

Anti-Discrimination Development Team Meeting
October 10, 2017
Cabinet Room, Townsend Building
3:00 p.m. – 5:00 p.m

Meeting was called to order by Secretary Susan Bunting at 3:09 p.m.

Members present: Secretary Susan Bunting, Bob Fulton, Mark Holodick, Greg Meece, Andrea Rashbaum, Janis Hanwell, Jennifer Nauman, student representative, and Mark Purpura.

Also present were Susan Haberstroh, Geri Donahue and Angela Moffett-Batty.

Two members of the public were in attendance.

Secretary Bunting gave a brief review of events up to this point surrounding the Anti-Discrimination Regulation and Policy. She also thanked everyone for their participation and also for understanding of adding a 4th meeting.

Susan Haberstroh noted that all comments and input would be reviewed, the draft regulation will be updated with the input from the team. She also stated that the regulation has to be filed no later than Monday, October 16th with the Registrar's office.

Kathy Dunne, WestEd facilitated the meeting. She also reiterated her thanks for the commitment of this group and your participation in the Community Conversation meetings as well. Thank you for your support. Attendees were asked to review information that was handed out at the meeting or via email. Materials consisted of notes from the Community Conversations, to include public comments, survey results, feedback from Chiefs meeting, Fleshman email along with Wilmington Friends Transgender Policy, NCTE comments and a letter from ACLU.

Development team members were asked to take 10 minutes to read and see what recommendations stand out repeatedly and then we will regroup and break into small groups to discuss.

Group was then asked to break into small groups and discuss themes uncovered in their reading and make recommendations for further changes in the regulation and also recommendations for implementing guidance.

Recommendations for Further Changes in Regulation and Model Policy:

- Further definition and clarity e.g. genetic information, gender identity, (sex), non-binary reasonable
- Change timeline to implementation 2018-19 school year (difficult to do with Boards within 90 days)
- Some comments made – this is “great” good to see Anti-discrimination Policy and Regulation
- Many comments centered on not wanting this policy.

Recommendations for Implementing Guidance

- More specificity regarding language surrounding bathroom and locker room use, e.g. sample language that provides clarity

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- “Reasonable use” – what does this mean?
- Parent’s rights and at what age can a child make own decision
- Clarify how much discretion local policies can/should have
- Clarity around gender fluidity and accountability if something “illegal” happens.
- Assist districts in thinking about the “make up” of a specific district and implementation of Regulation and Policy.
- Identify “key messages” to communicate with public (e.g. the regulation and policy is for all protected classes (African American protected too – out of Community Conversation meeting #2).
- Depth of concerns need to be heard openly
- Explanation of how this anti-discrimination Regulation and Policy will not “ruin” athletics.
- What about Town Meetings while Policy and Regulations are being implemented?
- Opportunity for community members to participate in local policy meetings.
- Training for various constituents – implicit bias training.

To summarize the meeting tonight - all information will be reviewed by Secretary and her staff, communicated back to the Development Team. The Draft needs to go over to Registrar office by Monday morning. At that time, we will be happy to share the draft with team. Will become public through Registrar, November 1st. Open for public comment until approximately December 3rd, any changes made, Registrar of Regulations December 15th.

Survey will close when Regulation is posted for formal comment.

Clarification – does not go to General Assembly.

Public Comment:

Comment #1: Concerned this is something we don’t need. If people would go and research transgender they would see that people who have completed trans, come back and say “wish I never would have”. We shouldn’t try and protect it. Already protected as other groups. Shouldn’t be given special consideration. Maria, Felton, DE

Comment #2 Marsha’ Holton, Magnolia. Absolutely believe this policy is necessary. Not an advocate for any group, based on personal experience in state and experience of children. More overt attempt to address more subtle forms of discrimination that have occurred and continue to occur in our public schools.

In closing, Secretary Bunting reiterated our gratitude around this process. Addressed that this is a great opportunity to work with Boards in each district, having been part of policy meetings, wonderful place to voice concerns, share opinions, and there is a formal process. Some districts take up to 3 months to get through Board meetings. Training time and implementation time. It could be April or May before

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put in place. This process is not complete, your part is complete and very appreciative of your time. If you have been in the community conversations, appreciate your opportunity to listen and give comment. Because of peoples' participation, we can create regulations.

Meeting adjourned at approximately 5:00 p.m.