

Every Student Belongs: Questions & Answers for District Leaders



DO: Emphasize a pragmatic, nonpunitive, and collaborative approach to implementing the Every Student Belongs rule that is supported by guidance, responsive to students, and required by January 1, 2021.

DON'T: Refer only to students feeling “offended” or uncomfortable.

Only emphasize the Division 22 standards requirement of the policy without also emphasizing the purpose and justification behind it.

Core talking points:

1. Schools exist as protected and regulated spaces in order to ensure that every student is safe, welcome, and can have equal access to education.
2. School environments occasionally must limit certain freedoms that are otherwise afforded by the U.S. constitution. (Examples: Weapons in schools, dress codes, codes of conduct, and a variety of prohibitions around bullying and harassment).
3. Students have asked for statewide restrictions on use of hate symbols in schools. It’s our role as adults with decision making authority to create and agree on policies to increase understanding, create spaces for dialogue, and promote intercultural and racial understanding.
4. Any specific incident or hypothetical situation involving other symbols can be approached through building tolerance, understanding, and dialog.
5. Our district is required to put a policy in place, so we need to figure out together how our policy will ensure that bullying and harassment through hate symbols have no place in our schools, while taking a nonpunitive approach.
6. Each and every student benefits from a calm, collected, happy environment, and every student should be free to receive their education without fear of hatred, racism, or violence.

Oregon has a racist past, why isn’t our flag a hate symbol?

1. There are many symbols in this world with many, complex meanings. The three identified were requested by students because these three have a clear documented history of causing harm. They are threatening and harmful in a number of ways.
2. The noose, symbols of neo-Nazi ideology and the battle flag of the Confederacy are explicitly used to threaten, bully, and harass students of color. We aren’t receiving any complaints about the Oregon flag, the US flag, or other symbols being used to bully and harass students.

Every Student Belongs: Questions & Answers for District Leaders



3. We trust students to lead the way into the future. We are charged by our students to start the real work of repairing the damage of racial injustice, brutality, and hatred—starting with removing hate symbols from our schools.

The confederate flag is part of our history, why would we ban part of our history?

1. It's important that we fully acknowledge the impact the confederate flag has today, especially in our learning environments.
2. The confederate flag is commonly used as a White Supremacist symbol at this time in our history and it's being actively used to threaten students, as reported to the Governor and ODE by students.
3. The confederate flag isn't being removed from history lessons, and our history lessons can and should explore the full history of the flag and symbols like it - but we can't be selective about the meaning of the confederate flag.
4. No association with Southern heritage takes away its association with slavery, lynching, and as one of the primary symbols of White supremacy culture.
5. The policy has an exception for teaching about the confederate flag in alignment with standards in a forum such as a history class.

This is a slippery slope. If we ban everything that makes a student uncomfortable or offended, where will this end?

1. The policy isn't about discomfort or being offended. These symbols cause harm and create traumatic stress that inhibit a student's ability to learn or even to be in the classroom.
 - a. Hate symbols target students who, because of their race or other factors, have been subjected to similar attacks many times before. The toll this takes on a student is severe.
 - b. Hate symbols and speech are proven to have actual physical impacts. When students experience this kind of hate, their cortisol levels rise; for some, blood pressure increases; they experience trauma; and it damages their ability to learn, as well as their mental health and wellness. Racial threats, whether words or symbols, even hurt [test scores](#). What happens now determines the health and wellbeing of students in the future.
 - c. These symbols significantly disrupt the operation of school and the learning environment by creating an atmosphere of fear and intimidation. This means not

Every Student Belongs: Questions & Answers for District Leaders



every student has full access to the services, activities, and opportunities offered by a school, and are isolated from their peers, adult supports, and the community at large. This prohibits students from learning, working, and developing to their fullest potential.

2. Rather than a slippery slope, this policy sets the bar to ensure student safety, as well as a safe and welcoming environment for staff, educators, parents, and community members.
 - a. Any student can bully another student in any number of ways that we can't necessarily identify in our policies, and it is still our job to deal with those situations when they arise.
 - b. Policies are not telling people what to think or how to feel, but they can inform people about expected behaviors and processes of remediation based on harmful impact.
 - c. Many districts have existing anti-bias policies, and for good reason. This policy is a response to students who have made a compelling case for greater standards for safety in our schools.
3. Pragmatically, we need to meet this Division 22 standards requirement, and the statewide policy and guidance sets a standard to ensure that our policy has a nonpunitive approach.
 - a. Even these three hate symbols that have been identified aren't meant to go down a road of punishment. Whether or not a symbol is considered hateful, the goal of the policy is to build understanding, tolerance and respect.
4. A hate symbol is an image or thing that vilifies, humiliates, or incites hatred against a group or a class of persons on the basis of race, religion, skin color, sexual identity, gender identity, ethnicity, disability, or national origin. It can also signify violence and intimidation or be an identifying mark of belonging to a group focused on hate against other people.
 - a. It is true that there are more hate symbols than these three and it is also true that there are symbols which are not hate symbols that are currently undergoing major conversation in Oregon and throughout the nation. The important thing is that we set up a nonpunitive policy that builds understanding and breaks down bias.
 - b. If there is a conflict for a symbol that is not in the policy, nonpunitive anti-bias policies can still lead to critical conversations that grow understanding and help create calm, collected school environments.

Every Student Belongs: Questions & Answers for District Leaders



Why isn't Black Lives Matter a hate symbol? Why shouldn't BLM be banned?

1. While Black Lives Matter may be controversial for some members of the community, it is a global human rights issue that has always been about human rights and dignity of Black people in the U.S. and around the world.
2. Its purpose is the opposite of violence and hate - to affirm the human right of Black people to live and thrive with dignity and freedom.
3. Saying "Black Lives Matter" furthers our commitment to supporting every student to feel welcome and safe in our schools.
4. Black Lives Matter means that a Black person's life or a Black student's life is valuable, full stop. And Black students need to know they matter in our classrooms, that every student belongs.
5. We share a responsibility to make sure that each and every student feels safe and welcome, and to be intentional about making sure that our most historically marginalized students, Black and Brown students, are being fully supported.

Is this rule legally defensible? Does it violate the first amendment?

1. It is true that the First Amendment protects freedom of speech, but it is also true that schools cannot knowingly allow for students to be put in harm's way—at risk of being subjected to symbols that have historically incited violence and continue to cause trauma. Students have come forward to show us the constant disruption and harm these symbols cause—clear proof that compels us to action.
2. Hate symbols are a form of bullying, disruptive to learning, and have led to violence.
 - a. Students have come forward to tell us about the extreme disruption and harm that these hate symbols cause—clear proof that compels us to action.
 - b. The statewide temporary rule says: "These hate symbols materially and substantially impact the mental, emotional and social harm to students, families, staff and leaders."
3. Schools are protected spaces that regulate what students can do, wear, and say because safe, welcoming schools don't allow bullying and harassment.
 - a. We have policies that regulate firearms in schools, which is part of our constitution but not allowed in schools for safety reasons.
 - b. Cyberbullying is a good example of this - it may not occur in school but schools step in to protect the safety and educational access of students.

Every Student Belongs: Questions & Answers for District Leaders



- c. Dress codes are another example. Our policies have a lot to say already about what students can wear when that clothing causes a disruption to the learning environment.
 - d. Many districts already have anti-bias policies, and this policy strengthens and clarifies that.
 - e. This policy is taking a strong approach to hate symbols based on what Oregon students have told us is necessary for their safety and access to learning.
4. When it comes to the outright promotion of racist views as it relates to freedom of speech, we have to consider both individual rights and our communal rights to equity, safety, and the pursuit of happiness - including the pursuit of education.
 5. No student should have diminished access to education and school activities out of fear for their personal safety.

Objections to putting the required policies in place / what is required of us?

1. A Division 22 rule is a requirement under state law. Ultimately, our ability to access state funding could be impacted if we are noncompliant with Division 22 requirements. We have control over what our policy will be.
2. The statewide policy sets a clear and consistent standard that defines three hate symbols that Oregon students have identified as causing significant and ongoing harm.
3. When we hear from students that their safety, mental health, wellness, and ability to learn are threatened, we must listen, trust, and take immediate action with the tools we have. Policy is one of our primary tools as a governing and decision making body.
4. What is our reasonable and responsible way to go about this policy that is required together?
5. For example, we know that policies that encourage prevention, education, and interdependence work better than policies focused on punishment.
6. When it comes to a policy around hate symbols, we are addressing an existing issue that students face head on. But so much more is possible beyond this policy.
7. We aren't facing the question of "if" we make a policy or a "yes or no" on creating the policy - it's "what" will the policy be and "how" will we enact it.
8. With any administrative rules, we must put the safety of students first, much as we have in providing guidance for districts during the pandemic.
9. So let's create a policy that affirms that all students, families, staff, leaders and visitors (1) are welcome and belong in the school community; (2) are entitled to a high quality educational environment that is free from discrimination and harassment irrespective of

Every Student Belongs: Questions & Answers for District Leaders



their perceived race, color, religion, gender identity, sexual orientation, disability, financial status, or national origin; and (3) establishes procedures for addressing bias incidents with three hate symbols specifically identified as one component of that.