



Oregon

Kate Brown, Governor



OREGON
DEPARTMENT OF
EDUCATION

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Colt Gill

Director of the Oregon Department of Education

September 18, 2020

Dear Superintendents,

I'm writing to you about an important health and safety rule passed by the State Board of Education: [581-022-2312 Every Students Belongs](https://www.oregon.gov/ode/2020-09-18-Every-Student-Belongs-OAR).

ODE recognizes that student health and safety are at the cornerstone of education and that 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, and without fear or hatred, racism or violence. All staff and leaders are also entitled to work in environments that are free from discrimination or harassment, and visitors should be able to participate in school activities without fear for their safety.

The **Every Student Belongs** OAR is an important step in creating safe and inclusive school climates where all who participate in our school communities feel welcome.

Background

This past July, an Oregon high school student sent a letter to Governor Kate Brown asking for help. In the letter, the student stressed the importance of banning the Confederate flag in Oregon public schools. In the student's words, "Banning the Confederate flag is far more than just an act to please some people. It shows students and educators that the State of Oregon sees them in their struggles to be considered equal and aiding in the fight against racism...Right now is a great time for Oregon to be a leader for its own citizens and throughout the United States and install this overdue policy."

This student's experience is not alone. In the last few years alone ODE has received complaints or been made aware of multiple incidents involving hate symbols such as swastikas, confederate flags, and nooses. These incidents have disrupted education for students across Oregon.

In response, Governor Brown wrote to the State Board of Education Chair and me urging us “to take immediate action to address and correct the adverse impacts symbols of hate and other manifestations of hate speech have on students in Oregon public schools.” She requested that the Board establish rules to ensure that no Oregon student “be subject to actions or expressions of hate, intolerance, marginalization, or racism.” The Board received a similar letter from Representatives McKeown and Brock-Smith asking it to take immediate action.

This student and others from across Oregon have come forward to show us the extreme disruption and harm that hate symbols cause. When we hear from students that their safety, mental health, well-being and ability to learn are threatened, we must listen, trust, and take immediate action. This policy change begins that action.

In Oregon, we value both freedom and responsibility, and are charged with ensuring that **Every Student Belongs**. This means affording our school communities the freedom of expression while removing barriers to students’ educational progress, including the prohibition of display of hate symbols that incite fear and violence, and cause emotional distress and trauma. The presence of symbols of hate on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin causes harm, and significantly disrupts the operation of schools. When one person in a school community is treated poorly, everyone suffers.

At the instruction of Governor Brown, the Oregon Board of Education has enacted the **Every Student Belongs** rule, which prohibits hate symbols, including three of the most recognizable symbols of hate—the noose, symbols of neo-Nazi ideology and the battle flag of the Confederacy. The temporary OAR took effect on September 18, 2020 and was made permanent on February 18th, 2021. It requires districts to adopt and implement policies and procedures that prohibit the use or display of these three types of hate symbols including the noose, swastika, or confederate flag in any program or school-sponsored activity except where used in teaching curriculum that is aligned with the Oregon State Standards by January 1, 2021. This applies to both in-person and distance learning environments.

Safety and Health

As with all OARs, the safety and health of students is our first priority. Discrimination, exclusion, othering, harassment and the use of hate symbols and hate speech are complex and multifaceted, and often reflect systemic problems rather than individual shortfalls. Swift disciplinary actions, zero-tolerance policies and other punitive responses frequently ignore this multidimensionality in favor of immediate resolution. These approaches do little to alter the attitudes and biases that resulted in the negative, and often violent behavior, and provide little chance for growth, healing or understanding.

Trauma-informed, healing-centered, and educational approaches will be needed to address the root causes and consequences of these harmful acts, and to create opportunities for education and learning while avoiding blame, punishment, or further exacerbating the attitudes and biases that may have prompted the initial event(s). We will continue to support school districts in developing rules, policies, and procedures by providing guidance and resources to support implementation of these policies over the next several months.

Together, we must protect the health of our school communities by removing any and all barriers that impede a student's ability to thrive. Students have asked that the state as a whole follow their lead. We trust in young people and communities throughout Oregon to lead us into a future where all students, staff and families are welcome in our school communities. It is our collective responsibility to make certain that **Every Student Belongs**.

Thank you for supporting the health and safety of our students and educators. Please review the guidance we've paired with this letter and submit any questions or suggestions to EveryStudentBelongs@state.or.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Colt Gill", with a stylized flourish at the end.

Colt Gill
Director of the Oregon Department of Education