**Kahuku High & Intermediate School (“KHIS”)**

**CRCB Response to Mascot and Moniker Complaint**

**November 2020**

The Civil Rights Compliance Branch (“CRCB”) has received a complaint that involves KHIS’ mascot, which is, in the complaint, reported to be a Native American, and the moniker, “Red Raiders.” The complaint also cites the use of the “tomahawk chop”1 at various athletic events. The complaint alleges that the use of the image as the school’s mascot, “Red Raiders,” and “tomahawk chop” are disrespectful and potentially discriminatory toward Native Americans.

The CRCB is charged with investigating matters within the Department of Education (“Department”) that involve protected class issues. Although an investigation is normally conducted by the CRCB when a protected class complaint is received, an investigation is not necessary to reach a conclusion in this matter. On its face, the use of a figure representing a specific ethnic group or nationality, the term “Red Raiders,” and the use of the “tomahawk chop” could be deemed discriminatory, should someone take offense to that representation. In this case, the complainant has clearly taken offense and the CRCB has taken the stance that the use of a Native American as the mascot of KHIS, the term “Red Raiders,” and the “tomahawk chop,” is, in fact, discriminatory, as it mocks protected classes (race, color, ancestry and national origin) as defined under Board of Education (“BOE”) Policy 305-10 Anti-Harassment, Anti-Bullying and Anti-Discrimination Against Students by Employees and BOE Policy 900-1 Employee and Applicant Non-Discrimination Policy.

In an attempt to address concerns, KHIS has changed their mascot from a Native American to a Polynesian. In light of the original complaint, the CRCB finds the use of another ethnic figure as a mascot problematic. Using a Polynesian figure as the school mascot poses the same issue as using a Native American mascot does. In fact, the CRCB is recommending that the school use something other than a human figure as the mascot.

The CRCB is not discounting the intense emotional attachment the Kahuku community has to their mascot. We are well aware that there are very strong feelings on both sides of this issue. In a good faith attempt to resolve this issue in a way that allows all stakeholder voices to be heard going forward, the CRCB is making the following recommendations:

1. That the School Community Council (“SCC”), in consultation with the school administration and a neutral third party engage in a process of identifying individuals from each stakeholder group (parents, community members, teachers, students, administration, and classified staff) who are willing to participate in a process to determine what the new mascot will be. It should be noted that voices from both sides of the issue should be represented.

1The “tomahawk chop” is used by fans and the action involves moving the forearm forwards and backwards repetitively with an open palm to simulate a tomahawk chopping, and is often accompanied by a distinctive cheer.

2. A neutral third party will facilitate the process of determining what the new mascot will be.

3. It is crucial that the identified individuals agree to work in concert with the facilitator on the development of the process that will be used to determine what the new mascot will be.

4. The facilitator guides a discussion with the stakeholders that identifies the strengths and aspirations of the Kahuku community to assist in identifying the hopes, dreams and values of the Kahuku community at large.

5. The facilitator works with the stakeholders to identify what image accurately represents the hopes, dreams and values of the KHIS community.

6. The group makes a recommendation to Complex Area Superintendent Matt Ho (“CAS Ho”) and KHIS Principal Dr. Donna Lindsey (“Principal Lindsey”).

7. CAS Ho and Principal Lindsey seek consultation with CRCB as they deem appropriate.

8. CAS Ho and Principal Lindsey make the final determination of what the new KHIS mascot will be.

The CRCB recognizes that there is not a perfect solution to this issue. Stakeholders will not be completely satisfied with the outcome. It is however our hope that the stakeholders can live with the determination that is made and realize that something other than a Native American or Polynesian figure can serve as an appropriate representation of KHIS and its community.