

Anti-Discrimination Community Conversation #3
October 3, 2017
Caesar Rodney High School – Library
Camden, DE
6:30 p.m. – 8:00 p.m.

Community members were asked to sign in.

Deputy Secretary of Education, Karen Field Rogers started the meeting with a welcome. She stated that Secretary of Education Susan Bunting had a conflict in her schedule so was unable to attend but wanted to thank those for coming.

Karen Field Rogers 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. Ms. Field Rogers 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.”

Ms. Field Rogers 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 a representative from a charter school. Members of the Development team were recognized including Terry Hodges 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 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 community members in the library 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

DRAFT Meeting Notes

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 include timeline clarity, explicit “protected characteristics”, the inclusion of a formal and informal complaint process, legal and preferred name and safety of students addressed, It was noted that the regulation is inclusive and thorough and included required language but did allow for districts to tailor as needed.

Concerns: Generally while there was an expression that the regulation and policy had specificity, but there was still a need to be more detail and resources for districts as they create their policies including applicability to athletic and more specificity in definitions such as school activities. There was a concern that more definitions needed to be added especially around gender identity and gender expression. There were concerns about the section of the regulation that allows for districts to notify parents in preferred name and how this is implemented with competing parent rights and student safety. The curricula regarding human sexuality was discussed regarding access and the instructional material. There were also comments related to mandatory training for school personnel. Notification of the policy to parents and students was also noted.

Questions: Generally the report out focused on applicability and accountability. Applicability for athletics, for access to locker rooms and bathrooms for religious objections and other privacy issues, for articles of clothing and related activities in school. It was also noted that bathrooms and locker room access were noted in the regulation but not in the Model policy. Accountability related how will implementation be monitored and interpretation of the policy. There were also questions related to balancing student well-being and safety while balancing legal obligations.

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

A question was asked about the individuals on the development team and whether any were transgender or identified as such and type of input.

Comment related to how meetings were publicized and whether they were public. *The process was explained during this time.*

Comment related to a known formal complaint regarding discrimination in disciplinary practices and whether this is included in the regulation. *The applicability section of the regulation was pointed out.*

Comment was made regarding the informal complaint process noting this will help teach students to self-document “this happened on this time and this date” is beneficial for the future.

The meeting concluded with a thank you from Deputy Secretary Karen Field Rogers.