

# Portland Public School District 1<sup>st</sup> Reading

DATE OF FIRST READING: January 12, 2021

## PUBLIC COMMENT FOR Policy 4.xx.xxx-P: Anti-Racist & Anti-Oppression Learning Communities

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The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

**Last Date for Comment: February 02, 2021**

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**Summary:** 4.xx.xxx-P Anti-Racist & Anti-Oppression Learning Communities

**1<sup>st</sup> Reading by:** Rita Moore  
Portland Public School Board

**Recommended for a second 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <https://www.pps.net/Page/11911>

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## PORTLAND PUBLIC SCHOOLS OFFICE OF THE SUPERINTENDENT

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Telephone: (503) 916-3769

**Date:** January 5, 2021  
**To:** School Board  
**From:** Dani Ledezma, Sr. Advisor, RESJ  
**Subject:** Anti-Racist Learning Communities Policy

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### **BACKGROUND**

The proposed Anti-Racist Learning Communities policy provides additional guidance, clarity and prohibitions of hate speech and the use of hate symbols in educational settings. This policy is in response to the rule passed by the State Board of Education as well as in alignment with RESJ work at PPS.

In the fall of 2020, the State Board of Education passed the All Students Belong rule which prohibits the use of hate symbols in support of creating healthy and safe learning environments free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability, or national origin, and without fear or hatred, racism or violence. The rule specifically prohibits the use of the swastika, the Confederate flag and the noose in any school-sponsored activity except where used in teaching curricula that are aligned with the Oregon State Standards.

### **RELATED POLICIES/BEST PRACTICES**

This proposed policy is modeled after the rule passed by the State Board of Education: [581-022-2312 All Students Belong](#). After passing the rule, the Oregon Department of Education issued [guidance](#) for all school districts including comprehensive resources for districts to aid in implementation. These resources complement the work PPS has done to [respond to hate speech](#). PPS' response has been informed by the following:

- Western State Center's [Confronting White Nationalism in Schools Tool Kit](#)
- Teaching Tolerance's [Responding to Hate and Bias at School](#)
- Anti-Defamation League's [Hate on Display Hate Symbols Database](#)
- Portlander's United Against Hate [Report Hate](#)

### **ANALYSIS OF SITUATION**

This proposed policy and accompanying Administrative Directive will strengthen prohibitions of the use of hate speech in alignment with districts across the state and with guidance from the Oregon Department of Education. These prohibitions and resulting consequences can be

aligned with the district's restorative justice approach and Student Conduct and Discipline policy.

### **FISCAL IMPACT**

Adoption and implementation of this policy will have minimum fiscal impact. Implementation and development of the Administrative Directive will codify existing protocols and provide additional support and resources for school sites and administrators.

### **COMMUNITY ENGAGEMENT (IF APPLICABLE)**

Staff engaged with student representatives in the drafting of the policy proposal and will continue to engage with students and culturally specific providers to refine and develop the administrative directive moving forward.

The State Board of Education received broad support from communities directly impacted by hate symbols who testified during the rule's passage that they looked forward to school district's adoption of supporting policies and implementation.

### **TIMELINE FOR IMPLEMENTATION / EVALUATION**

Upon approval from the Board of Education, staff will convene a cross departmental team to develop the accompanying Administrative Directive with hopes of adoption in early spring 2021.

### **CONNECTION TO BOARD GOALS**

This proposed policy recognizes that both a sense of belonging and a positive and affirming school environment is necessary for students to reach their academic and social potential. The proposed policy also recognizes the power of hate speech and symbols to inhibit health and safety. The proposed prohibitions of hate speech and symbols reinforces the district's attainment of the board goals by creating a positive and healthy learning culture conducive to student achievement with specific understanding of the impact on students of color and other impacted student populations.

### **STAFF RECOMMENDATION**

Given the rule adopted by the State Board of Higher Education and the resulting guidance from the Oregon Department of Education, staff recommend the adoption of this policy and resulting administrative directive to support this work.

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*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

\_\_\_\_\_ (Initials)

#### **ATTACHMENTS**

- A. Draft Policy



## Board Policy

4.XX.XXX-P

# Anti-Racist & Anti-Oppression Learning Communities

1/5/2021 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 to full access to the services, activities, and opportunities offered by a school or program; or

c. Is reasonably likely to create a hostile educational environment which interferes with the psychological and emotional well-being of a student.

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, programs, 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 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 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. As part of this practice, the District will endeavor to address incidents of bias and hate speech using this approach.. Additionally, if this policy is violated by students, the District will assess whether disciplinary action is required under the Student Conduct and Discipline Policy [hyperlink] Adults who engage in hate speech or bias incidents may be subject to discipline and/or be prohibited from coming upon District property.

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).

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OSBA:     **ACB**

Adopted:    \_\_\_/21