



Administrative Directive 4.30.071-AD

Anti-Racist & Anti-Oppression Learning Communities Bias Incident Complaint Procedure

Introduction

All students, employees, and visitors in public schools are entitled to learn, work, and participate in an environment that is safe and free from discrimination, harassment, and intimidation.

Definitions

1. “Anti-racism” means active opposition to racism through advocacy for changes in policy, practices, and behaviors.
2. “Anti-Semitism” means hostile beliefs and behaviors towards people because they are Jewish. It can take the form of cultural bias such as prejudiced or stereotyped views about Jews and/or political efforts to isolate and oppress them.
3. “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.
4. “Bigotry” means intolerant prejudice that glorifies one’s own group and denigrates members of other groups.
5. “Complainant” means persons filing formal complaints and persons reporting bias incidents, regardless of whether the complainant is a victim. Similarly, the term “complaint” includes any report or complaint.
6. “Diversity” includes all the ways in which people differ, and it encompasses all the different characteristics that make one individual or group different from another.
7. “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.
8. “Inclusion” means the act of authentically bringing in traditionally excluded individuals and/or groups into processes, activities, and decision and policy making in a new way that shares power.



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9. “Microaggressions” means the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.
10. “Misogyny” means the dislike of, contempt for, or prejudice against women.
11. “Oppression” means the systematic and institutional mistreatment of a target group by a non-target group where there is an imbalance of social and economic power.
12. “Racism” means the system of power where one group has the power to carry out systemic discrimination through the institutional policies and practices of the society and by shaping cultural belief and values that support those racist policies and practices. Racism is expressed in three ways: individual, institutional, and cultural. Individual racism refers to the individual beliefs, attitudes, and actions of individuals that support and/or perpetuate racism in conscious and unconscious ways. Cultural racism refers to the beliefs, values, and norms that value association with white people or whiteness as automatically better or the standard. Institutional racism refers specifically to the ways in which institutional policies and practices create different outcomes for different racial groups and, while those policies may never explicitly mention any racial group, their effect is to create advantages for white people and disadvantage and oppression for people of color.
13. “Respondent” means the person who is alleged to have committed the bias incident.
14. “White Nationalism” means a bigoted social movement that espouses white supremacy or white separatist ideologies, often focusing on the alleged inferiority of people of color, women, immigrants, Muslim, and Jewish people.
15. “White Supremacy” means the ideology that white people and the ideas, thoughts, beliefs, and actions of white people are superior to people of color and their ideas, thoughts, beliefs, and actions.



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Response Procedures

Persons impacted by a bias incident shall be defined broadly to include individuals at whom an incident was directed, as well as students in the larger school community likely to be impacted by the incident. District staff who become aware of a bias incident on school property or during school programming, should take the following actions:

- 1) Report the incident to the school Administrator who will:
 - a) Take immediate action by prioritizing the safety and well-being of all persons impacted and developing a plan to prevent further harm against those persons impacted from taking place.
 - b) Consult with the Department of Civil Rights and Senior Director of Schools to determine whether Racial Equity & Social Justice (RESJ), Student Support Services, and Communications need to be brought in to develop a supportive response for the school community.
 - c) Include in any redirection procedures and educational components that address the history and impact of hate, as well as procedural components to ensure the safety, healing, and agency of those impacted by hate; accountability; and transformation for people who cause harm, as well as transformation of the conditions that perpetuate the harm.
 - d) Include communication protocols that provide all persons impacted with information relating to the investigation.
 - a. Information provided to the persons at whom the behavior was directed and the person who committed the behavior must include that an investigation has been initiated, actions taken to prevent reoccurrence, findings of the investigation and the final determination based on those findings, to the extent allowed under state and federal law, the actions taken with respect to the person who committed the behavior to remedy behavior and, when



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applicable, a citation to the law prohibiting release and an explanation of how that law applies to the current situation.

b. Information provided to students in the school community likely to be impacted by the incident must include that an investigation has been initiated and actions taken to prevent reoccurrence. Communications should:

- i. Denounce the act
- ii. Reinforce PPS and School community values
- iii. Acknowledge the impact the act has had on the community
- iv. Refer to steps being taken to address the act in alignment with district policy.

2) Investigation of Complaint

a. Reports/complaints of a bias incident are submitted to the Department of Civil Rights. The Director of Civil Rights will work with the school administrators to determine the response level. School administration will investigate complaints with the support of the Department of Civil Rights and in some instances, the Director will assign an investigator who will make a determination of policy violations and, in some instances, whether civil rights laws have been violated and need to be reported to outside agencies. Investigations will be completed within 30 days unless the parties agree to allow for additional time.

b. Upon receipt of the complaint/report, the investigator or Administrator will provide written notice to the Complainant and to the Respondent of the complaint process.



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- c. In certain circumstances, an implement interim support plan will be developed for the Complainant and/or the Respondent.
- d. Upon completion of the investigation, the Administrator will then determine whether there is a need for disciplinary and/or restorative actions to be addressed.
 - i. The Administrator will meet separately with the Complainant and Respondent to discuss restorative measures, if agreed by both parties. The Administrator will also notify the Respondent of any disciplinary actions that will be taken as a result of the findings.
 - ii. The Administrator will share outcomes of disciplinary and/or restorative actions with the Director of Civil Rights for purposes of data collection. The Administrator will also finalize a follow-up communication plan, if needed.
- e. The Complainant and Respondent will be notified of the conclusions and findings and their right to appeal. At a minimum, the information provided must include:
 - 1. That an investigation has been initiated;
 - 2. When the investigation has been completed;
 - 3. The findings of the investigation and the final determination based on those findings; and
 - 4. Actions taken with the person or persons who committed the discriminating, harassing, or intimidating behavior to remedy the behavior and prevent reoccurrence when the actions relate directly to a person impacted by the event. (If any of the above information cannot be shared, a citation to the law prohibiting release and an explanation of how that law applies to the current situation will be provided).
 - 5. The process for appeal.



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f. If the complainant or respondent wishes to appeal the decision, they may submit a written appeal to the Director of Civil Rights or their designee within five calendar days after receipt of the notice of findings.

g. The Director of Civil Rights shall acknowledge receipt of the appeal and may meet with all parties involved. Additionally, the Director of Civil Rights will review the findings and conclusions of the investigator as well as any additional information the Complainant and Respondent believe relevant to the appeal. The Civil Rights Director will issue a final decision within 10 calendar days of the appeal hearing.

h. If the Complainant or Respondent is not satisfied with this final decision, or the District fails to render a final decision within 90 days of the initial complaint, they may appeal to either the U.S. Department of Education Office of Civil Rights or the Oregon Department of Education.

3) Restoration and Education

a) The District will develop and implement instructional and support materials to make this administrative directive and related educational processes and possible consequences known to all school employees and students.

b) Schools, with support from District staff, will provide opportunities for community-wide discussion and counseling in response to bias incidents and make available resource materials and other support to students and staff to address the traumatic stress of the incident. Materials and resources will be aligned to the PPS Vision and Strategic plan with the goal of cultivating a culture of racial equity and care.

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