

## **West Linn-Wilsonville School District Code: ACB - AR**

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The West Linn-Wilsonville School District does not tolerate bias incidents, symbols of hate, nor acts of discrimination (See Policy ACB).

The term “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. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups. 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.

“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 whose display:

1. Is reasonably likely to cause a substantial disruption of or material interference with school activities; or
2. 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.

### **District Proactive Actions to Reduce Acts of Bias**

The West Linn-Wilsonville school district believes that regular and ongoing proactive lessons and training paired with upfront clear guidelines regarding student behaviors and staff responses will help reduce acts of bias and discrimination. The district commits to the following annual actions:

1. Student lessons on anti-racism and interrupting bias delivered during class time (e.g. Life, Advisory, classroom lessons); and
2. Staff professional development on interrupting bias and restorative practices (through online modules or in-person trainings); and
3. Clear guidance provided to students and parents (ie, Student Rights & Responsibility Handbook) regarding appropriate behaviors and clear guidance to staff (ie, Bias Incident Response Roadmap) regarding the handling of bias incidents.
4. Monitoring and tracking of bias incidents to share with staff for making improvements at specific schools and district wide.

### **District Response for Anonymous Incidents**

When an anonymous incident of vandalism, graffiti, hate speech or hate symbols, racist behavior, or concerning behavior on District property or at a District-sponsored event or activity is noticed or reported the following will be followed:

1. The building principal or department supervisor in consultation with an Executive Administrator and/or Chief of Operations (or designee) will make a determination if removal of the vandalism, etc. would hinder investigation and whether law enforcement will be contacted.
2. After documenting the damage, staff will cover or remove the content as quickly as possible.
3. In the event of an anonymous act, school administrators or supervisors may issue a community-wide communication regarding the incident.

### **Formal Complaint of Racism, Hate Symbols, or Bias Incident**

A complaint regarding an alleged bias or racist incident, hate speech, or symbol of hate may be filed through a verbal report, a written email to district administrator, or by completing a [Public Complaint Form \(Policy KL\)](#) or a student Bias Incident Complaint Form ([Policy ACB](#)).

Although no community member will be denied the right to petition the Board for redress of a complaint, complaints will be referred through the proper administrative channels for solution before investigation or action by the Board. The following outline the proper channel of complaints involving racist incidences or bias as follows:

1. Principal or supervisor
2. Appropriate Central Office administrator
3. Superintendent
4. Board (Chair)

The school or district administrator receiving the complaint shall acknowledge receipt of the complaint, reduce the complaint to writing if needed, and investigate any complaint of a racist or bias incident, hate speech, or symbol of hate.

The administrator investigating the complaint will recognize the experience of all individuals impacted, acknowledge the impact, commit to taking immediate action, and prevent further harm against those individuals impacted from taking place. Redirection procedures, if any, will include:

- Educational components that address the history and impact of racism or hate;
- Procedural components to ensure the safety, healing, and agency of those impacted by racism or hate;
- Accountability and transformation for people who cause harm;
- Transformation of the conditions that perpetuated the harm; and
- Administrators or supervisors may issue a community-wide communication regarding the incident in consultation with the individual(s) harmed or as appropriate.

The investigator must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly. The investigator will make a decision within 10 working days of receiving the complaint. All persons impacted will be provided with information relating to the investigation and the outcome of the investigation.

At a minimum, the information provided will include:

- a. That an investigation has been initiated;
- b. When the investigation has been completed;
- c. The findings of the investigation and the final determination based on those findings;
- d. Actions taken to address the behavior and/or prevent reoccurrence; and
- e. When applicable, the legal citation and explanation of any law prohibiting disclosure about specific individuals or any information described above.

### Discipline, Educate, Restore

Any response to a substantiated bias incident must consider these actions:

1. Discipline: Student discipline could include missing preferred activities, in school suspension, out of school suspension, up to expulsion.
2. Educate: Educational activities that address the history and impact of racism and bias.
3. Restore: Restoration could include recognition of harm, restorative circles, apologies, support plans as necessary. Restoration may be at the individual student level and/or at the class or community level.

The circumstances of the situation, if this has happened before, any patterns of behavior, the impact on the affected students, the seriousness of the situation, may all be considered. The District is focused on safety, healing and learning for all involved.

## RESPONSE TO BIAS: DISCIPLINE, EDUCATE, RESTORE

K-12 School-based Incidents & Procedures		
Discipline Possibilities	Educate	Restore
a. Missed Activities b. Alternative Classes/Lessons c. In-School Suspension d. Out-of-School Suspension *Oregon Law considers age, disability with discipline	Education that addresses the history and impact of racism or hate speech (e.g. text, video, short article, narrative).	a. Individual or group apology with recognition of impact/harm b. Class Circle if appropriate c. Repair to community if needed d. Create re-entry safety and/or support plan as necessary
High School Co-Curricular Incidents & Procedures (HB 3409, OSAA)		
Discipline Possibilities	Educate	Restore
a. Practice suspension b. Game suspension c. Season suspension d. School discipline *Oregon Law considers disability with discipline	Education that addresses the history and impact of racism or hate speech (e.g. text, video, short article, narrative).	a. Individual or group apology with recognition of impact/harm b. Repair to community if needed

## **Dissatisfaction or Appealing the Decision**

If the complainant is dissatisfied with the investigation or outcome at the building level, the complainant may, within 10 working days, directly contact the Director of the Superintendent's Office. Complainants will be directed to the proper member of the district leadership team and proceed through the channels of complaint.

### **I. District Office Administrator**

The district office administrator will investigate the complaint and will schedule a conference with the complainant in an effort to further resolve or address the complaint. Following the completion of an investigation and the conference, the district office administrator will render a decision within 10 working days.

### **II. Superintendent**

If the complainant remains dissatisfied with the resolution, they may contact the Superintendent. The Superintendent will investigate the complaint, schedule a conference and render a decision within 10 working days of that conference. Refusal of any party to attend a conference shall not prohibit the Superintendent from meeting with other parties or from making an independent judgment about the validity of the complaint.

### **III. School Board**

If the complainant is dissatisfied with the decision of the Superintendent, they may file a written complaint (or request for appeal) to the School Board within 10 working days. The Board Chair (or designee) will act on behalf of the Board to hear the complaint. The Superintendent shall provide the Board Chair with copies of the written complaint and any other accompanying documents. After review of the complaint and response, the Board will notify the complainant whether it affirms the response of the Superintendent or designee, or whether further action is appropriate. If the Board Chair chooses not to hear the complaint, the Superintendent's decision is final (the Superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b)).

The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision.

If the complainant is not satisfied, the complainant may appeal the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581002-0001 – 581-002-0023.