

**Anti-Discrimination Community Conversation #2**  
**September 28, 2017**  
**AG Waters Middle School**  
**Middletown, 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 Andrea Rashbaum 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 1<sup>st</sup> 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 participants in the auditorium was counted off and five 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 five group report outs:

**Likes:** Generally the report out in this area focused on certain aspects of the regulation including purpose statement regarding students flourishing, inclusiveness of the regulation and policy such as religion and other “protected characteristic,” an explicit complaint process, encouraging opportunities for all students in their future careers, addressing curricula material and ability of students to participate in athletics based on gender identity/expression. Also that the policy would be revisited periodically although that term was not defined as a concern.

**Concerns:** Generally while there was an expression that the regulation and policy had specificity, there was still a need to be more specificity and that the examples in the Model policy be mandatory including access to bathrooms and locker rooms based on the student’s gender identity. It was noted on the chart paper that not everyone was in agreement on the bathroom and locker room discussion. For the policy, it was noted that the sections in the regulation should be included on the Model policy. Concern was expressed regarding working with the parents on preferred name. There were also comments related to training for school personnel on the policy and with working with families. Also communicating the policy within the school environment and to parents and students was discussed.

**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 related to a student’s preferred name and if there is disagreement by the parent. There as a specific question of what “genetic information” means. Also, including physical and/or mental health and wellness as a protected characteristic.

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

Comment stating there should be one policy and one practice to guide districts (e.g. Title IX, bullying, anti-discrimination). Timelines and complaint procedures should all align.

A question related to the implementation guidelines and when is that happening.

Comment related to including more language around non-negotiables in the model policy. This makes it easier for a local board to pass and then implement.

The meeting with Secretary of Education Susan Bunting thanking everyone for their attendance and participation.