

Anti-Racist & Anti-Oppression Learning Communities 4.XX.XXX-P

12/30/20 Draft

I. Purpose

Portland Public Schools is committed to an anti-racist and racial equity and social justice approach to public education to ensure a learning environment that is free from hate and the legacy of school segregation and institutional racism for all students and staff. The District unequivocally affirms that Black lives matter. We believe in the fundamental right to human dignity and that generating an equitable world requires an educational system that intentionally disrupts—and builds leaders to disrupt—systems of oppression.

We can begin the process of healing through our policies and curriculum to address cultural and institutional racism. The District must create an inclusive environment that reflects and supports the racial and ethnic diversity of our student population and community.

Every student is entitled to a high-quality educational experience, **affirming and** free from discrimination or harassment based on perceived race, color, ethnicity, religion, gender identity, sexual orientation, disability, or national origin.

Every employee is entitled to work in an environment that is **affirming and** free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability, or national origin.

Every visitor is entitled to participate in an environment that is **affirming and** free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability, or national origin.

II. Definitions

1. “Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, ethnicity, religion, gender identity, sexual orientation, disability, or national origin of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups.
2. “Symbol of hate” means a symbol, image, or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability, or national

origin including, the noose, swastika, or confederate flag, and symbols contained in the [Hate on Display Hate Symbols Database](#), and whose display:

- a. Is reasonably likely to cause a substantial disruption of or material interference with school activities; or
- b. Is reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by a school or program.

~~It is important for students and staff to understand the historical context of hate symbols. For example, the swastika was appropriated in the 1930s by Nazis in Germany where it became a symbol of terror for Jews, Romany, and other minorities.~~

3. “Hate Speech” means the written, verbal, visual or symbolic expression of animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin.

III. Expectations and Consequences

We will not tolerate in our schools or programs or activities or on our property any symbols of hate that are disruptive to the learning environment; contain language, symbols, or images that are discriminatory; are recognized to promote hate or violent conduct; or contain threats. These include, but are not limited to, student and adult clothing, apparel, accessories, gestures, or other symbols such as those that depict symbols of hate. Exceptions will be made where symbols are used in teaching curriculum and other learning opportunities that are aligned to the Oregon State Standards and support the goals of this policy.

~~The District prohibits the use or display of any symbols of hate on District grounds or in any District or school-sponsored program, service, school, or activity, except where used in teaching curriculum that is aligned to the Oregon State Standards. In addition, the District will incorporate learning opportunities to support the goals of this policy.~~

~~The District has adopted restorative justice practices in the belief that they help resolve conflicts and enable healthy, supportive, and inclusive communities. The District has adopted restorative justice practices in the belief that they offer the best process for achieving positive outcomes in resolving conflicts. As part of this practice, the District will endeavor to address incidents of bias and hate speech using these practices when it is appropriate. Additionally, if this policy is violated by students, the District will assess whether disciplinary action is required pursuant to the Student Conduct and Discipline Policy [hyperlink] which will include appropriate consequences including discipline. Incidents involving adults may result in discipline and/or trespass.~~

The District prohibits retaliation against any individual because that person has in good faith filed a charge, testified, assisted, or participated in an investigation, proceeding, or hearing; and further prohibits anyone from coercing, intimidating, threatening, or interfering with an individual for exercising any rights guaranteed under state and federal law.

Nothing in this policy is intended to interfere with the lawful use of District facilities pursuant to a lease or license.

END OF POLICY

In responding to the use of any symbols of hate, the District will follow the procedures outlined in the Anti-Racist Learning Communities Administrative Directive found [here](#).

A glossary of definitions of the types of behavior and beliefs that are instrumental in the development of bias incidents can be found here: [hyperlink to glossary]

Legal Reference(s):

[ORS 659.850](#); [ORS 659.852](#); [OAR 581-002-0005](#); [OAR 581-022-2312](#); [OAR 581-022-2370](#)

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).

Dariano v. Morgan Hill Unified Sch. Dist., 767 F.3d 764 (9th Cir. 2014).

State v. Robertson, 293 Or. 402 (1982).

OSBA: **ACB**

Adopted: ___/20