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## ADMINISTRATIVE POLICY

### Bias Incidents and Symbols of Hate (Every Student Belongs)ADM-A012

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Policies are periodically revised. For the most recent version, please visit <https://salkeiz.sharepoint.com/qam/SitePages/Home.aspx>

1. All students, employees, and visitors in the Salem-Keizer School District are entitled to learn, work, and participate in an environment that is safe and free from discrimination, harassment, and intimidation. The District is committed to providing a safe and welcoming environment for all.

## 2. **DEFINITIONS**

- 2.1. **Animus**: A feeling of hate or anger toward someone or something.
- 2.2. **Bias Incident**: A person's hostile expression of animus toward another person, relating to another person's perceived race, color, 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.
- 2.3. **Impacted Person**: A person who is alleged to be the victim of conduct that could constitute a bias incident. This includes an individual at whom an incident was directed as well as students or employees in the larger school community likely to be impacted by the incident.
- 2.4. **Symbol of Hate**: 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, symbols of neo-Nazi ideology and the battle flag of the Confederacy, and whose display:
  - Is reasonably likely to cause a substantial disruption of or material interference with school activities, or;
  - 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

## 3. **PROHIBITED CONDUCT**

- 3.1. The District strictly prohibits any incidents of bias on school district grounds or in any District program, service, school or activity. This includes in-person, phone Internet, digital or physical displays on personal property.
- 3.2. The presence of symbols of hate on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin create a material and substantial disruption in school activities and the learning and work environment by creating an atmosphere of fear and intimidation and interfere with the rights of students and employees by denying them full access to the services, activities, and opportunities offered by a school or department. The use or display of any symbols of hate on school district grounds or in any District program, service, school or activity is strictly prohibited. This includes in-person, phone Internet, digital or physical displays on personal property.
  - 3.2.1. An exception exists when the symbol is shown as part of an approved curriculum that is aligned to the Oregon State Standards.



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**4. REPORTING AND RESPONSE**

- 4.1. All reports of bias incidents will be investigated and addressed using procedures established by the Superintendent. See ADM-P010.
- 4.2. Students, parents/guardians, visitors, and community members are encouraged to report incidents of bias and hate symbols to the school administrator/department supervisor or to another school district employee.
- 4.3. Employees shall immediately report bias incidents, and the display of hate symbols which the employee observes or which is reported to the person by a third person, to the school administrator/department supervisor and take actions necessary to ensure the immediate safety of students, employees, and visitors.
- 4.4. Any employee who responds to a reported bias incident (including employees who receive reports, witness bias incidents or symbols of hate, or who are involved in investigating the concern) shall incorporate the following in their response:
  - Recognize the experience of all persons impacted;
  - Acknowledge the impact to the person reporting the bias incident;
  - Commit to taking immediate action; and
  - Prevent further harm against those persons impacted from taking place.
- 4.5. The school administrator/department supervisor will ensure that all persons impacted by the bias incident receive information. The following information shall be provided to the persons at whom the behavior was directed, the person who committed the behavior and students in the school community likely to be impacted by the incident:
  - 4.5.1. Notification that an investigation has been initiated; and
  - 4.5.2. Actions taken to prevent reoccurrence.

The following information will be provided to the person at whom the behavior was directed and the person who committed the behavior:

  - 4.5.3 Notification that an investigation has been completed; and
  - 4.5.4 The findings of the investigation and the final determination based on those findings.

If any of the information in sections 4.5.1 to 4.5.4 cannot be shared for any reason, including the Federal Educational Rights and Privacy Act (FERPA) or other confidentiality laws, the school administrator/department supervisor will provide a citation to the law prohibiting release and an explanation of how that law applies to the current situation.
- 4.6. If an individual is found to have violated this policy, the District will take appropriate corrective action with a focus on educating the individual regarding the impact of their actions with appropriate, non-punitive remedial measures.
- 4.7. An employee who violates this policy may be subject to disciplinary action.
- 4.8. The school administrator/department supervisor will review the findings of the investigation with their Cabinet level administrator when considering whether additional steps need to be taken in order to comply with civil rights laws. The Cabinet level administrator may consult other District-level or outside resources when making the determination.
- 4.9. A person may request the District to review the actions taken by staff in responding and/or investigating a report by filing a written request with the Superintendent. The review will be



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conducted by the Assistant Superintendent or their designee. Requests must be submitted within 10 working days of the person receiving notification of the findings of the investigation.

- 4.10. Individuals have the right appeal the District's final decision to the Oregon Department of Education or the US Department of Education Office of Civil Rights.

**5. PROTECTIONS**

5.1. The initiation of a complaint in good faith about behavior that may violate this policy may not adversely affect:

- The educational assignments or educational environment of the student or other person initiating the complaint, reporting the behavior, or participating in the investigation; and
- Any terms or conditions of employment or of work or educational environment of a district employee or other person initiating the complaint, reporting the behavior, or participating in the investigation.

5.2. Efforts will be made to provide appropriate relief for impacted individuals, including preventing and/or taking corrective action against retaliation. Retaliation against persons who initiate a complaint or otherwise report incidents covered by this policy or who participate in an investigation or other related activities is prohibited. Any individual who experiences retaliation is encouraged to make a report to the school administrator or department supervisor. Employees may also report concerns about retaliation to the District's Human Resources Department / Employee Relations. Students and parents/guardians may also report concerns about retaliation to the District's K-12 Education Office.

**6. NOTICES:**

6.1. This policy shall be:

- Published on the school district website;
- Made available in all School District 24J school offices and at the district office;
- Made available upon request to students, parents/guardians of students, district employees and visitors; and
- A copy of this policy at least 8.5" x 11" in size shall be posted in all Middle and High Schools.

**7. TRAINING:**

7.1. District Administrators will develop and implement instructional materials to make this policy and the related practices including reporting procedures, educational processes, and possible consequences known to all school employees and students

**Implementing Procedures and Accompanying Policies:**

ADM-P010	"Investigating Reports of Bias Incidents and Symbols of Hate"
INS-A003	"Hazing, Harassment, Intimidation, Bullying, Menacing and Cyberbullying; Student"
HUM-A029	"Sexual Harassment"
HUM-A018	"Workplace Harassment"



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**Revision History:**

Date	Description
11/23/20	New policy
4/12/21	Updated 2.4 (examples of symbols of hate) and 4.5 (notifications)

Approved By: \_\_\_\_\_

Assistant Superintendent