

Anti-Discrimination Community Conversation #4
October 5, 2017
Sussex Central High School - Auditorium
Georgetown, 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 representation from a charter school.

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 auditorium counted off and eight 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 (images of the charts attached). The next step was for the groups to report out on what they had written.

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

Likes: Generally the report out in this area focused on how this process has begun the dialogue even while being uncomfortable, the policy is inclusive of all students, there is specificity in the regulation and policy; however, not complete, athletics included, and clear goal is articulated.

Concerns: Generally there were varied opinions related to accessibility of locker rooms and bathrooms for transgender students and those student with a gender identity different from birth sex – some voicing the regulation was not direct enough in allowing students access to bathrooms and locker rooms based on their identified gender while others stating only birth sex should dictate access. Safety in regard to size in areas of sports was mentioned. In addition, there were concerns about applicability from district to district and consistency. There were questions related to what happens if a district does not have a policy that aligns to the regulation and questions about what is mandatory and discretionary. There were concerns about the reporting of discrimination and disciplinary section of the regulation. Questions related to accessibility (website, hard copy) for students and parents to the knowledge of the policy. Curricula of human sexuality was also discussed. It was evident that not all individuals within the groups agreed with what was being reported out.

Questions: Generally the report out focused on accountability including reports of complaints and what happens if someone does not follow the regulation and who the decision maker is in the complaint process; why is there discretion regarding the ability of districts to modify their policy; what is the process for adoption and enforcing of the policy. For some the definitions were not all inclusive. Throughout the report outs the issue of training and education on the policy was discussed.

It was evident that not all individuals within the groups agreed with what was being reported out.

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

Community Conversations voices not being heard. Complaint about process for recording of the voices. The 3-2-1 charts not capturing the essence and emotion of the meetings. *It was noted that 4 members of the development team were in attendance, participated in the small group discussions and listened to the public comment session.*

There was a question asked about how students are educated in human sexuality. Also, how are administrators trained and assisting students.

There is a concern on the way this will be implemented.

Comment related to objection of the 3-2-1 process. ‘3’ likes but no “dislikes.” Also asked about bias of the Department and the Development team.

Comment about how this is a good start to the process.

Comment related to we should be teaching students to be respectful and not bully and why are we allowing students use the bathroom of the other sex. Just be respectful.

Draft Meeting notes

Question about student involvement in the process. *It was noted that there were students on the Development team. It was further noted that there were several students who participated in the second Community Conversation.*

Comment that the policy was written by older individuals and not from the student voice.

Comment that adults need to be educated on these issues.

Comment regarding the human sexuality curricula and may need to re-visit this.

Student participation was greater at the community meeting in Wilmington.

Comment regarding compassion for students who are transgender or whose gender identity is not the birth sex. Re suicide rate is higher, target for bullying, and some of these students are not willing to use the bathroom because of gender identity.

Comment about individuals accessing the nurse's bathroom.

Comment related to diversity of the people presenting the information tonight.

Question about the number of transgender students – comment made that ratio is about the size of Delaware to the United States or less than 1%.

Comment made about providing separate bathrooms for everyone and use of an IEP to accommodate student characteristics.

Comment about ability of students changing their gender identity often and then using the bathroom of the current gender identity.

Invitation to PFlag (Parents, Families, Friends and Allies United with LGBTQ people) meeting at Lewes Public Library

Athletic competition – several comments related to physiology differences between females and males especially as students get older. Concern girls will be pushed out of competition sports.

Several comments that people were glad that we were talking about these issues even though it makes some uncomfortable.

Comments related to concerns of the openness and noticing of the meetings and that this was not widely publicized.

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