

South Coast Education Service District

Code: **ACB**
Reviewed: 11/30/20
Adopted: 1/12/21

All Students Belong

South Coast Education Service District is dedicated to addressing the equity needs for all people, especially those in underserved demographic groups and protected classes. Providing equity to our stakeholders means that all people regardless of age, education, ethnicity, language, income, physical limitations or geographic barriers will have access to the same opportunities offered by the organization.

All students, employees and visitors are entitled to an environment free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability, socio-economic status or national origin.

Terms and Definitions

“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.

“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 as indicated by the state board of education and includes the noose, swastika, or confederate flag¹, 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.

The ESD acknowledges that incidents of racism, discrimination and bias occur and as a result prohibits the use or display of any symbols of hate on South Coast ESD grounds or in any ESD- or school-sponsored program, service, school or activity that is funded in whole or in part by monies appropriated by the Oregon Legislative Assembly, except where used in teaching curriculum that is aligned to the Oregon State Standards.

In responding to the use of any symbols of hate, the ESD will utilize a range of remedial actions starting with the use of non-disciplinary interventions but may include progressive disciplinary actions whenever appropriate.

¹ While commonly referred to as the “confederate flag,” the official name of the prohibited flag is the Battle Flag of the Armies of Northern Virginia.

The ESD prohibits retaliation against an individual because that person has 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 ESD facilities pursuant to a lease or license.

The ESD will use administrative regulation ACB-AR - Bias Incident Complaint Procedure to process reports or complaints of bias incidents.

END OF POLICY

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).