

Portland Public School District 1st Reading

DATE OF FIRST READING: JANUARY 24, 2023

PUBLIC COMMENT FOR
Policy 2.10.015-P:
Anti-racist and Anti-Oppression
Learning Communities

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 or the date which is scheduled for consideration of a Second Reading by the full Board.

Open for Comment Until at Least:
February 14, 2023

Summary: **Anti-racist and Anti-Oppression Learning Communities Policy 2.10.015-P**

1st Reading by: **Director Eilidh Lowery**
Portland Public School Board, Policy Committee Chair

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

Draft Policy Web Site: <http://www.pps.net/draftpolicies>

Contact: **Rosanne Powell, Senior Board Manager**
Address: P.O. Box 3107, Portland, OR 97208-3107
Telephone: 503-916-3741
E-mail: schoolboard@pps.net

Draft Policy Comment Form: <https://forms.gle/VqYbmVA36qqADj6n6>

Included in Packet	Page
Staff Report	03
Draft Policy	05
Redlined Policy with Proposed Changes	08
Original Policy	11



PORTLAND PUBLIC SCHOOLS
Office of General Counsel
501 North Dixon Street
Portland, OR 97227
Telephone: (503) 916-3274

Date: November 28, 2022
To: Board Policy Committee
From: Liz Large, Contracted General Counsel
Mary Kane, Senior Legal Counsel
Subject: Staff Analysis Report to the Board- Policy Revision
Policy # and Name: Antiracist & Anti-oppression Learning Communities 2.10.015-P

BACKGROUND

In February 2021, the School Board approved the Antifacist & Anti-oppression Learning Communities policy, 2.10.015-P. The policy echoed and then expanded the language required by Oregon's All Students Belong legislation in committing to protecting our learning environments from expressions of hate and racism.

In 2021 (amended and effective 5/2022), the State Legislature enacted legislation to ensure that voluntary organizations working with students also have in place the same discrimination policies and procedures as school Districts. OAR 581-022-2308 requires school districts to prohibit voluntary organizations that administer interscholastic activities from working with their students unless the organization implements and adheres to equity-focused policies addressing discrimination and have transparent complaint processes in place to address violations of policy.

RELATED POLICIES/BEST PRACTICES

It is best practice to conform existing policies to current law.

FISCAL IMPACT

These changes will incur no financial impact.

COMMUNITY ENGAGEMENT

There was no community engagement as the proposed language is statutorily required.

TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN

Staff will develop a communication plan within the month to disseminate the revised policy to our community.

STAFF RECOMMENDATION

Staff recommends approval of the revised policy.

ATTACHMENTS

- A. Redline copy of Complaint Policy
- B. Clean copy of Complaint Policy



Board Policy

2.10.015-P

Anti-Racist & Anti-Oppression Learning Communities

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.

Administrators, coaches, advisors, student participants, and others associated with the District's activities, programs, and events shall conduct themselves in a manner that is consistent with the letter and spirit of the District's policies, rules and regulations and of any voluntary organization, including voluntary organizations that administer interscholastic activities or that facilitate the scheduling and programming of interscholastic activities.

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



Board Policy

2.10.015-P

Anti-Racist & Anti-Oppression Learning Communities

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](#). 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.



Board Policy

2.10.015-P

Anti-Racist & Anti-Oppression Learning Communities

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: 2/9/2021; Amended ___2023



2.10.015-P

Board Policy

Anti-Racist & Anti-Oppression Learning Communities

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.

Administrators, coaches, advisors, student participants, and others associated with the District's activities, programs, and events shall conduct themselves in a manner that is consistent with the letter and spirit of the District's policies, rules, and regulations and of any voluntary organization, including voluntary organizations that administer interscholastic activities or that facilitate the scheduling and programming of interscholastic activities.

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](#). 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).

OSBA: **ACB**

Adopted: 2/9/2021; amended /2023



Board Policy

2.10.015-P

Anti-Racist & Anti-Oppression Learning Communities

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](#). 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).

OSBA: **ACB**

Adopted: 2/9/2021