

Anti-Discrimination Community Conversation #1
September 26, 2017
Howard High School – Library
Wilmington, DE
6:30 p.m. – 8:00 p.m.

Community members were asked to sign in.

Secretary of Education, Dr. Susan Bunting started the meeting with a welcome, and asked each person to introduce themselves.

Dr. Bunting and Susan Haberstroh presented a powerpoint presentation (attached) that provided an overview of the charge from Governor Carney and the process that had taken place to date. Highlights of the presentation included the charge by Governor Carney that directed the Department of Education through a memo to Secretary of Education Bunting to develop a regulation and a model policy that addresses anti-discrimination. She quoted the Governor in saying “it is critical that all the schools in Delaware be welcoming, inclusive places where students and staff members alike can thrive. Every student should be able to learn, achieve, and grow without unlawful discrimination based on their appearance, gender, race and/or ethnicity, gender identity or expression, sexual orientation, or any other protected characteristic.”

Dr. Bunting talked about the creation of an internal team and soliciting information from the various education groups around the country and the research taken to develop a working draft. She next talked about the Development Team and how this team was comprised of various stakeholder groups including students, parents, school administrators, local school board members, superintendents and representation from a charter school. She expressed her thanks to the individual who helped to identify members for the Development and thanked the members who were present including Dr. Mark Holodick and Mark Purpura.

Included in the presentation was the process for the regulation to be put in place including the additional three community conversations and the formal regulatory process that includes publication in the Register of Regulations with an expected date of November 1st and then the ability for public comments to be received through this period. The expected date for the regulation to be final is January 2018. She also talked about the ability for additional comment through the online survey (address located on the powerpoint presentation).

Kathy Dunne and Angela Minnici from WestEd were then introduced to take over the next portion of the meeting. WestEd explained its role as a neutral facilitator. The process for the next part of the meeting was a “3-2-1” exercise. The room was counted off and four groups were created. The participants were asked to take 15 minutes to read the regulation and model policy and to highlight areas related to the 3 areas listed below:

Identify 3 things you like about the regulation

Identify 2 things you think should be considered

Identify 1 question you have

The groups worked among themselves and then provided their responses on the chart paper. The next step was for the groups to report out on what they had written.

The following is a synthesis of the four group report outs:

Likes: Generally the report out in this area focused on the positive aspects of the conversation beginning in this area and that this is viewed as progress. Aspects of the regulation were mentioned including positive role models in careers, athletics and that the regulation is statewide.

Concerns: Generally the concerns identified were around specific aspects of the regulation such as changing pronouns to be neutral, lack of definitions for many of the protected characteristics and specifically definitions for gender identity, non-binary, transgender. There was a concern that the language regarding access to locker rooms and bathrooms did not explicitly use the language "shall provide access." There was also discussion of the curricula and access for students to comprehensive sexuality education.

Questions: Generally the report out focused on the discretion allowed for districts to have latitude on developing their policies – that is, the mandatory versus discretionary language. There were also questions regarding whether national models/resources were used in the development of the regulation and model policy. Accountability and training were voiced including what happens if a district or charter school does not follow the policy and how will staff be trained. Additionally, training for school staff if a parent is not in support of the student's gender identity or expression so that the student is validated and supported in the school environment. There were also specific questions about school historical records or the re-issuing of diplomas. A specific question was raised about whether gender neutral bathrooms would be instituted. Student rights versus parent rights was also raised as a question.

The next part of the evening was an open comment period. A brief summary of the comments are below (not verbatim):

Comment regarding statistics that 44% of trans people will attempt suicide -- it's a big deal, and education makes a huge difference.

Comment that students crumble when they are misgendered, especially if by a teacher that may not know -- the issue is exacerbated if/when this happens with a teacher or other mentor figure who is supposed to be a "safe" person/haven

A question related to the way to equip school counselors, social workers, and psychologists with the knowledge and skills to work more effectively with trans students.

Comments related to added considerations for the regulation and model policing including consideration beyond binary; consideration of gender fluidity, intersex more are expressing earlier and the importance of educating around these definitions; if school administrators set policies - it sets the tone and message, and others will rise to the lead -- given that some schools and districts may not have these types of leaders, we should set the bar at the regulatory level, including such definitions.

A comment that the policy has not addressed intersectionality (e.g., gender and race) before -- this should be the start.

Comment that parent engagement is critical -- the support cannot stop when students return home; How can we navigate this? There is a need for focus groups comprised of parents.

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Comment regarding education students so that they better understand and are less likely to be disrespectful.

The meeting concluded with a thank you from Secretary Bunting.

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