

**Responding to Bias Incidents:
A Whole Student Approach to Assist Educators,
Administrators, and Staff to Prevent, Identify, and
Respond to Bias Incidents in Schools**

by

The Governor's Advisory Council on
Diversity and Inclusion¹

Ahni Malachi, Chair

Sarah Burke Cohen

Karyl Martin

Sean Connor, Vice Chair

Chris Connelly

Robert Quinn

Sean Locke, Secretary

Jeremy Denlea

Mark Rubinstein

Aida Cerundolo

Charlie Dennis

Shirley Tomlinson

Dina Michael Chaitowitz

Adrienne Evans

¹ The Governor's Advisory Council on Diversity and Inclusion would also like to thank and credit staff from several local school districts who graciously met with its members to provide insight on their districts' policies and practices regarding bias-incidents. The Council would also like to thank its former members, Ann Landry and Meghan Eckner, for their contributions to this important project, and staff from the Anti-Defamation League, the Foundation Against Intolerance & Racism, Inc., and the Jesse Lewis Choose Love Movement for their support of this important project.

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I. Introduction

The Governor’s Advisory Council on Diversity and Inclusion (“Council”) recognizes that the State of New Hampshire acknowledges, respects, and values the diverse cultures, ancestries, and identities within our communities. The State’s commitment to diversity, equality, and inclusion includes ensuring that all students, families, educators, and community members have access to an inclusive and unifying learning environment.

For schools, the Council hopes that the following information serves as a foundational framework to assist educators, school administrators, and school staff with the important task of preventing school bias incidents. The Council also hopes that if a bias-motivated event should happen, the information contained in this toolkit will support the school’s effort to handle such a stressful situation with the care, kindness, and seriousness it deserves. Any incident can become a teachable moment for those involved and serve as an opportunity to provide lessons for the student body and greater community.

For students and families, the Council hopes that the following information will provide you with an understanding of what to expect should you or another member of your school community be the target of a bias-motivated incident. Bias incidents harm not only those who are the target of such incidents but, also, the entire community, and no student or family should have to confront that harm without resources and support. School should always be a place where students can thrive.

Preventing, identifying, and responding to bias within our communities requires a constructive approach that recognizes the dignity and intrinsic value of every individual member of the school community. This toolkit provides New Hampshire schools with a guide and the means for building positive school cultures grounded in fairness, understanding, and humanity, where all students feel a sense of belonging and can achieve their fullest academic and human potential.

Please know that this tool-kit is meant to be a living document and prompt an ongoing discussion between schools, families, and their communities to develop policies, protocols, and skills to better support and protect all students. The Council welcomes input on this tool-kit and plans to revisit this work in the coming years to improve its this document and ensure that all students can achieve their full potential in a safe academic environment.

II. Student Well-Being in the State of New Hampshire

Hate, bigotry, and intolerance present serious issues that all in New Hampshire must be prepared to confront and redress. State law works to deter hate in several ways. In criminal law, the hate crime sentencing enhancement, RSA 651:6, I(f), allows for increased sentences and penalties for criminal acts that were substantially motivated by “hostility towards the victim’s religion, race, creed, sexual orientation[,]...national origin, sex, or gender identity.” Similarly, RSA 651:6, I(d) allows for increased sentences and penalties for criminal acts when the perpetrator “tak[es] advantage of the victim’s age or physical disability.”

In addition to the criminal hate crime laws, the New Hampshire Civil Rights Act, RSA chapter 354-B, prohibits actual or threatened uses of force, property damage, or trespass upon property motivated by “race, color, religion, national origin, ancestry, sexual orientation, gender, gender identity, or disability.” That statute allows the [Attorney General](#) to bring an enforcement action and to seek restraining orders to protect targeted individuals and communities, civil penalties, restitution—or repayment—for damage caused, and other relief to protect the public and discourage future Civil Rights Act violations.

Outside the criminal and civil enforcement context, the New Hampshire Law Against Discrimination (the “Law Against Discrimination”) and the Pupil Safety and Violence Prevention Act of 2000 (the “Pupil Safety Act”) directly target bias-motivated conduct in public schools. The Law Against Discrimination, RSA 354-A:27, states that “[n]o person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin.” This law empowers any person that has faced education related discrimination to file a lawsuit in New Hampshire Superior Court for legal and equitable relief or to file a charge with the [New Hampshire Commission for Human Rights](#).

Public schools must have policies in place that protect against hate and bias-based bullying. The Pupil Safety Act, RSA 193-F:2, is meant to “protect...children from physical, emotional, and psychological violence by addressing bullying and cyberbullying” including bullying or cyberbullying that is “motivated by a pupil’s actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, emotional, or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics, or based on association with any person identified in any

State Laws that Address Hate, Bias, and Discrimination in Schools

- Hate crime sentencing enhancement: RSA 651:6, I(f);
- Age or disability sentencing enhancement: RSA 651:6, I(d);
- The Civil Rights Act: RSA 354-B:1;
- State law against discrimination in public education: RSA 354-A:27;
- The Pupil Safety and Violence Prevention Act of 2000: RSA chapter 193-F; and
- Discrimination prevention policy statute: RSA 193:39.

of the above categories.” The sole purpose of the Pupil Safety Act is to protect all children from bullying and cyberbullying.

Under the Pupil Safety Act, all public-school boards must implement a policy that protects pupils, “regardless of their status under the law,” from bullying and cyberbullying in the school setting. School boards are also required to report substantiated incidents of bullying and cyberbullying to the State Department of Education.

In addition to the bullying-related protections of the Pupil Safety Act, RSA 193:39 requires public schools to develop and implement policies and plans to prevent, assess the presence of, intervene in, and respond to incidents of discrimination on the basis of age, sex, gender identity, sexual orientation, race, color, marital status, familial status, religion, national origin, or any other protected characteristics identifies in the Law Against Discrimination.²

With this set of laws aimed at protecting all children as a foundation, the Council offers guidance for preventing, identifying, and responding to bias incidents in New Hampshire schools.

Protected Characteristics Under New Hampshire Law

Remember that the protected characteristics under New Hampshire law include age, sex, gender identity, sexual orientation, race, color, marital status, familial status, religion, national origin, and disability. Any person can be a target of a bias incident because of any actual **or perceived** protected characteristic that the person who is engaging in the bias incident believes their target has.

² For assistance in developing a policy required by RSA 193:39, school districts could work with the School Boards Association or legal counsel to develop a policy consistent with the law.

III. Why School Culture Matters for Prevention

Educators and school administrators play vital roles in creating an environment where all students can learn and thrive. Creating a school culture that is based in fairness, understanding, and inclusivity requires ensuring that individual uniqueness is recognized and appreciated in the shared humanity of the school community.

This toolkit is a resource to help educators and school administrators strengthen their responses to school-based incidents of bias and bigotry. Whether it be a racist comment, homophobic graffiti, antisemitic harassment, or any other bias incident, all school community members must be committed to addressing bias however it presents itself in our schools. Taking no action in the face of a bias incident can have a lasting impact on the community. Failing to effectively respond to bias incidents silently condones the hurtful words or actions and sends a message that a supportive school culture is not a priority. When bias incidents occur, educators and administrators have an opportunity to actively cultivate inclusivity and model how students can support each other to do the same.

Yet, being reactive alone will not build diverse and inclusive school communities. The most effective responses to bias incidents incorporate prevention, long-term education, as well as intervention. Simply put, the work to build inclusive school communities is ongoing and not limited to after a bias incident has occurred. A commitment to continuous learning and building a positive school culture is essential before, during, and after a bias incident. By reinforcing what the school community stands for prior to an incident, educators and administrators can send a positive message to all students and community members and provide a powerful approach to foster unity and inclusion for all.

Students learn best when they feel a sense of belonging. A sense of belonging develops when all individuals are treated as intrinsically valuable human beings and invited to bring the fullest version of themselves to school, including their unique culture, background, and beliefs, as well as their individual character traits, and experiences outside of school. School communities must strive to ensure that every single person is seen, heard, and valued as a unique and complex individual, not simply as a representative member of a monolithic identity group.

The need for a common school community cannot be overstated. This sense of shared belonging contributes to the prevention of bias and bias-related incidents. Building a social culture that is based on a shared humanity where students, educators, and administrators demonstrate the qualities of fairness, understanding, and humanity toward each other goes a long way towards creating an atmosphere of belonging and inclusion for all.

Keys for Fostering Positive School Cultures

- Develop a sense of shared belonging within the school community;
- Encourage approaching people and groups from different backgrounds from a place of humility and respect;
- Encourage the school community to embrace differences;
- Develop policies and protocols for reporting bias incidents;
- Communicate policies to the school community; and
- Understand how to identify bias incidents.

Remember that people are all unique individuals with complex identities; therefore, approaches to resolving issues between people should likewise come from a place of humility, awareness, and understanding. Adopting this practice creates a solid foundation for building a culture that embraces the rights and dignity of others without abandoning anyone. This practice of individual acceptance builds a positive school culture that includes one's identity and unique personality traits, cultural expression, ethnicity, place of origin, ancestry, religion, creed, sex, sexual orientation, gender identity and expression, viewpoint, perspective, and worldview. These are some of the aspects to take into consideration when looking to understand an individual's culture while simultaneously building a unifying school culture that celebrates the humanity of all members of the school community.

Building a positive and inviting school community is key for preventing bias incidents. Embracing differences, rather than ostracizing people or groups because of them, is essential to support the culture that the school community is working so hard to build. Respecting our human diversity, which comes in many forms, is another way to celebrate our unique and complex identities. With so much that could separate those within the school community, schools must work to find common ground and a shared group of fundamental values. Together, with these practices and principles in place, trust can be built and utilized to de-escalate conflict and forge a path to promote acceptance through open-mindedness, curiosity, compassion, and respectful disagreement.

Clear and safe protocols are necessary to facilitate reporting bias incidents and maintaining a culture that encourages reporting by students, family members, school administrators, staff, teachers, and the community at large. Key elements of reporting include:

- Determining the appropriate personnel to respond and provide support, intervention, or education to address the behavior and its consequences.
- Ensuring that there is no retaliation for reporting. Reporting bias incidents protects the safety of those targeted by such incidents and can reduce the number of bias incidents within the school and community.
- Reporting and responding to the bias incidents can lead to changes in perspectives towards bias-motivated behaviors and promote tolerance rather than discrimination.

Policy integration is another important part of prevention. When clear policies are communicated to teachers, administrators, students, and the community, bias incidents can be more easily identified. Better identification allows for appropriate responses to occur in school. To understand what a bias incident is, consider several examples:

- **Using a slur or insult** directed at a student or student's family based upon their membership in a protected group.
- **Telling jokes that mock** a protected group through any means—in person, electronically, etc.
- **Not allowing students to participate** in an activity or course of study because of their membership in a protected group.

- **Disciplining a student more often or more harshly** because of their membership in a protected group.
- **Posting pictures of a student that disparages them** for being part of a protected group.
- **Mocking someone** with any kind of disability or mocking someone's culture or language.

IV. What is Bias?

Bias is a personal tendency, inclination, or sometimes an unreasoned judgment or prejudice against something or someone. Sometimes, a bias is positive and helpful, like only participating in healthy activities and staying away from people and places that tend to be harmful. Although biases are common in all people, they are typically based on stereotypes instead of on actual experiences with a particular person, group, or situation.

Bias is learned behavior that can develop from life experiences, family, media, and other outside sources that lead to a common preference. This preference can be expressed in favor of or against a theory, belief, group, or individual.

Bias is negative when it prevents one person from treating another person or situation fairly, which can lead to prejudgments or reckless decisions. Negative bias can result in a negative impact affecting a wide range of areas, including individuals, groups, or situations. Such a negative impact can lead to an overall lack of respect that further leads to unfair treatment across various impacted groups.

Everyone has bias. What people do with their biases, either positive or negative, makes the difference in the impact our biases can have. Understanding that everyone has biases that influence them, keeping biases in check, and projecting empathy and fairness towards others is an important part of preventing incidents of negative bias at school, in everyday life, and in the community.

Types of Biases: Cognitive Errors

Cognitive errors are a category of biases. Cognitive errors are repeated patterns of thinking that can lead to inaccurate or unreasonable conclusions. The conclusions drawn from these patterns may help a person make decisions faster; however, those decisions can easily be based on flawed or inaccurate memories or source information. The natural limits of the brain's ability to process information, the sometimes overwhelming nature of emotional input, and social pressures are additional reasons why cognitive errors occur. Remember that we all have biases and are susceptible to making cognitive errors.

Understanding that anyone can be affected by cognitive errors and other types of biases enables people to recognize when those biases are influencing behavior and respond accordingly.

Below is a non-exhaustive list of examples of cognitive errors that can relate to bias. Understanding how these errors affect a person's thinking helps us better understand the potential underlying cause of a negatively expressed bias, and to assist in the de-escalation of a bias incident.

- **Ingroup/Outgroup Bias** - Starting at a young age, people will discriminate between those who are like them, their "ingroup," and those who are not like them, their "outgroup." On the plus side, they can gain a sense of identity and

safety. However, taken to the extreme, this categorization can foster an “us-versus-them” mentality and lead to harmful prejudice.

- **Attribution Bias** – Attribution bias occurs when someone tries to attribute reasons or motivations to the actions of others without concrete evidence to support such assumptions.
- **Actor-Observer Bias** – When one individual is the actor in a situation, that person is more likely to see their actions because of external or situation factors. For example, an actor may blame peer pressure for their actions, rather than take responsibility. When one individual is observing others, that person is more likely to perceive the actions of others based on internal factors. For example, an observer may blame the actor’s immorality or poor character for the actions. This can lead to a lack of self-awareness.
- **Confirmation Bias** – Confirmation bias refers to the brain’s tendency to search for and focus on information that supports what that person already believes, while ignoring facts that go against those beliefs, despite the relevance of those facts.
- **Anchoring Bias** – When a person connects with the first available piece of information and unconsciously uses it to “anchor” their decision-making process, even when the information is incorrect or prejudiced. This can lead to skewed judgment and poor decision-making, especially when one does not take the time to reason through their options.
- **Halo/Horns Effect** – The “halo” effect occurs when a positive first impression of someone colors the overall perception of that person, which can lead to conclusions such as attributing the best intentions to that person. The “horns” effect (or reverse “halo” effect) occurs when a negative first impression colors the overall perception of that person, which can lead to conclusions such as attributing the worst intentions to that person.
- **Negativity Bias** – People tend to pay more attention to negative outcomes and weigh them more heavily than positive ones when considering a decision.
- **Optimism and Pessimism Bias** – Powerful emotions can drive irrational thinking, such as overestimating the likelihood of a positive outcome when one is in a good mood. Conversely, when one feels down, they are more likely to expect a negative outcome.
- **Fundamental Attribution Error** – A fundamental attribution error causes one to attribute someone else’s actions to their personality rather than considering the situation the person is facing. However, this same bias stops

the person from using an equivalent measurement when analyzing their own behavior.

V. Building an Inclusive School Culture to Prevent Bias Incidents

With an understanding of what bias is and how it influences people, consider how an inclusive school culture can prevent bias incidents before they occur. Building an inclusive school community should be a continuous, year-round priority. But, how can educators and school administrators encourage students to create a welcoming environment, limit inherent biases, encourage fairness, and incorporate unity for all – especially when our views, experiences, or cultures may not align?

An inclusive school culture cannot simply be imposed by rule or edict.

Everyone in the community, including administrators, faculty, students, and families, is necessary to build and foster an inclusive school culture.

To inspire students to participate fully, opportunities are needed for them to get involved and take ownership of any observed issues, as well as creating solutions that focus on impartiality, acceptance, and intrinsic human value regardless of individual or group identity.

Consider the following ideas to assist you in building a positive school community:

- Unite around local events and shared stories. What has happened in your school or community that fosters a sense of cohesion? What moments or achievements can be used to remind community members of their shared experiences?
- Create service opportunities at large-scale events. Organize service events that raise awareness or funds for a local cause such as visiting seniors, letter writing campaigns, book drives, class videos for kids that are home sick, or volunteering in the local community.
- Create student and community clubs. Create opportunities for proactive teamwork and shared experiences that can help foster bridge-building. Some ideas are student-run concert series, sporting events, carnivals, and the like.
- Create a gratitude campaign. Begin the school year with a campaign that focuses the school community on gratitude. Students, parents, teachers, administrators, and staff might consider, “What are three things at your school you are grateful for?” and post responses in a hallway, the library, classrooms, or a special school webpage.
- Create a student-led campaign that focuses on the unique humanity of the individual. Ask student leaders to create a social media campaign with an agreed-upon hashtag. Introduce and include the school community to help support various opportunities inside and outside of the classroom to foster fairness, understanding, and humanity in practical ways. SAU’s can create a district-wide or state-wide webpage to collect and

display stories of people committing to the culture change through activities and experiences that put unique individuals with a shared humanity on display. This creates a place for positive experiences and stories to be shared and provides continued support for the school culture.

- Using inclusive language will help to promote a shared school culture and humanity, as well as to foster the continued growth of a healthy school community. In recognizing the various forms of cognitive biases, we recognize that clouded judgment can lead to stereotyping and polarization in school communities and classrooms.

VI. Identifying Bias Incidents

Schools may encounter bias incidents in various settings, in person or online, between two or more individuals, or in a classroom or public setting. Regardless, a pro-human approach to bias incidents requires protection of the students and the community, as well as a view toward using the incident as an opportunity for healing, learning, growth, and resilience.

A **bias incident** occurs when a person uses language or engages in conduct that disparages another person or group based on their actual or perceived age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, national origin, or ancestry.³ If a bias incident includes actual or threatened use of physical force, property damage, or trespass, it may also be a Civil Rights Act violation under RSA 354-B:1, or if a bias incident includes a violation of any criminal law, it may also be a hate crime under RSA 651:6, I(f). Prompt action in response to bias incidents protects the students, the community, and the school.

Some bias incidents may occur in the form of bullying or cyberbullying as well. Bullying is “a deliberate and unsolicited action that occurs with the intent of inflicting social, emotional, physical, and/or psychological harm to someone who often is perceived as being less powerful.”

Under the Pupil Safety Act, all schools must have in place a policy that protects pupils, “regardless of their status under the law,” from bullying and cyberbullying in school-sponsored activities, including conduct that occurs outside of school and interferes with a student’s educational opportunities. This means that a school’s bullying policies should consider how to address bullying or cyberbullying that targets a student because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, or national origin.

Bias Incidents and Discrimination

Allowing bias incidents to go unaddressed may cause a student to be excluded from participating in school activities or may deny students the benefit of the public school and public education, which could invite claims that a school has discriminated against that student.

Schools must have policies that prevent, assess the presence of, intervene in, and respond to incidents of discrimination.

³ [Appendix A](#) includes many examples of bias incidents that may occur.

VII. Responding to Bias-Related Incidents

Bias incidents at school are deeply troubling events. They can create division, fear, and mistrust within a school community, which can interfere with a healthy learning environment. As with bullying, schools must respond to bias incidents in a manner that protects students and the school community, while also acknowledging the intrinsic value of each individual, our shared humanity, and growing school culture.

Bias incidents can be an opportunity, therefore, to unify a school around shared fundamental values and positive traits that the school wishes to encourage. Schools must treat bias incidents on a case-by-case basis, with a response commensurate with the severity of the incident. Constructive responses and solutions must allow individuals and communities to heal, learn, strengthen, and grow.

Responding to biased language and bias incidents conveys important messages about a school's culture and values. Effective responses communicate that your school community values holistic education and is committed to protecting all students from potential harm.

Schools seize the opportunity to clearly denounce bias incidents – especially public incidents that may affect people outside of the school and within the community – when bias incidents occur. To protect students and their sense of belonging, and to promote healthy school communities, schools must also explicitly recognize and acknowledge the mistrust, fear, and division that such incidents might cause. Schools also must approach the bias incident in a way that emphasizes healing, resilience, forgiveness, and growth. The goal is reconciliation and understanding rather than retribution or shaming.

Response Protocol for Bias Incidents in Schools

Before responding to a bias incident, consider a variety of factors. Educators and administrators can take a more holistic approach and create teachable moments from an incident. Those involved are looking for transparency, the opportunity to be heard, fairness in the application of policies and procedures, along with follow-up to understand what outcomes are to be expected relative to the corresponding incident. If new procedures need to be established to prevent a similar event in the future, or if information on the handling of the immediate issue needs to be shared, the students and broader community are looking to school leadership to establish effective communication and follow publicly available and established procedures for information sharing. This is one of the most important elements for building trust with the community and allowing the school's culture to maintain an atmosphere of fairness, understanding, and kindness for all.

When developing a school response protocol, ensure that it addresses the following questions:

- Does your school have an incident response protocol? Consider creating a readily available incident response checklist to use when incidents occur.

- Has the protocol been clearly communicated to school staff? Practicing and refining the protocol will make your team more efficient and thorough in their response when incidents do occur.
- Do your team members understand the roles they may be asked to play in connection with incident response (e.g., investigation, communication, community healing, etc.)?
- Do you have relationships with community-based organizations, the Department of Education, the Human Rights Commission, the Civil Rights Unit of the Department of Justice, or other relevant stakeholders? These relationships can enhance your ability to respond rapidly and comprehensively to an incident.
- Do you have a standardized bias-incident response form to guide and document information gathering after an incident?
- Does the incident involve an imminent threat to student safety or the safety of others so that school safety resources may need to be activated?
- Do you have a plan to engage with those impacted and ensure that they feel safe going forward?

Why Should Educators Intervene?

Biased comments and actions can sometimes catch us off guard, making it hard to know what to say or do in the moment. Remember that by remaining silent and refusing to intervene, you are communicating that the biased language or actions are acceptable. Intervention is imperative. Even if an educator questions whether the language or actions at issue are biased, intervention remains imperative because an active and measured response mitigates the potential for harm and demonstrates that biased behavior is unacceptable.

As educators and leaders, being prepared for these moments will allow you to respond more intentionally and with confidence. In responding to bias incidents, communicating with care and understanding models and encourages behaviors based on a positive school culture. Positive shared values will create a sense of belonging, which will naturally encourage the reporting of bias incidents moving forward. Treating bias incidents in a compassionate way will reestablish trust and foster good will in the community.

Words and symbols have power, but only to the extent that the community allows them to hold that power. Encourage students to see a bias incident as a troubling event but not as an event that reflects the school's shared values of fairness, understanding, and compassion.

Although bias incidents are not reflections of the school's shared values, be mindful that while supporting students the impact of the bias incident is not minimized or dismissed.

Bias incidents are troubling events and the impact they have upon students should be acknowledged and addressed.

Building belonging and resilience among students and communities is key to ensuring that bias incidents don't result in further harm. When an incident occurs, it is important to stop the behavior and support the targeted students or groups. Schools that take this approach will not only increase feelings of well-being and trust, but also further underscore a constructive school culture.

Strategies to Stop Bias Incidents

Below are effective ways to respond to biased, hurtful language and actions in the moment. These responses can be coupled with longer conversations and contextualized lessons about bias, diversity, and inclusion.

Remember that because bias is embedded in our culture, including in our language, people might not always recognize that their words are biased.

STRATEGY #1: Interrupt

- “Let’s pause the conversation here to reflect on something that was just said.”
- “That sort of language/behavior is not acceptable in my classroom. Every single student is an equal and valued member of our community.”
 - **Note:** Some students may push back and say they heard the offensive term in the media or at home. To this, you can say, “Regardless of where you learned it, bias is not welcome in our school.”
- “Ouch! Let’s talk about that a bit more.”
- “What I just heard was not ok.”

STRATEGY #2: Ask a question

- “What do you mean?”
- “What do you know about the meaning or history of that word?”

STRATEGY #3: Explain impact

- “Do you know how that symbol makes some people feel?”
- “When you say that, it is really damaging to an entire group of people.”
- “Statements like that have a long history of causing pain and fear for entire communities.”

STRATEGY #4: Broaden to universal behavior

- “Do you mean everyone who is _____, or are you speaking of someone in particular?”
- “I don’t think that’s a _____ thing. I think lots of different people have that quality.”
- “You can’t make a generalization about a group of people based on your interactions with (or what you’ve heard about) one or a small number of people.”
- “Every human being deserves respect and decency.”

STRATEGY #5: Connect to a historical context

- “What you said feeds into an old stereotype. Let’s talk about where that comes from...”
- “You may not realize it, but that language has a long history of disrespect, violence and oppression ...”
- “Let me explain how that language was historically used to talk about people ...”

Strategies to Support the Targeted Student or Groups

When faced with a bias incident, the school must address the incident with the additional consideration of the disruptiveness and mistrust that bias incidents can bring into the community.

If the incident was directed at a specific individual, the school should offer support for the victim, which might take the shape of counseling for the victim and the victim’s family. Moreover, schools must consider that, even when a bias incident involves an individual victim, the school community may share a sense of grievance or hurt based on the behavior. A constructive and commensurate response will contribute to a sense of fairness and understanding, and ultimately, unity around shared values.

If the behavior was directed more broadly against a group or community, schools should additionally provide support for the targeted community and for the school community. Supports for the targeted community may include outreach and counseling and supports for the school community may include learning opportunities to address the nature of bias and the need for fairness, understanding, and shared humanity as a constructive response to intolerance.

Whether a bias incident is directed at an individual or a group, schools must fully investigate and denounce the bias incident to those involved. The school should take appropriate action based on: (1) the harm caused by the incident, either to the individual, the community, or both; and (2) the intent of the perpetrator, to the extent such intent can be determined.

For example, two different bias behaviors involving the same slur should be treated differently depending on the context; a slur used in private from one person to another should be treated differently than a slur used in a classroom setting or online or in public graffiti. Both kinds of incidents should be considered as bias incidents, but the reach and audience of the behavior is a key factor for determining the response.

Educators must provide support for any student who has been targeted in a bias incident. Providing support might look different depending on the incident. Be cautious not to put targeted students in a position that is embarrassing. Recognize that some students who may need support

Support Strategy Steps:

- Acknowledge the bias incident
- Denounce the conduct
- Counsel the victim on the victim’s terms
- Report the incident
- Engage the community
- Continue to engage with the victim

might refuse the support because they want to avoid further marginalization. Be sure to remain flexible, remain engaged, and check in often.

What support can look like:

- After stopping the incident, find a quiet moment to speak to the affected student one-on-one.
 - Ask if the student is okay.
 - State that you value and respect them and that you will not stand for this type of behavior.
 - Ask how you can support the student.
 - If the student has a relationship with another school-based adult, you may want to encourage that adult to discuss the incident with the student if they feel comfortable doing so.
- Students process bias incidents in different ways, and educators should respect the students' reactions.
- Encourage the student to report the incident to the administration. Ensure that your reporting policies and procedures are transparent and accessible to students and the public.
 - Even in situations where the student does not wish to report the incident, educators and school staff may have an obligation to report the incident to the school's administration to keep students safe. In such circumstances, the educator or staff member should explain this to the student to avoid breaching the student's trust.
- Encourage the student to talk to parents or caregivers about providing support at home and offer to connect families to the appropriate school staff if they would like to speak about the school's response to the incident.

Addressing the Behavior with the Alleged Perpetrator of a Bias Incident

In addressing a bias incident, consider both the impact that the incident had on the victim, the intent of the perpetrator, and in some cases, the school community. Although intent can be difficult to determine, it provides important insight, which can help determine whether an incident was motivated by bias or something else such as an intent to divide, amuse, or provoke, a lack of education or a misunderstanding.

Sometimes students ask what they intend to be innocent questions that others construe to be motivated by bias. A measured response that considers a student's frames of reference, stage of language development, and level of social awareness will help assess what type of response is warranted. For example, students on the autism spectrum may be vulnerable to these types of misunderstandings.

A constructive response to a bias incident will involve asking alleged perpetrators what was going on from their perspective and allowing them to be heard. Being heard, even with intolerant ideas, can help the alleged perpetrator reflect on the impact of their actions, and can help clarify the types of remedies that are appropriate in each situation.

Simply telling people to “suppress bias” often has the opposite effect. Conversely, biases should be acknowledged. When people are trained to recognize biased thoughts without trying to push them away, they can make deliberate choices about how they behave towards others as a result. This can lead toward less discrimination and reduce bias over time.

Reflecting upon bias may be uncomfortable and students may need assistance in accepting discomfort and uncertainty. Learning to accept discomfort and uncertainty while addressing biases builds resilience. A safe learning environment doesn't mean that everyone will or should be comfortable with every discussion. Be prepared for conversations about bias to be challenging and complicated. They may not end as expected. Remember this and share this understanding with students to help manage everyone's expectations. Remember and share with students that deep learning, the kind that is lasting and long-term, often comes when things are uncomfortable. Encourage students to embrace the discomfort as a tool to grow. Explain to students that when

Intent versus Impact

Recognize that students may often say that their words or actions were not intended to cause harm. Yet, their actions did cause harm.

In those circumstances, refocus the conversation from intent to impact. Explain how, for the person targeted, the harm and impact of the biased action is what matters, not necessarily the intent behind it. Encourage the student to reflect upon that.

Confronting Bias

Although bias can be harmful, people naturally have biases—good and bad.

Rather than encourage students to suppress their bias, encourage students to acknowledge and confront their bias. This provides them with tools to recognize when bias is influencing their actions and enable them to reject bias.

complex conflicts are handled well, there can be a greater understanding and improved relationships on the other side.

Jesse Lewis Choose Love Movement

The “Jesse Lewis Choose Love Movement™ (“Choose Love Movement”) is a 501(c)(3) nonprofit organization with a mission to create safer and more loving communities through no cost Character Social Emotional Development programs (CSED) that are suited for all stages of life.

The Choose Love Movement offers programs tailored for any age from toddlers through adulthood. At the core of it all is a simple formula (COURAGE + GRATITUDE + FORGIVENESS + COMPASSION-IN-ACTION = Choosing Love) that anyone can learn and practice to nourish and strengthen the body, mind, and emotions to cultivate happy, healthy, meaningful lives and to thoughtfully respond to all we meet and improve the world around us.”

The Choose Love Movement’s mission of, “Nurturing, Healing Love,” features many aspects of building an inclusive school culture to prevent bias-related incidents. Although it will not and is not meant to replace a school’s response to bias incidents, the program provides many lessons and messages which supplement and enhance school cultures and may augment the school’s response to bias incidents. Many of the lessons of courage, gratitude, forgiveness, and compassion in action blend well into the difficult topics of bias-related incidents and can help to build a community that can proactively create a culture where bias-related incidents are prevented.

New Hampshire is the first state in the country to fully adopt this program. As the New Hampshire Department of Education said in an informational release on the Choose Love Movement, “Modeled after the Choose Love Enrichment Program, Champions Choose Love focuses on the Social Emotional Learning Skills a team leader can utilize to develop self-awareness, strengthen relationships with coaches, teammates and competitors, and develop responsible decision-making skills.”

The Choose Love Movement is available to New Hampshire educators at no cost. More information on this program and contacts to speak about the program with your school administrators can be found in [Appendix C](#) of this guide, online at ChooseLoveMovement.org, or by contacting Shannon Desilets, Program Director from the Office of Governor Chris Sununu at Shannon.M.Desilets@nh.gov.

VIII. Policies for Reporting and Investigating

Clear policies and protocols to follow when an incident occurs allow a school's response to be swift, measured, and effective. Young people are often reluctant to report bias incidents because they believe reporting may make things worse. For a young person, it may seem easier just to ignore or dismiss these incidents. But reporting, along with appropriate responsiveness to the behavior or incident, is essential to protect the community and bring a sense of cohesion as schools work to grow positive relationships with trusted adults.

There are several questions to think about and address to ensure that the school establishes a meaningful reporting process or strengthens its existing process.

- As a school, is the established culture one where students feel comfortable discussing bias incidents with school staff?
- Do students know what to do when a bias incident occurs? Are there trusted adults in the building for students to turn to for help?
- Does the school have an easily accessible reporting mechanism?
 - Is your reporting mechanism safe, confidential, anonymous, age appropriate, and easy to access? Schools must ensure that students who report incidents do not experience retaliation or unnecessary interaction with law enforcement.
 - Is the reporting system accessible to people with disabilities? Is it safe and comfortable for historically marginalized students, students who are immigrants, and students learning English as a second language? Ensuring safety and inclusion for vulnerable students will encourage reporting.
- Do staff members know what to do when an incident is reported to them? Is there clarity among the staff with respect to who reviews and investigates these reports? Take reported issues seriously, invest the time to listen before engaging in problem-solving and maintain confidentiality when possible.
- You may notice an initial increase in reported incidents when you begin to implement some of the suggestions listed above. This may reflect an increased trust between the school administration and the students.

Key Details for Reporting Policies

- Clarity for both the person making the report and the person receiving it
- Accessibility for the person making the report
- Safety for the person making the report
- Transparency about the process for both the person making the report and the person receiving it

Schools must follow protocols that adhere to the standards in the reporting protocols within New Hampshire RSA 193-F, Pupil Safety and Violence Prevention, using the checklist provided by the New Hampshire Department of Education found in [Appendix B](#).

Schools must publicize their bias incident policies when emphasizing community cohesion. Policies around reporting bias incidents must take steps, to the extent possible, to protect the identity of the reporting student, regardless of how the report is received. Schools must also state explicitly that retaliation for reporting bias incidents is unacceptable. As with bullying, bias incidents, once reported, must be fully investigated with appropriate confidentiality and notification to students' parents/caregivers. Policies must address notification to other involved individuals, as well as the community, depending on the nature of the incident. Policies must also direct school personnel to contact law enforcement if the incident may constitute a hate crime under New Hampshire law⁴ or the New Hampshire Attorney General's Office if the incident may constitute a Civil Rights Act violation.⁵

When designing your school policies, consider and address the following questions.

- Have you reviewed and updated your policies on bullying, harassment, and discrimination recently?
 - Are these policies inclusive of all students?
 - Are these policies equitably enforced? Do the policies address incidents that take place in digital spaces?
 - Have you reviewed and updated your policies in your employee and student handbooks?

- Have you publicized these policies to all members of the school community using many different methods of communication (e.g., on notice boards, in electronic and hard copy newsletters, etc.)? Are your school policies available in many different languages?

- Is your data collection protocol consistent with local, state, and federal standards? It is important to track and analyze incidents so that patterns can be addressed.

⁴ A hate crime is a criminal act that was substantially motivated by hostility towards the victim's religion, race, creed, sexual orientation, national origin, sex, or gender identity. NH RSA 651:6, I(f).

⁵ A Civil Rights Act violation occurs where there is actual or threatened use of force, property damage—including vandalism such as graffiti, or trespass upon property motivated by race, color, religion, national origin, ancestry, sexual orientation, gender, gender identity, or disability. A Civil Rights Act violation may occur even without a specific individual that is the victim; therefore, for example, graffiti ridiculing transgender students or people could be a Civil Rights Act violation even if it does not identify a specific person.

IX. Moving Forward after a Bias Incident

All members of a community may feel grievance, harm, and mistrust after a bias incident. Keep individual community members in mind when responding to such incidents. Doing so is essential to rebuilding trust and cohesion within the community. Schools that emphasize fairness, understanding, and shared humanity will invite open dialogue and encourage active listening to unite around shared values. This creates an open, honest, and compassionate culture around identifying, addressing, and preventing bias incidents.

In the aftermath of a bias incident, schools can organize a campaign emphasizing those values. Throughout the campaign, school personnel and community members can emphasize acceptance and shared humanity. Schools can use an array of uplifting quotes from persons such as Dr. Martin Luther King, Jr., Mother Theresa, and other appropriate leaders of fairness and humanity as a prompt to explore why bias incidents might occur and to address the lingering effects of such incidents.

For schools to align themselves with the tradition of community building around a positive, shared identity takes patience. The tradition of peaceful change takes time. School communities should aim to transcend superficial differences such as the color of a person's skin or the circumstances of a person's birth. By acknowledging our uniqueness as individuals while also emphasizing our common humanity, schools can inspire children toward a more fair, tolerant, and optimistic future. Focusing on our common humanity provides a positive approach that can instill confidence and belonging instead of helplessness, disempowerment, and division that can sometimes occur after a bias incident.

Promoting healthy character traits can empower all students to fulfill their academic and human potential, while helping to mitigate life's inevitable struggles. Students who are encouraged to develop positive character traits will contribute positively to our community and our world.

Educate and Heal

Education does not need to wait until a bias incident occurs to begin important conversations about bias. Never hesitate to teach students about bias, its harmful effects, and how to challenge it throughout the school year. When an incident does occur, use teachable moments to provide opportunities for all members of the school community to discuss and process their thoughts and feelings about an incident and bias more generally.

Healing in the aftermath of an incident might include many perspectives in the conversation about how to heal the school community. Responding to bias incidents can be a community-building opportunity that encourages collaboration.

For school staff, provide professional development opportunities that detail how to lead discussions on the nature and impact of bias with students and families. For this process to be effective, it should not be a "one-and-done" approach but discussed regularly so that staff feel comfortable responding to an incident.

Preventing bias requires an ongoing commitment from all stakeholders in the school community, including the school’s administrators. Integrate anti-bias, bullying and cyberbullying prevention strategies into the school curriculum, school climate programs and family engagement efforts. After an incident, it is important to convene the staff for a debriefing. Review and update policies and protocols, as necessary, based on any new lessons learned.

Turning Incidents into Teachable Moments

The school’s response to a bias incident should go beyond intervening in the moment. To have lasting impact, schools must facilitate deeper understanding and learning for those involved. When students get “caught” saying or doing something inappropriate or unacceptable, they are usually able to respond in ways that adults want to hear. However, that does not mean learning, empathy or healing has taken place. Schools want to help young people grapple with present-day facts and historical context in an age-appropriate way, ideally encouraging them to make different choices in the future. It is never too late for students to learn. Long-term learning and change will not occur without understanding how and why bias is harmful. Educators should engage in professional development and continuous learning.

More details about how to turn particular bias incidents into teachable moments can be found in [Appendix A](#), which provides information about common types of bias incidents that may arise in the school setting. Please note, the following is by no means an exhaustive list of Bias Incidents.

Remember that bias incidents are troubling incidents that are harmful to those targeted during the bias incident and supporting those victims is paramount. But, bias incidents can provide an opportunity to encourage perpetrators and the entire school community to grow and reject bias and biased behavior.

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Appendix A

Examples of Bias Incidents

Please note, the following is by no means an exhaustive list of Bias Incidents.

Cultural and Religious Bias Incidents

Antisemitic Incidents

Swastika

We see symbols every day in all aspects of our lives. Symbols are used to convey ideas, qualities, emotions, material objects/products, opinions, and beliefs. Unfortunately, symbols are also used to convey hate and bias. The swastika is one of the most significant and notorious symbols associated with antisemitism, and the marginalization and oppression of the Jewish people.

What we recognize as the swastika is an ancient symbol that emerged independently among many cultures on several continents. Before the twentieth century, it was long used as a symbol of well-being in India, China, Africa, native America, and Europe. While this symbol remains harmless still in some cultures and for religious usage, much of the western globe understands the swastika to be a violent hate symbol. Although this history might lead to misunderstandings at times, it is important to understand that when seen in the United States, the swastika is most often associated with discrimination, violence, and terror. However, in some specific religious contexts, such as when displayed on a Buddhist or Hindu temple, the swastika continues to serve as symbol of good fortune and auspiciousness.

Today, the swastika is legally banned from display in Germany and some other countries. In the United States, we most frequently see a public display of the swastika by white supremacist groups, particularly neo-Nazis. Neo-Nazis praise Hitler and Nazi Germany's antisemitic practices, hate for people of color, people with disabilities, and members of the LGBTQ+ community.

Heil Hitler Salute

The Nazi salute, or Hitler salute, is a gesture that was adopted by the Nazi Party in Germany in the 1930s. This gesture of raising an outstretched right arm with the palm down was used to show loyalty and obedience to Adolf Hitler. In Nazi Germany, it was often accompanied by chanting or shouting "Heil Hitler" or "Sieg Heil," a German phrase that translates to "Hail Victory." In Nazi Germany, all German citizens were forced to perform the salute to show support for this violence and other brutal acts that terrorized millions.

Even though the United States entered World War II (1939–1945) to fight against Nazi Germany, the Nazi salute is still used by white supremacist groups in the U.S. Some white supremacist groups believe in Neo-Nazi ideology. They praise Hitler and Nazi Germany's persecution and hate towards certain social groups based on religion, ethnicity, ability, and sexual orientation.

Holocaust “Jokes”

It is not uncommon for people to mask ignorance, bias, or even intolerance behind humor. Prejudicial humor sends a clear message about who is deserving of respect by communicating biased ideas about a person or group based on identity. Simultaneously, it communicates that this biased idea is not harmful because “it’s just a joke.” In reality, prejudicial humor makes bias and bigotry seem more acceptable and normalizes discrimination against targeted groups.

One example of this kind of prejudicial humor is jokes about the Holocaust. During the Holocaust, millions of people were murdered, including approximately six million Jews—about two thirds of the European Jewish population at the time. Nazi ideology included the belief that Jews were to blame for Germany’s economic problems. This ideology also encouraged people to believe that problems like unemployment and hunger would continue until all people not belonging to the “master race” were driven out of Germany or killed.

Prejudicial humor expands what people understand to be socially acceptable behavior to include language that is inappropriate and disrespectful. Biased jokes may have been more socially acceptable several generations ago, the same way that explicit racism was more socially acceptable.

Throwing Pennies

The action of throwing pennies at Jewish people is connected to one of the oldest and most persistent stereotypes about Jews—that Jews are cheap, greedy and hoard wealth. The stereotype of Jewish greed took hold in Europe during the Middle Ages. During this time, Jews were isolated into neighborhoods called “ghettos,” prohibited from owning land and restricted to specific jobs.

Maintaining the association between Jews and greed by throwing pennies at a Jewish person preserves a culture in which Jews are seen as untrustworthy. This misrepresentation of the Jewish community reinforces the system of antisemitism, or the marginalization of Jews. When we reinforce antisemitic stereotypes and the actions that support them, we create a society in which the safety and well-being of Jews are under threat.

Anti-Muslim Incidents

Terrorist References and Bomb Jokes

There are a variety of myths, misconceptions and stereotypes about Muslim people that are reinforced in everyday life, language, and media.

However, following a terrorist attack that killed almost 3,000 people on September 11, 2001 (9/11) in New York City, the number of anti-Muslim incidents increased. Although this attack and others were perpetrated by the violent extremist group al-Qaeda, Muslims in the U.S. were broadly targeted for years to come.

These unfair and offensive assumptions have led to harassment and physical attacks against Muslim people in schools, workplaces, and public spaces. They have also led to an increase in public humiliation including increased screening and profiling by airport security of Muslim people and others thought to be Muslim and increased surveillance of mosques. Media and language further reflect anti-Muslim attitudes with a rise in jokes suggesting all Muslims are terrorists and associating Muslims with bombs.

Incidents of assault, vandalism and threats targeting Muslim individuals and institutions in the U.S. tend to noticeably spike in the aftermath of terrorist attacks linked to Islamic extremists in the U.S. or abroad. When we hold an entire group accountable for the harmful actions of a few individuals, we criminalize a religious identity, making an entire group of people, and in turn, all faith communities, unsafe.

Racial Bias Incidents

African American/Black American Incidents

N-Word

Language is one tool that reinforces systems that discriminate against, harm, and oppress groups of people. Slurs are harmful language designed to degrade targeted individuals and groups. One such slur is the n-word. Dating back to seventeenth-century colonial America, this slur is directed at Black people and has been used over time to justify disrespect, discrimination, and violence.

Kidnapped from Africa, enslaved Black people were often stripped of their native language and names. While “new” names were sometimes given by enslavers, the n-word was frequently used to call or refer to enslaved Black people. This word was also used by those who did not “own” enslaved Black people. The n-word was used to communicate that Black people were inferior and undeserving of basic human dignity and respect. While enslaved Black people resisted their oppression in many ways, doing so was extremely dangerous and could result in various kinds of “punishment” including lashings, lynching and being sold away from family.

While most people in the U.S. now reject the use of the n-word and recognize its harm, there are several current examples of its use to target or attack Black people. For most Black people, the n-word invokes immense trauma, pain, and grief. Use of the word perpetuates a sad and violent history.

The n-word has also been used to disparage people of Middle Eastern and African descent, by using the phrase “sand n-word” to denote someone that lives in the desert.

Nooses

The hangman’s noose has been used as a tool for the capital punishment of prisoners since the Elizabethan era. However, in more recent history, it has become a powerful symbol of racial hatred toward Black people in the U.S. After the Civil War and passage of the Thirteenth Amendment (which abolished slavery), violence and the threat of violence was regularly used against Black people and others as a means of social control.

In recent years, there has been an uptick in noose-related incidents in K-12 schools and communities. The noose continues to be used as a threat against Black people, representing both a violent history and prejudice today.

Comparing Black People to Monkeys

Racial categories are created by people or are socially constructed. Racial categories did not exist until the 1800s, and once constructed, they were used to justify ideas that some people were genetically superior while others were inferior. “Scientific racism,” or the early division of people from around the world into distinct racial categories, developed prior to the discovery of human DNA, and was based primarily on the examination of human skulls. The findings were then used to divide people with different observable physical characteristics (such as skin color, eye shape and hair texture). Some physical differences we observe between humans (such as skin color) are simply a result of geography and environment, and the human ability to adapt to the sun’s harmful rays. Early humans who lived closer to the equator produced more melanin (the skin’s brown pigment found in every human in varying quantities) as a natural sunscreen.

Scientists have since found that there are no significant genetic differences between people from different racial categories. In fact, there is just as much genetic diversity within racial categories as there is between them.

Though the harmful comparison of Black people to monkeys predates slavery, during this time it became a tool to convince society that slavery, and the horrific acts it involved, was warranted because the slaves were not actually people. After slavery was abolished, the harmful stereotypes associated with Black people did not disappear; those stereotypes have crept into present-day themes. One theme that emerged was the idea that Black people were like animals, less intellectually developed, and therefore content in captivity.

Throughout history, other groups have been targeted with similar degradation. While we often think of racial categories as being clear and permanent, it is important to note that even the social groups that have been perceived as “white” have changed over time. For example, in the 1800s, large groups of Irish people emigrated to the U.S. after fleeing famine in Ireland. People already living in the U.S. (who had originated in other parts of Europe) met the Irish with hostility and violence. The Irish were viewed as having a culture and religion that were undesirable. They too were compared to monkeys to justify mistreatment and exclusion. This comparison also worked to further reinforce the racist idea that being Black was the most socially undesirable racial identity.

Confederate Flag

In 1860-61, eleven southern states seceded from the U.S. to form the Confederate States of America. The Confederate states wanted control over states' rights instead of being regulated by the federal government. A primary goal for the Confederate states and its allies was to ensure that the institution of slavery could be maintained.

The conflict between the Confederacy and the Union (the northern states, with some southerners that supported the federal government) erupted in the Civil War. During the Civil War, although several flags were flown, the flag that became most associated with the Confederacy was the Confederate flag, sometimes referred to as the "battle flag." Eventually, the Union won the Civil War with the help of enslaved Black people who enlisted in the Union army following the Emancipation Proclamation. The institution of slavery was abolished, but Black people continued to be subjected to mistreatment, discrimination, and violence.

Anti-Asian Slurs/Incidents

COVID-19 Scapegoating

Global anxiety about the outbreak of the coronavirus has led to the spread of much misinformation and scapegoating. In schools and communities in the U.S., incidents of harassment, violence, anti-immigrant bias and anti-Asian racism targeting members of the Asian American and Pacific Islander (AAPI) community have occurred. These incidents include reports of being told to "Go back to China," being blamed for "bringing the virus" to the United States, being called racial slurs, being spat on and being physically assaulted. Statements made by public officials referring to COVID-19 as the "Chinese Virus," "Kung Flu" or "Wu Flu" are shaping the way in which Americans talk about the pandemic.

The scapegoating that has taken place in the wake of the coronavirus outbreak is not new. Scapegoating means: "Blaming an individual or group for something based on that person or group's identity when the person or group is not responsible." Contagious diseases often fuel scapegoating, anti-immigrant bias and racism.

Anti-Asian racism fueled by COVID-19 is based on irrational, misinformed and false ideas about the Asian American and Pacific Islander community and the diverse continent of Asia. In the U.S., the recent uptick in anti-Asian racist incidents reinforces false ideas about who is American and what Americans look like. Asian people have been immigrating to the U.S. in large numbers since the mid-1800s and have been U.S. residents or citizens for generations. When Asian American people are told to "go back to China," it is important to remember that like the ancestors of white European immigrants, the U.S. is their home. Blaming a specific racial or ethnic group for spreading a contagious disease, ignores the important reality that contagious diseases do not discriminate. And, we spread fear and racism.

National Origin Bias

“Go Back to Where You Came From” “Speak English”

Phrases such as “Go back to where you came from” and “Speak English” are widely recognized as racist and anti-immigrant insults. Having been directed at several groups throughout U.S. history, they communicate that those who do not fit a narrow definition of what it means to be “American” are out of place and not welcome. These insults have been directed both at people who have immigrated to the U.S. and at people who were born here. Assumptions are made based on race, ethnicity, or other features (e.g., an accent) that the person “does not belong.” This type of bias can be intended for people of Asian descent (Middle Eastern, South Asian, Southeast Asian, East Asian), of European descent (Italian, Russian, Spanish), and Latin American descent (Dominican Republic, Peru, Haiti) to name a few broad categories.

These assumptions also overlook the fact that many Latin American communities have been part of the United States for generations. These communities became part of the United States after the country acquired territories, for example Puerto Rico, Texas—which began its history as territory that broke off from Mexico before being annexed by the United States, and portions of the states of New Mexico, Arizona, California, Colorado, Utah, Nevada, and others, that had previously been ruled by Spain, Mexico, or other Spanish-speaking countries.

This anti-immigrant bias became explicitly racist in the years leading up to the abolition of slavery. The Thirteenth Amendment ended slavery in 1865, but Black people were not granted citizenship in the U.S. until several years later. During these years, a push to send Black people “back” to Africa gained momentum. In 1868, the Fourteenth Amendment granted Black people not only citizenship but also the “right to residence” in a country they had lived in for generations.

Sexual Orientation and Gender Identity

Anti-LGBTQ+

“That’s So Gay”

Language has the power to reinforce systems of bias and discrimination as well as to challenge those systems. Because we use language every day, it has the power to “casually” reinforce bias without us being aware of it. The phrase “that’s so gay” is one way in which language sends harmful messages about people who are gay, lesbian, bisexual, queer, and questioning.

The word “gay” dates to the twelfth century and was used for centuries to mean “full of joy, carefree and lighthearted.” Because language is created by people, the meanings of words often evolve and change over time. In the 1600s, “gay” became associated with overindulging in personal desires and passions. In 1951, “gay” appeared in the Oxford English Dictionary for the first time as a slang term defining people attracted to people of the same sex. Although the dictionary acknowledged yet another shift in the definition of the word, “gay” had been used by members of the LGBTQ+ community since the 1920s. As members of the LGBTQ+ community fought for equal rights, including the right to openly identify as gay, the word’s definition became solidified.

The phrase “that’s so gay” began to be used in the 1990s as a replacement for words like “stupid,” “undesirable,” “disgusting” or “uncool.” The phrase is frequently heard when referring to things that have nothing to do with romantic attraction or sexual orientation. This use of the phrase communicates that “gay” equals “stupid” or “bad.” As a result, “that’s so gay” carries with it a history of negative judgment and rigid ideas about who or what is acceptable.

F-Word

The F-word has been part of the English language since the 1300s. During the European Inquisitions, the term referred to a bundle of sticks that would be used to set fire to people who opposed the teachings of the Catholic Church. To avoid being killed, some people shifted their beliefs in support of the Church. Though no longer seen as a threat to political and social life, those who once opposed the Church would be forced to wear a “fagot” design embroidered on their sleeve to signify a damaged reputation. This practice shifted the meaning of the word, and it became used to describe things that were a burden or difficult to bear. Often, people would use the word as a sexist insult to describe women who were perceived to be limiting the freedom of their husbands.

Later on, the word was used to refer to men who were less masculine than people thought they should be. During the twentieth century, the f-word became the slur most used to disrespect gay men and men perceived to be gay. Because of the widespread anti-LGBTQ+ bias that exists, the slur has become an insult that is often used to insult both the LGBTQ+ community and straight men.

Misgendering Transgender and Nonbinary Students

We use people's pronouns and names frequently in regular, everyday communication both verbally and in writing. We do it almost without thinking. Because names and pronouns are the two ways people speak to and about others, they are personal and important. They are also key pieces of our identity.

Many people are taught that pronouns follow specific rules: “she, her, and hers” should be used to describe people whose assigned sex at birth is female and “he, him, and his” should be used to describe people whose assigned sex at birth is male. State law, in RSA 21:54, provides that a person's gender identity is their “gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.” This means that when a person's gender-identity differs from their assigned sex at birth, that person may wish to go by a different name and different pronouns that better reflect their gender-identity.

When people tell us who they are and what name and pronouns they'd like us to use to refer to them, it's important that we listen. While some people might think that using incorrect pronouns or names is “not a big deal,” it is important to respect who people are.

A national survey on discrimination against transgender people revealed that 78 percent of transgender and gender nonconforming K-12 students reported harassment. In many cases, harassment has led to violence, and transgender and gender nonconforming people are disproportionately the targets of physical assaults and hate crimes.

Ability Bias

Ableism

R-Word

During the mid-1400s, the verb “retard” was defined as slowing down or holding back. Because language is created by humans and the meaning of words change over time, the term shifted in the early 1900s to describe children with intellectual disabilities. First used in a pediatric medicine journal, the term was not widely considered offensive, and it replaced terms such as “idiot,” “moron,” and “imbecile” in medical vocabulary. The word was not broadly used in the U.S. until the 1940s, during which time it began to be used to intentionally demean and insult people.

Today, the r-word is used to “casually” describe things that are negative, stupid or unwanted. While some might consider this word to be harmless, this language communicates that people with disabilities are stupid or flawed. This not only perpetuates harmful stereotypes, but it also reinforces ableism, or a system that disrespects and discriminates against people with disabilities. As part of this discrimination, able-bodied people (people without disabilities) are seen as “normal” and superior.

People with disabilities continue to face collective discrimination. Some people with disabilities have challenges finding employment and make considerably less money than workers who are not disabled when hired. They are less likely to receive necessary healthcare, are disproportionately targeted with hate crimes, and navigate a world that is largely designed to accommodate only those without disabilities. Assumptions that people with disabilities “need” or “want” to be “cured” do not meaningfully contribute to society; the idea that people with disabilities should be pitied creates a culture where harmful stereotypes and language thrive. Lack of representation and stereotypical representations in the media continue to be a source of bias for people with disabilities.

SPED

Special education programs have been part of our public school system for the past fifty years. Prior to the 1970s, parents of children with disabilities had few options for providing their children with an education other than homeschooling or paying for their children to attend expensive private schools. Without legislation banning discrimination against students with disabilities, roughly 4.5 million students were denied access to a public education. After decades of advocacy by parents of children with disabilities, in 1975, the U.S. Congress passed the Education for All Handicapped Children Act (EHA). The EHA was fundamental in guaranteeing children with disabilities the right to receive a free public education. Over the years, the EHA has been updated to guarantee that students with disabilities receive an education that is tailored to meet their individual needs. Because of the specialized nature of this type of education, it is commonly referred to as “special education.”

When “SPED,” an abbreviation for “special education,” is used to describe students with disabilities, those students are automatically defined by one piece of their identity. This label fails to recognize the ways in which students with disabilities are incredibly diverse and have important identities that extend beyond their physical or intellectual ability. Because special education programs are often physically separated in school buildings, defining students as “SPEDs” reinforces ideas that students who receive specialized support are not a part of the larger school community.

The term “SPED” has also come to be used as a substitute for the word “stupid.” Examples of this include students saying, “I’m being so SPED” after making a mistake or saying to peers, “You’re such a SPED” in situations ranging from schoolwork mistakes to a fumble on the football field. The use of “SPED” to mean “stupid” perpetuates the idea that students with different learning needs are inherently less intelligent than their peers in general education. It also ignores the reality that mistakes are a part of life and learning for all people. Using language that reduces people to one aspect of their identity is dehumanizing. It is exclusionary, rude, and must be discouraged.

Appendix B

New Hampshire Department of Education's Pupil Safety Act Checklist

New Hampshire Department of Education

Checklist – Required Content of Written Policy Prohibiting Bullying and Cyber bullying as required under NH RSA 193-F

This checklist is provided by the New Hampshire Department of Education for optional use. Some schools and districts may find it helpful to use when reviewing their policies for inclusion of all elements required by the New Hampshire statute, RSA 193-F, Pupil Safety and Violence Prevention as amended in July, 2010.

RSA 193-F requires that all public schools, including charter schools have a written policy prohibiting bullying and cyber bullying which acknowledges that bullying/cyber bullying can occur both in the school setting and out of school if it interferes with a student’s educational opportunities or disrupts a school day or event.

Requirement	Key Elements	In the Plan? (Y/N)
A. Statement prohibiting bullying/cyber bullying	Bullying Cyber bullying	
B. Statement protecting all students from retaliation and false accusations, and a process for developing a plan as needed to protect students from retaliation	Retaliation False Accusations Protection Plan	
C. Statement that all students are protected	All students	
D. Statement of consequences for bullying/cyber bullying behavior	Consequences of Behavior	
E. Statement about how policy is disseminated to the whole school/community	Dissemination Plan	
F. Clear procedure for students and others to report incidents	Clear Reporting Procedure Incidents	
G. Internal procedure for reporting within the SAU/Charter Community	Internal Procedure SAU/Charter	
H. Clear process for notification of parents/guardian of both the perpetrator and the victim within 48 hours of the report	Parent Notification Perpetrator Victim	

<p>I. Procedure for the superintendent to grant a waiver, in writing from the notification requirement if the superintendent or designee deems the waiver to be in the best interest of the victim or perpetrator. Procedure shall state that granting of a waiver shall not negate the school's responsibility to adhere to the remainder of its approved written policy</p>	<p>Waiver to notification requirement if deemed in best interest of victim or perpetrator</p> <p>Does not negate responsibility to adhere to rest of policy</p>	
<p>J. Written procedure for investigation of reports (within five days)</p> <p>Identification of the person responsible for the investigation and the manner and time period in which the results of the investigation shall be documented.</p> <p>Procedure includes that the superintendent or designee may grant an additional 7 days and that all parties must be notified of the extension</p>	<p>Investigation Report</p> <p>Person Responsible for Investigation</p> <p>Additional 7 day extension may be granted</p> <p>Notification of extension to all parties</p>	
<p>K. Response is required by principal or designee to remediate any substantial incident in order to reduce risk of future incidents. This includes retaliation protection</p>	<p>Remediate substantial incidents</p> <p>Reduce risk of future incidents</p> <p>Retaliation Protection</p>	
<p>L. Requirement that the principal or designee report all substantial incidents to superintendent or designee</p>	<p>Principal Report to Superintendents of Substantial Incidents</p>	
<p>M. Written procedure to communicate with parents of victim and perpetrator within 10 school days of completion of investigation regarding school's remedies and assistance</p>	<p>Communicate with parents of victim and perpetrator within 10 days</p> <p>Remedies and Assistance</p>	
<p>N. Policy must state clearly by job title who is responsible for implementing the approved policy</p>	<p>Policy Implementation Responsibility</p>	
<p>O. Policy must be displayed in a public and accessible setting</p>	<p>Public Access to Policy</p>	

Appendix C

The Jesse Lewis Choose Love Movement

In Need of Hope, Healing, and Connection? Look No Further!





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