (DSLI Director/Student Conduct and Appeals) will assist in the determination of the incident tier (Yellow/Orange/Red).
- 3. Depending on the circumstances, the Hate-Bias Command Team, School Response Team, and Behavioral Threat Assessment Team may be activated. This includes, but is not limited to, the Director of Division of School Leadership and Improvement (DSLI), Department of Student Conduct & Appeals (DSCA), Division of Equity and Organizational Development (DEOD), Division of Legal Services, and Department of Communications.

## REPORTING YELLOW TIER INCIDENTS:

- 1. For incidents identified as Tier **Yellow**, documentation is collected at the school level, in accordance with the Student Code of Conduct.
- 2. All documentation should be uploaded into Synergy by the school.

## REPORTING ORANGE/RED TIER INCIDENTS:

- 1. Once the incident has been assessed and Tier **Orange** or Tier **Red** is determined, the principal/designee will call the Division of School Leadership and Improvement (DSLI) to report the serious incident so it can be recorded in Synergy per regulation COB-RA.
  - a. Area 1: 240-740-5136
  - b. Area 2: 240-740-5137
  - c. Area 3: 240-740-5138
- 2. For incidents that may constitute a hate crime, schools must report the incident to the Emergency Communications Center (ECC), Montgomery County Police Department (MCPD) at 240-683-1600, and inform and consult with the school Community Engagement Officers (CEO).
- 3. School-based staff will complete [MCPS Form 226-5, Hate Bias Incident Reporting Form](#). Staff members will assist students, parents, or guardians if they cannot complete the form. The completed form should be uploaded to Synergy.

## **SUPPORTIVE MEASURES PLAN (for Yellow/Orange/Red Tier incidents):**

1. Once the students involved have been identified—including those harmed, those who witnessed the incident, and those who caused harm—a safety and well-being plan should be promptly developed and implemented. This plan may include schedule adjustments, contact limitations, counseling services, medical support, and connections to community resources. Collaboration between the school and parents, guardians, and families is essential at this stage. The school must make every effort to actively engage the families of all students involved to ensure coordinated support and effective follow-up.
2. The Employee Assistance Program (EAP), 240-740-6500, should be given to staff members who may need supportive measures.
3. The safety and well-being plan should be uploaded to Synergy.

## **COMMUNITY INFORMATION:**

1. Once an investigation into the incident is complete, the school principal/designee will determine next steps for outreach and potential notification to the community at large, **in consultation with the central office support team(s)**. The scope of impact, threat, and risk of the incident will determine the need/type of communication. Additionally, the Parent Teacher Student Association President, cluster feeder schools, and the community may be informed of Tier **Red** incidents, providing details in a timely, transparent manner, while maintaining confidentiality of those involved. Suggested resources will also be included when possible.
2. Tier **Yellow** and Tier **Orange** incidents may also include a letter to the community as appropriate.
3. In cases where time is of the essence and the community must be immediately notified prior to the completion of a full investigation, the communication should include information regarding the initial gathering of facts, should indicate that a full investigation is underway, and that additional details will be forthcoming.

## **HATE-BIAS RESPONSIVE, RESTORATIVE, & PREVENTATIVE ACTIONS:**

1. The Division of Equity and Organizational Development (DEOD), as well as other supportive offices (PPWs, Counseling Services, School Psychologists, Restorative Approaches Specialists, Social Workers), will assist school leadership in determining next steps with staff and student professional development and training options.
2. The MCPS Student Code of Conduct will assist the school administration in determining student disciplinary measures. Additionally, any special interest and/or external support groups should be considered to assist in the planning of school/ community education, response, and reflection where appropriate.

# HATE BIAS INCIDENT TIERED SYSTEM

## YELLOW

### Harmful but not motivated by hate-bias

Consultation is recommended.

**Fact Finding:** School-based staff fact-finds and the incident is determined to be hurtful, unwelcoming, disruptive, inappropriate, and/or harmful, but not motivated by hate or bias.

**Communication:** Communication to the larger community is not mandatory, but **may** occur based on the scope of impact. Parents of those involved are contacted.

**Record Keeping:** The school uses the Code of Conduct to determine any disciplinary actions. Local documentation is uploaded into Synergy by the school.

## ORANGE

### Hate-bias, non-criminal

Consultation is highly recommended.

**Fact Finding:** Fact finding steps are taken and it is determined that the actions are motivated by hate or bias, but there are not criminal elements. The scope, impact and/or action dictate a serious incident.

**Communication:** Schools **may** report the incident to MCPD if the context of the incident demands. The incident **must** be reported to DSLI and SWC as a serious incident. A communication to the larger community is not likely, but could be possible based on the situation. Parents are contacted.

**Record Keeping:** Disciplinary action is taken in alignment with the Student Code of Conduct and form 226-5 is uploaded in Synergy. Data is recorded in Synergy and Student Welfare and Compliance office.

## RED

### Hate-bias with possible criminal elements

Consultation is required

**Fact Finding:** Fact finding steps are taken in collaboration with MCPD, because of criminal elements. It is determined that the actions are motivated by hate/bias and potentially are criminal in nature. This incident has a large scope of impact.

**Communication:** Schools report the incident to MCPD, DSLI and SWC. Parents are contacted.

**Record Keeping:** Disciplinary action is taken in alignment with the Student Code of Conduct, after MCPD has completed their investigation. Form 226-5 is uploaded in Synergy.

**HATE-BIAS RESPONSIVE, RESTORATIVE, & AFTER ACTIONS:** In response to any incident that involves, the harm of our students, MCPS will involve all needed supportive offices (PPWs, Counseling Services, School Psychologists, Restorative Approaches Specialists, Social Workers) to assist school leadership in determining next steps with staff and students. The MCPS Student Code of Conduct will assist school administration in determining student discipline measures.



Student, staff member, parent/guardian, or bystander makes verbal or written report to any staff member/administrator.



School staff consult with DSLI Director, Student Conduct & Appeals, Hate Bias Coordinator (Consultation may take place before, during and/or after the fact-finding process)



Fact-finding occurs and is used to make a tiered determination...

## YELLOW

Harmful but not motivated by hate-bias

1. The incident is hurtful, unwelcoming, disruptive, inappropriate, and/or harmful, but not motivated by hate or bias.
2. Parents/guardians of all involved are engaged.
3. School disciplinary actions align with the Student Code of Conduct.
4. The school documents the incident in Synergy, including any safety and well-being plan.

Examples: school drawing in art class, 1<sup>st</sup> grade name-calling, unintentional act

## ORANGE

Hate-bias, non-criminal

1. The actions are motivated by hate/bias, but there are no criminal elements. The scope, impact, and/or action dictate a serious incident.
2. Call DSLI to report a serious incident. DSLI will record the serious incident in Synergy per the COB-RA regulation.
3. Upload Form 226-5 and all supporting documents in Synergy under the incident #
4. For incidents that do not have criminal elements, but MCPD consultation is warranted, consult with the school Community Engagement Officers (CEO). School admin conducts an investigation if/when MCPD is not taking the case.
5. Parents/guardians of all involved are engaged.
6. School disciplinary actions align with the Student Code of Conduct.

Examples: physical altercation, symbol carved in furniture, graffiti in bathroom stall

## RED

Hate-bias with possible criminal elements

1. It is determined that the actions are motivated by hate/bias and potentially are criminal in nature. This incident has a wide-ranging scope and impact.
2. Call DSLI to report a serious incident. DSLI will record the serious incident in Synergy per the COB-RA regulation.
3. Upload Form 226-5 and all supporting documents in Synergy under the incident #
4. Parents/guardians of all involved are engaged.
5. For incidents that may constitute a crime, schools must report them to the Emergency Communications Center (MCPD) at 240-683-1600. School admin investigates whether and when MCPD is not taking the case.
6. The type and scope of communication are determined by the school administration in consultation with the central office. A possible community letter is developed and distributed.
7. When applicable, BTAT is conducted to assess risk
8. School disciplinary actions align with the Student Code of Conduct.

Examples: vandalism, physical assault, school wide disruption

## Important Terms:

| Term                | Meaning/Focus  | Practical Standard   | Example   |
|---------------------|--|--|---|
| Intent              | Actor's conscious decision/state of mind; includes forethought, planning and implementation of the act | Harder to prove; requires clear deliberate act; includes planning and implementation of an act | Online hate language uploaded to school's online discussion forum             |
| Motivated by (bias) | The act driven (in whole or part) by bias  | Broader; evidence may include language, symbols, context                                       | A student uses a racial slur; bias was a factor even if not explicitly stated |
| Hate Crime (MD)     | Crime + bias-motivation  | Requires criminal act + bias motivation  | Vandalizing a synagogue as an act of anti-Semitism                            |
| Hate-Bias Incident  | Non-criminal act/incident motivated by bias  | Action is motivated, in whole or substantially in part by their bias                           | Distribution of offensive material targeting a protected class                |

# THE SCHOOL CHECKLIST

- Upon receiving an allegation, conduct an inquiry/fact-finding process to determine hate-bias incident level, based on the tiered level of response. Consultation with the DSLI Director/Student Conduct and Appeals is required.
- Yellow Incident:** Schools will create a Student Incident Report in Synergy and upload all supporting documents.
- Orange Incident:** School calls DSLI. DSLI will create an incident number and document it as a serious incident. The school will upload all supporting documents and close out the incident.
- Red Incidents:** School calls DSLI and Emergency Communications Center (MCPD) 240-683-1600. DSLI will create an incident number and document it as a serious incident. Schools will conduct an investigation, if/when MCPD is completed or not taking the case, and will upload all supporting documents and close out the incident.
- Develop and implement a Supportive Measures Plan for identifying those harmed and those committing harm (including parent involvement). Document Supportive Measure Plan in Synergy.
- Draft community letter (Level Red) **with** central support team for distribution.
- Implement disciplinary action in alignment with the Student Code of Conduct.
- Schedule and conduct meetings with students and parents/guardians to discuss implications and future expectations.
- Complete the "Hate-Bias Response Form" and upload MCPS Form 226-5 in Synergy under the Incident # (connected to the student offender).
- Begin Responsive/Healing Process, considering support from the Department of Systemwide Equity and external partners.

## Need Help?

*Student Conduct and Appeals at 240-740-3215*

<https://www.montgomeryschoolsmd.org/compliance/>