

Tigard-Tualatin School District 23J

Code: GBB/JBC
Adopted: 8/24/20

Bias Incidents and Hate Speech

The Board recognizes the diversity of the school district's students, staff members, and its community, and sees it as one of the district's greatest strengths. All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin. Similarly, all staff are entitled to work in an environment that is free from discrimination or harassment.

The Board recognizes historical injustices have been imposed upon certain populations, often based on race. The Board is committed to combatting racism in all of its forms and being anti-racist. The Board recognizes that it cannot be silent when instances of racism occur within the school environment or its activities. Additionally, the board recognizes that it cannot be silent when incidents of prejudice against other protected classes and identities occur within the school environment or its activities. The superintendent is responsible for creating an environment where staff will actively and regularly review all aspects of programming and identify methods to ensure all students and staff members participate in a safe environment.

"Bias Incident" means a person's hostile expression of animus toward another person, relating to the other person's perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate.¹

The district strictly prohibits bias incidents at all times.

Reporting

If a student, staff member, or volunteer feels that they have been subjected to a bias incident or other inappropriate conduct based on race or any other protected class, they are encouraged to report this to a school or district employee. Any staff member who has knowledge of conduct in violation of this policy shall immediately report their concern to a building or district administrator. Any student who has knowledge of conduct in violation of this policy is encouraged to report their concern to a school or district employee. Reports may be made anonymously.

The building administrator or designee will take reports, alert the district office, and conduct a prompt investigation of any reported bias incidents. The district will follow up on any complaint or report by utilizing the appropriate complaint process(es), depending on who was involved in the incident. All reports shall be tracked and filed with the district office.

Reports against a building administrator may be directed to the superintendent. Reports against the superintendent may be directed to the Board chair. Upon receipt of a report, the superintendent or Board chair will ensure that the appropriate complaint procedure is followed.

The district is committed to ongoing communication throughout the investigation. When the person making the report is known, they shall be notified when the investigation has been completed and, as appropriate and when authorized by law, the findings of the investigation and any remedial action that has been taken. The person may appeal the initial decision in accordance with the applicable complaint

¹ Bias Incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups, including incidents of hate speech.

procedure. Retaliation against any person who is a victim of, who reports, who is thought to have reported, or who files a complaint about a bias incident in good faith, or otherwise participates in an investigation or inquiry, is also strictly prohibited and will be subject to discipline.

Education and Engagement

The district shall regularly provide substantive educational opportunities and experiences to students, teachers, classified employees, administrators, board members, and TTSD community members on diversity, equity, inclusion, and anti-racism to prevent and address bias incidents. These educational opportunities and experiences shall include the topics of bias incidents, allyship, bystander intervention, the district's complaint process, and support resources for victims. They may occur both in a classroom setting and outside of a classroom setting, and shall be designed to develop skills in identifying, preventing, and responding to bias incidents. Furthermore, the educational opportunities and experiences should be developmentally appropriate and vary depending on the grades and ages of the students.

Accountability for Implementation

It is critical that this policy be applied uniformly and with fidelity across the district.

Anti-bias E.A.S.H. Plans. The district and each school in the district shall complete an anti-bias education, Accountability for Implementation, Solutions, and Healing (E.A.S.H.) Plan annually in a format determined by the superintendent. Plans will outline and describe each school's goals, strategies, and tactics for implementing this policy, and any other relevant anti-racist and anti-bias programs. Schools shall complete a mid-year check-in on their plan documenting their progress, in a format determined by the superintendent. Schools shall complete an end-of-year report in a format determined by the superintendent, including school-level data on reporting violations of this policy.

Solutions

Solutions are responses to originators of bias incidents and may include required education, required participation in activities, restorative justice programming, removal of school privileges, and disciplinary action. All solutions should be age appropriate and developmentally appropriate, and to the extent practicable, use approaches that are shown through research to be effective to correct behavioral problems, while supporting a student's attendance to school and classes. The district will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole. Any disciplinary action prompted by a violation of this policy shall follow district policies on student discipline.

Healing

When handling bias incidents, the responding building and district staff shall prioritize the safety and well-being of the victim. The board recognizes that in some situations, the victim of a bias incident may never fully heal. The district will strive to minimize and mitigate harm experienced by the victim. The Board encourages the use of restorative practices when appropriate and available, and discourages the use of "zero tolerance" approaches that have proven to be ineffective based on research and could inflame problems.

Victims of bias incidents are entitled to know that an investigation has been initiated, and they shall be notified when the investigation has been completed and, as appropriate and when authorized by law, the findings of the investigation and any action that has been taken. When the findings cannot be shared, the reason shall be communicated clearly to the victim and/or family. Victims will be provided with support and resources. This includes instances with multiple victims, including incidents that occur in the classroom.

When substantial disruption to a student's education could occur, accommodations to ensure the safety and well-being of the victim shall be made, as appropriate and with the support of the victim and/or the victim's family.

The district will strive to end inappropriate behavior by providing supportive measures and educating staff, students, and community members. This includes when conduct does not rise to the level of statutory or policy definitions or it is determined that discipline is not warranted. The goal of this policy is to not only acknowledge that bias incidents and hate speech occur within our district, but also to work to educate all students and staff about this fact and to move forward to create a plan of action to address it in order to create a school environment that is healthy and safe for all of our students and staff.

END OF POLICY

Legal Reference(s):

ORS 137.678	ORS 166.155 - 166.165	ORS 339.250
ORS 163.190	ORS 174.100(7)	ORS 339.351 - 339.368
ORS 163.197	ORS 332.072	OAR 581-021-0045
ORS 107.705	ORS 332.107	
ORS 166.065	ORS 339.240	

Cross Reference(s):

JFCF/GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying
AC - Nondiscrimination
GBEA - Workplace Harassment
GBN/JBA - Sexual Harassment
JBA/GBN - Sexual Harassment
JFCM - Threats of Violence
JG - Student Discipline
JGDA - Discipline of Students with Disabilities