


Zimbra

gaston_e@4j.lane.edu

[4j_priority_mail] Guidance on Political Activity, Educational Equity and Black Lives Matter

From : Kerry Delf <delf_k@4j.lane.edu> Sat, Oct 03, 2020 12:28 AM
Sender : 4j_priority_mail <4j_priority_mail-bounces@4j.lane.edu>  1 attachment
Subject : [4j_priority_mail] Guidance on Political Activity,
Educational Equity and Black Lives Matter
To : 4J Staff <4j_priority_mail@4j.lane.edu>

Team,

This is a year of many and varied challenges, in our homes, our schools, our community and our nation. Thank you for your hard work and perseverance to get the school year started successfully.

As staff work to reconnect with students and each other, we have received a number of inquiries about employees expressing support for educational equity and Black Lives Matter, including displays in their Zoom classrooms. With a presidential campaign underway, we have also received questions and requests for guidance about political expression by staff and students.

In this message:

- Political Activity by Public Employees
- Educational Equity and Black Lives Matter
- Examples of What Is Allowed
- Examples of What Is Not Allowed
- Classroom Conversations

Political Activity by Public Employees

Public employees are prohibited from using public time or resources to advocate for or against any measure or candidate on the ballot—at any level, from a local school funding measure or school board election to congressional and presidential elections. This includes use of the district's equipment, email or wifi to send information, even if it is outside of regular working hours.

Public employees *may* advocate political positions, send letters to the editor, and participate in any other lawful political activity when on their own off-duty time, not acting in their official capacity, and not using any public resources. Salaried public employees like teachers and administrators are advised to keep records to verify that such political activity occurs while off duty.

Attached is a one-page quick reference guide for 4J employees about types of activities that are allowed and not allowed under Oregon election law. The Oregon Secretary of State's office also provides more detailed guides on "Restrictions on Political Campaigning for Public Employees"—a [quick reference guide](#) and a [detailed restrictions guide](#).

If you have a question about whether a particular action related to political activity is allowed, please ask your administrator or contact me (Kerry Delf, Chief of Staff, delf_k@4j.lane.edu).

Educational Equity and Black Lives Matter

Until our school system is safe and welcoming for all students, until all students are supported to succeed, until it is no longer possible to predict probabilities of academic outcomes for groups of students by the color of their skin, we must continue our work to make our school system more anti-racist, more equitable, and more inclusive.

Teachers and staff are permitted to display in 4J classrooms and work spaces the Black Lives Matter symbol or phrase, which aligns with the district's values and message (as noted in the message below from the superintendent and employee association leaders and in School Board Resolution No. 2020-07), and the district's policy commitments to promote safe and productive educational environments and to end discrimination and harassment in our schools.

Black Lives Matter is an umbrella movement, encompassing an array of ideas and groups. While some have labeled BLM as political, the district maintains, as does the U.S. Office of Special Counsel, that BLM is not inherently political or partisan.

The district does not endorse any organized group or political campaign. The district has no control over meanings attached to BLM by other organizations, and in no way embraces BLM as a call to harm, harass or defund police, as some have perceived it. Its value in our context is as support for our students and staff and as an appeal to identify and correct those practices that do not serve our students and staff who are Black, Indigenous and people of color.

Please reach out to your building leaders if you have questions or concerns. Displaying support for BLM in a classroom context raises the possibility for disruption and conflict, and may become a flashpoint for some. In cases where teachers experience conflict, classroom disruptions or other student impacts related to display of a BLM poster or symbol, please connect with your administrator. We are all one team, and we will work together to address concerns as they arise, based on the surrounding circumstances.

Some examples of what is allowed:

- Staff can display Black Lives Matter signs or flags in their physical or virtual classroom or workspace, or clothing or buttons on their physical persons or virtual avatars.
- Staff can display LGBTQ+ Pride and support in signs or flags in their physical or virtual classroom or workspace, or clothing or buttons on their physical persons or virtual avatars.
- Staff can wear buttons on their physical persons that endorse particular political candidates, parties or measures, or display a campaign slogan, per [Oregon Administrative Rule ORS 260.432](#). This is a *narrow, limited exception* to the prohibition on political advocacy by public employees in their official roles.
- A school or employee may encourage parents or students of an age to vote and may make voter registration materials available.
- A teacher may present information about an election issue, in a class where it is appropriate and relevant to the course content. Equal opportunity and treatment must be provided to all candidates for an office or to opposing sides of a ballot measure.
- A school's parent group may invite advocates for and against a ballot measure, or candidates for an office, to speak at the parent group meeting. The same opportunity must be provided to all candidates for an office or to opposing sides of a ballot measure.
- Students do not have the same constraints as public entities or public employees. State elections law does not apply to them. While students are expected to zoom from a location with a neutral, education-appropriate background, or use a virtual one, they may for example wear a t-shirt endorsing a political party, platform or candidate or include a campaign slogan in their email signature. Generally speaking, students have the right to free expression as long as it does not substantially disrupt the educational environment.

Some examples of what is *not* allowed:

- Staff may not post symbols or messages that support or encourage exclusion, or mock or undermine the district-endorsed message that Black Lives Matter and All Students Belong, such as “Build the Wall,” “White Lives Matter” or “Cat Lives Matter.”
- Staff may not post symbols, messages, campaign posters or signs endorsing particular candidates or parties, whether physical or virtual, per [Oregon Administrative Rule ORS 260.432](#).
- Staff may not treat students differently based on viewpoint or political content—for example, telling a student they cannot wear a MAGA hat or t-shirt, or grading a student more poorly based on the viewpoint expressed in their argumentative essay.

- Staff may not use, or allow students to use, symbols of white supremacy or hate, including images of a swastika, noose or Confederate flag, per the State Board of Education's administrative rule [All Students Belong](#), Board Policies [AC – Nondiscrimination](#) and [JFCF – Harassment and Bullying](#), and the [Student Rights and Responsibilities Handbook](#).
- Staff may not remove or replace required items or messages, such as by substituting a different flag for the U.S. flag that is required by law ([ORS 339.875](#)) to be displayed in all Oregon classrooms in public school buildings.
- Staff may not post on school or district social media accounts to represent their own political views and opinions as those of the school or district, or in their official capacity.
- Staff may not alter the district's standardized email signature to include any slogans, ideology or philosophical statements, per [Administrative Rule IIBGA-AR](#). (The standard signature includes your name, job title, school or department, Eugene School District 4J, and contact information. You are permitted but not required to include your pronouns.)

Classroom Conversations

We're living through one of the largest social movements in the history of our nation, as well as a hotly contested presidential campaign, and these subjects are certain to be raised in the course of learning in many classrooms.

Thoughtfully facilitating student discussion, in subject-appropriate courses and age-appropriate ways, of what they're seeing in the presidential election campaign, and in social movements including Black Lives Matter and the various responses to those movements, can be an opportunity to engage in real-time, authentic learning.

We have the responsibility to teach our students about civil rights and responsibilities, and how to become informed, contributing members of our democracy. We should model civil discourse, teach critical thinking, incorporate multiple perspectives, and teach students how to construct arguments using evidence.

These conversations are not occasions to promote or advocate personal values or beliefs regarding politics, religion or other cultural issues. Our role as educators is to facilitate conversations about issues in a tolerant and inclusive environment and create safe spaces for students to make sense of the world around them.

Staff should be aware of the impact that their personal behavior and expression may have on their students and their students' willingness to engage in discussion, especially when viewpoints differ. As educators, we want to promote discourse, not squelch it. We want our classrooms—physical or virtual—to be welcoming spaces to all students.

In our official capacities, we honor all viewpoints, so long as they do not promote violence, hate, racism or discrimination. We strive to make our schools and classrooms inclusive of

multiple viewpoints and give students the opportunity for civil discourse in our teaching spaces.

As we all work to support everyone in our school community, here are a few resources for you to consider if you engage in such classroom conversations with students.

- [4J Board Policy INB – Studying Controversial Issues](#)
- [Fostering Civil Discourse: A Guide for Classroom Conversations \(Facing History and Ourselves\)](#)
- [The Day After \(Teaching Tolerance / SPLC\)](#)
- [Speak Up for Civility \(Teaching Tolerance / SPLC\)](#)
- Anti-racist instructional resources put together by 4J's Office of Equity, Instruction and Partnerships earlier this summer: <https://www.smore.com/n8g0f>

Thank you,

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Kerry Delf | Chief of Staff | Eugene School District 4J | delf_k@4j.lane.edu | 541.790.7733

From: "Cydney Vandercar" <vandercar_c@4j.lane.edu>

To: "4J Staff" <4j_priority_mail@4j.lane.edu>

Sent: Friday, October 2, 2020 10:12:13 PM

Subject: [4j_priority_mail] Black Lives Matter: Joint Message to 4J Staff

Dear colleagues,

In 4J classrooms, schools and worksites, Black Lives Matter, and All Students Belong.

On June 2, 2020, 4J's former superintendent Dr. Gustavo Balderas and current superintendent Cydney Vandercar shared a message of solidarity and support for Black lives and our communities of color. ([link](#))

On June 24, 2020, the Eugene School District 4J Board of Directors unanimously passed School Board Resolution No. 2020-07 Affirming the Board's Commitment to Anti-Racism and Equity, stating that the board "unequivocally affirms that Black lives matter." ([link](#))

On September 17, 2020, the State Board of Education unanimously approved the All Students Belong administrative rule, focused on the health and safety of students and educators by creating a more inclusive school climate. It bans symbols of hate from schools, including the swastika, noose and Confederate flag. ([link](#))

We have a moral obligation to address systemic and individual racism in our schools and our community, and we must hold our district accountable for improving students'

experiences moving forward.

For 4J, “Black Lives Matter” is fundamentally an affirmative civil rights and social justice statement that aligns with our commitment to Black, Indigenous and other students of color who have been historically underserved by the American educational system.

When we say Black Lives Matter, it is an acknowledgment of the disparities in our own system, reflected in disparate graduation and discipline rates that show our district has not served all students equally well, and of the bias and harassment that some of our students and staff have experienced. We cannot reconcile the lived experiences of many BIPOC students and staff with our district’s core values of excellence and equity in education.

Teachers and staff are permitted to display in 4J classrooms and work spaces the Black Lives Matter phrase or symbol, in alignment with the district’s values and message. The district will share more detailed guidance.

We are proud to work with such passionate, caring and dedicated colleagues. Let us stand together as a safe harbor promoting civility, respect, and care for all of our students, our community, and our fellow colleagues.

Together,

Cydney Vandercar, Superintendent, Eugene School District 4J
Sabrina Gordon, President, Eugene Employees Association
Sheila Waggoner, President, Oregon School Employees Association Chapter 1
Peter Tromba, Incoming President, 4J Managers, Administrators, Professionals and Supervisors

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