



February 22, 2021

TO: House Subcommittee on Civil Law
FR: Morgan Allen, COSA
RE: Testimony Regarding House Bill 2937

Good afternoon Chair Power and members of the Committee,

My name is Morgan Allen and on behalf of the Coalition of Oregon School Administrators and our 2500 members across Oregon, we appreciate the opportunity to offer input on House Bill 2937.

We support the bill's goal of eliminating acts of hate, including harassment, discrimination, and intimidation from occurring at school or school sponsored events. But we believe a broader approach is needed that allows all interested stakeholders to come together to work on solutions, rather than creating new types of lawsuits that don't address the root causes of these horrific incidents.

For example, our members have been part of the stakeholder engagement process that has helped develop and implement [Every Student Belongs](#), a rule adopted by the State Board of Education that makes Oregon the first state in the nation to ban symbols of hate in our schools, including symbols of Neo-Nazis, the noose, and the confederate battle flag. This rule is a critical step towards addressing root causes of hate and ensuring that students, staff, and community members can learn, work, and participate in school and school activities free from harassment, discrimination, and intimidation. Most importantly, it requires schools to adopt a policy to address bias incidents.

In the past few years, we've seen an increase in racist threats and assaults on our students and their families. That, in addition to a global pandemic, continues to exacerbate and shine a light on the injustices our Black, Indigenous, People of Color, and Tribal communities have faced for generations. We are painfully aware of Oregon's racist history and the legacy of institutionalized racism and social and racial injustice it has left us with. We must do everything to ensure that no students, staff, or community members are attacked while at school or school events. Period.

There are a myriad of statutes, policies, and legal remedies that exist to investigate and take action when these horrific behaviors occur. Oftentimes, these are confusing for families, students and community members. Unfortunately, all the processes are a little bit different and it is often difficult to navigate complaint processes at the state level. More professional development and training may be needed to ensure that existing remedies work as they are intended. And work should be done to make complaint processes more accessible for students, families, and community members.

We also have to reluctantly acknowledge that even with a well-designed and well-implemented system of prohibitions, protections, and remedies, it is not possible for schools to prevent all of these incidents. And we believe the underlying remedy in House Bill 2937, more lawsuits, creates the unintended consequence of encouraging more adversarial relationships between schools, students, parents, and community members and may inadvertently remove incentives for collaboration. Where we have seen progress made on discouraging these acts, we know that professional development, education resources for staff and students, and open dialogue with communities is key to improved outcomes.

We have an ethical and legal responsibility to do everything we can to keep hate out of our schools. And it is equally important that we don't re-traumatize students and families in the process. Ultimately, our concern is that adding another legal cause of action may lead to more adversarial situations rather than the cooperation that is needed between schools and communities to root out the causes of these abhorrent behaviors. Our members would instead advocate for a process that is trauma-informed and culturally responsive to the needs of individual students and their families.

Every student deserves to feel supported and affirmed that they have a place in our school community. COSA members are engaging proactively on this critical issue and are ready to work with the sponsors of this legislation to help provide additional protections for our students.

Thank you for the opportunity to share our input on House Bill 2937.