



# UNFINISHED BUSINESS RISE UP

*Oakland Marriott City Center, Oakland, California*  
[www.apahenational.org](http://www.apahenational.org)

Thursday, April 12, 2018

- 7:00 a.m.        **REGISTRATION, CONTINENTAL BREAKFAST, AND NETWORKING** 1<sup>st</sup> Floor Atrium
  
- 8:00 a.m.        **WELCOME, INTRODUCTIONS, & THIS YEAR’S CONFERENCE** Grand Ballroom  
 Audrey Yamagata-Noji, Ph.D.  
 President, Asian Pacific Americans in Higher Education
  
- 8:30 a.m.        **OPENING PERFORMANCE/KEYNOTE** Grand Ballroom  
 Terisa Siagatonu  
 Award winning poet, arts educator, and community organizer
  
- 9:30 a.m. -      **CONCURRENT WORKSHOPS - GROUP A** 2<sup>nd</sup> Floor  
 10:30 a.m.

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
Early Career Rise-Up Blueprint	Ethnic Studies as Freirian Pedagogy: Filipina/o/x American Studies Examples of Praxis	Creating Space from Within through Ethnic Organizations and Sustained Community Advocacy: A Case Study from Asian Pacific American Systemwide Alliance (APASA) at UC Berkeley	Rise Together! Supporting Students Every Step of the Way	Building Community for 1st Generation Community College Students	Navigating Higher Education as Pacific Islander Students and Alumni	AANAPISI Learning Community – Strengthening Partnerships	Elevate Your API Voice to be Heard: Tips for Empowered Impromptu Speaking	Rise Up! Move Up and Lead

10:45 a.m. -  
11:45 a.m.

**CONCURRENT WORKSHOPS – GROUP B**

2<sup>nd</sup> Floor

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
Policy-making through the lens of Asian American Trustees	Ecological Factors in Hmong American Educational Success	How are you doing? No...Really: Cultural considerations and strategies for supporting AAPI students in distress	Exploration, Community & Advising/Mentoring Asian Pacific Islander Desi (APID) Students	Decolonizing Ourselves: Calling Upon the Ancestors to Recover Our Cultural Heritages	Education = Resistance	Addressing Burnout & Navigating Self-Preservation	Women in Executive Leadership Positions: Overcoming Challenges of Race, Gender, Equity and Inclusion	The Unfinished Business of Sexual Violence/Silence for AANAPISI Womxn Students

11:45 a.m.

**LUNCHEON**

Grand Ballroom

**ARE YOU DOWN WITH THE BROWN?: RECLAIMING MY ASIAN AMERICA**

Sumun L. Pendakur, Ed.D.  
Chief Learning Officer and Director, USC Equity Institutes  
USC Race and Equity Center

1:30 p.m. -  
2:30 p.m.

**CONCURRENT WORKSHOPS – GROUP C**

2<sup>nd</sup> Floor

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
Unfinished Business: If we are retaining students, who is retaining me?	Being Bold: Opportunities for Political and Leadership Development of South Asian Youth in this National Climate	Fesili, Faito’o, Fanohge: Pacific Islander Women in Academia	Working with Student Activists as a Young Professional	Serve the People!: Lessons from 49 years of Community Service Learning, Partnerships & Leadership Through Asian American Studies at San Francisco State University	Student-Initiated Governance in Higher Education	Individual Papers: 1)The Pedagogy and Practice of Collaboration: Curriculum Building and Alignment Between Bunker Hill Community College and the Asian American Civic Association of Boston, MA; 2) Asian American and Pacific Islander Community College Students’ Perceived Effects of an Asian American and Native American Pacific Islander-Serving Institution (AANAPISI)-funded Program	Rising Up to Lean In and Break the Bamboo Ceiling	Intergenerational Conversation about Our Dreams for Education, Career, and Social Justice

**C POSTERS**

**2<sup>nd</sup> Floor Attrium**

**Undergraduate Research: The UNLV AANAPISI Program**

2:45 p.m. - **CONCURRENT WORKSHOPS – GROUP D**  
 3:45 p.m.

2<sup>nd</sup> Floor

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
Courageous Conversations and Karma	Performance Activism: Taking a Programmatic Approach to "Rising Up"	Effective Strategies to Facilitate Personal Wellness	Sacramento State Hmong Women Rising as One to Reclaim Their Identities	If You Build It, They Will Come.	The Impact of Multicultural Gender Collectives on AAPI Student Leadership Development	Connecting AANAPISI Students, Communities, and Campus/Curricular Resources for Student Success: A Collaboration Between Bunker Hill Community College and UMass Boston	Seize the Moments: The Intersection of Leadership Behaviors, Body Language and Situational Awareness	Unfinished Business: Developing an Advocacy and Research Agenda on APIs in Higher Education

4:00 p.m. **DAY 1 CLOSING PLENARY PANEL**

Grand Ballroom

**CLOSING THE LOOP: MOVING FORWARD BY CONNECTING TO OUR PAST**

- Dr. Kyle Reyes, Vice President of Student Affairs, Utah Valley University
- Jacob Fitisemanu Jr., Clinical Manager, Utah Department of Health, managing Utah Pacific Islander Health Coalition - UPIHC and newly elected City Council Member, West Valley City –District 4
- Victor Narsimulu M.ED, M.OB, Program Director Cultural Envoy Leadership Program, and Co-Chair Pacific Islander Initiative, Utah Valley University

# UNFINISHED BUSINESS

## RISE UP

Friday, April 13, 2018

- 7:00 a.m.      **REGISTRATION, CONTINENTAL BREAKFAST, AND NETWORKING** 1<sup>st</sup> Floor Atrium
- 8:00 a.m.      **WELCOME, ACKNOWLEDGEMENTS, AND RECOGNITIONS** Grand Ballroom  
 2018 APAHE Planning Committee Chairs
- 8:15 a.m.      **OPENING PERFORMANCE/KEYNOTE** Grand Ballroom  
**delilah's daughter: the unfinished labor of love from generations before and to come**  
 Kim Davalos  
 Social Justice Educator, Artist, and Poet
- 8:45 a.m.      **CEO PANEL** Grand Ballroom  
**CLAIMING YOUR OWN VOICE: AAPI WOMEN PRESIDENTS AT THE HEAD OF THE TABLE**  
 Dr. Judy Miner, Chancellor, Foothill-De Anza Community College District (Moderator)
- Dr. Tammeil Y. Gilkerson, President, Laney College
  - Thuy Thi Nguyen, JD, President, Foothill College
  - Dr. Rowena Tomaneng, President, Berkeley City College

10:30 a.m. - **CONCURRENT WORKSHOPS – GROUP E**

2<sup>nd</sup> Floor

11:30 a.m.

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
"Full Circle Project/College to Career Readiness (FCP/C2C) Template for Success"	Get Your MentorShip Together	So....What Are You? Constructing a multiracial identity within the larger API narrative	Converting Personal Challenges to be an Effective Leader: The Wisdom of Tenderness	Uncovering Southeast Asia: A View of the Cambodian, Hmong, and Vietnamese Experience	Creating Our Own Spaces: Navigating Transracial Asian American Adoptee Identity On College Campuses	"We Rise by Lifting Others": Advocacy, Mentorship, and Justice-Minded Curriculum through Mana – a Native Hawaiian Pacific Islander (NHPI) Learning Community	Speed Networking: Rising Up and Rising Together	Now You See Me: Reframing Asian American leadership as womxn, femmes, and trans folx

11:45 a.m. - **CONCURRENT WORKSHOPS – GROUP F**  
 12:45 a.m.

2<sup>nd</sup> Floor

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
Building Resiliency: Learning Skills Needed to Persist Through Academic Struggles and Challenges	Decolonizing My Mind: Reclaiming My Racial/Ethnic Identity	Stray from the Yellow Brick Road: Dismantling the Model Minority Myth for Asian American College Students	Intergenerational Trauma and Leadership Success: Equity-Based Counternarratives of Power, Strength, and Hope	The Unheard Voices: Fijians In California	Finding purpose for college and career advancement amidst cultural conflicts: Southeast Asian women’s journeys unfold	Rise UP: Us	A Sanctuary Campus: Creating a Safe and Supportive Environment for All Students Irrespective of Immigration Status	Positioning Yourself in the Field of Student Affairs: The Impact of Involvement and Giving Back to Our Community

**F POSTERS**

**2<sup>nd</sup> Floor Atrium**

**Indigenizing Asians in America: An Unfinished Business**

**Assessing Hmong High School Students’ Admission Process**

12:30 p.m. **LUNCHEON**

Grand Ballroom

**WOMEN’S WORK/WORDS**

- Ammany Ty, Undergraduate, University of Massachusetts Boston

**2018 APAHE AWARDS**

- Dr. Tammeil Y. Gilkerson, President, Laney College
- Dr. Gerald F. Napoles, President, Lone Star College – North Harris
- Whitney Yamamura, President, Folsom Lake College

2:30 p.m. -  
3:30 p.m.

**CONCURRENT WORKSHOPS – GROUP G**

2<sup>nd</sup> Floor

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
Becoming Culturally Relevant and Responsive: Using PAR to Inform Critical Approaches in Education	Rising Up to the Challenge: Overcoming Obstacles and Strategies to Establishing Yourself in Community College	Individual Papers: 1) Supporting Pacific Islander Student Success in Higher Education through Culturally Sustaining Leadership; 2) APIs: A Pretty Strong Suit of People	Hip Hop Pedagogy and K.R.E.A.M.: Knowledge Rules Everything Around Me	Finding our (API)phany: Student-Led Initiatives as a Means of (Re)Writing the AAPI Narrative on College Campuses	Do It Through the ‘Gram: Social Media and Asian Pacific Islander Desi American (APIDA) Identity Development	Arise Program: Leadership and Academic Progress, the Unfinished Business of Student Development	Beyond Solidarity: Advocacy, Positionality, and Privilege	“Sexual Harassment in Higher Ed: Confronting AAPIs’ Unfinished Business”

3:45 p.m. -.  
4:45 p.m.

**CONCURRENT WORKSHOPS – GROUP H**

Second Floor

Session 1 Room 201	Session 2 Room 202	Session 3 Room 203	Session 4 Room 204	Session 5 Room 205	Session 6 Room 206	Session 7 Room 207	Session 8 Room 208	Session 9 Room 210/211
Returning to the Why: Self-Preservation as Political Warfare for Filipinx American Educator-Activists in These Times	Bringing Cambodian Americans Into the Conversation: Rising Up Together	Queering Student Autonomy: Beyond Diversity and Equality Initiatives	From The Ground Up: Building Culturally Relevant and Responsive Faculty and Student Learning Communities	Student Alumni Inspiring Leadership (S.A.I.L.); Creating a culturally relevant and community oriented approach to Asian American/Pacific Islander Mentorship	#PinayScholars: Resisting Assimilation as Scholar Practitioners in Educational Space	Student Engagement Wrap Up	#metoo! What Public Employers Need to Know About Sexual Harassment	"Other": Screening and Discussion of Short Documentary

5:00 p.m.

**CLOSING APAHE RECEPTION AND DRAWING**

Grand Ballroom

**Join us at our Closing Reception to network and relax!  
Network/Reception @ 5:00 p.m.  
Drawing @ 5:30 p.m. (From the APAHE Board and donors)  
DJ/Music @ 5:30 p.m.**

# DACA



## DEFERRED ACTION FOR CHILDHOOD ARRIVALS

**MONDAY, OCTOBER 2**

◆ **ALLY TRAINING SESSION**  
**2:15 PM – CAMPUS CENTER**

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This session is geared for faculty, staff, and students who want to be allies. This session will cover the current political landscape, the rights of DACA students and individuals, and the information needed to be a strong ally.

◆ **DACA ONLY SESSION**  
**3:30 PM – EOPS BUILDING**

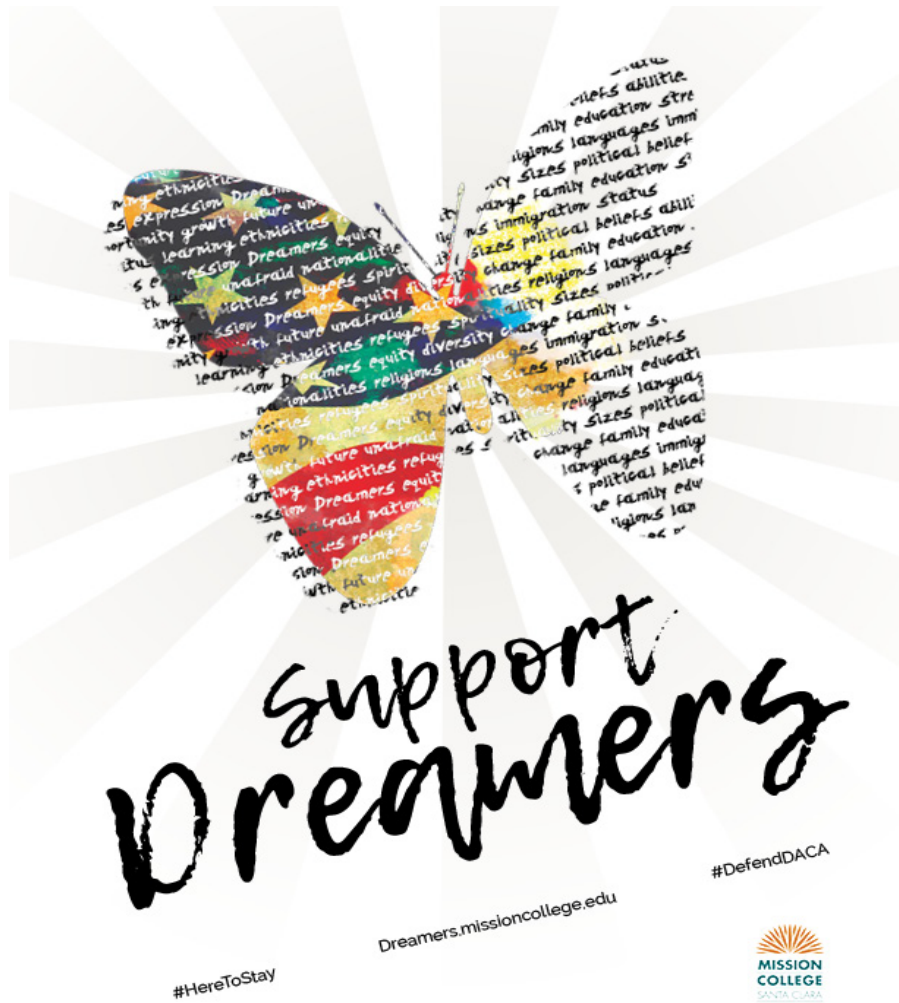
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This session is for DACA students only. The session will cover some basic information from a legal expert. Additionally, West Valley resources and support will be provided. This session will primarily be a round table for questions and answers for DACA students.

**WEST VALLEY  
STANDS WITH  
THE DREAMERS**

#DREAMACT

# DREAMERS ADVOCACY WEEK AT MISSION COLLEGE OCTOBER 16 – 20, 2017



**Please join us!**  
**DREAMERS ADVOCACY EVENT**  
**WEDNESDAY, OCTOBER 18<sup>TH</sup>**  
**11:30 am – 1:00 pm**  
**Hospitality Management (HM) Building, 104 A&B**

This event is designed for students, staff, faculty, and administration to learn about the experiences of our Mission College Dreamers, current resources available for Dreamers, and a dialogue on how our college could better support Dreamers moving forward.

*Sponsored by the Office of the President, Office of the Vice President of Student Services, Office of Student Equity & Success, Student Equity & Success Committee, and the Undocumented Student Task Force.*



**Dreamers: Two Colleges,  
One District, One Dream**

Presentation to  
WVMCCD Board of Trustees  
February 20, 2018

Mission College  
Nohemy Chavez  
Lucia Moreno  
Ken Songco

West Valley College  
Maritza Cantarero  
Virginia Marquez

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**Agenda**

- ▶ Dreamers/DACA 101
- ▶ District-Wide AB 540 Data and Limitations
- ▶ College Updates: Dreamers Efforts
- ▶ Recommendations/Next Steps

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**Common Terms**

- ▶ Dreamer
- ▶ DACA (Deferred Action for Childhood Arrivals)
- ▶ California Dream Act
- ▶ Ab 130/131
- ▶ Federal Dream Act
- ▶ Illegal Aliens
- ▶ AB 540/2000/68

Undocumented Students  
DACA Recipients  
AB 540/2000/68\* Students

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# Dreamers 101 (Chavez & Moreno)

## Who is undocumented?

> An individual who does not have the legal documentation required for immigration or residency status in a particular country

## How does one become undocumented?

- > An individual could have entered the country with legal documents but over stayed their temporary status such as a Visa
- > An individual entered the country without legal documents
- > An individual was brought to the country by someone else

Image From 'Diary of A Reluctant Dreamer' By Alberto Ledesma




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# AB 540 Data

- ▶ 50,000 – 70,000 undocumented enrolled students in CA Community Colleges
- ▶ 10,000 – 12,000 in CSUs and 3,800 – 5,000 in UCs
- ▶ 242,000 DACA recipients in California
- ▶ 137 total AB 540 students currently enrolled Spring 2018
- ▶ West Valley 66 DACA students
- ▶ Mission College 71 DACA students

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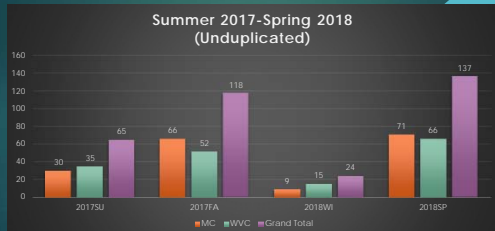
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# District-Wide AB 540 Data, 2017-2018




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## Data Limitations

- ▶ Ever-changing political climate and documentation required for Dreamer students (state/federal)
- ▶ Improving business processes models (BPM) in coding and tracking Dreamer students at both colleges
- ▶ This is a statewide issue, not just a district issue.




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## Mission College Dreamer Efforts

- ▶ Spring 2016
  - ▶ MC Dreamers Website
  - ▶ Flex Day Workshop on Undocumented Students
  - ▶ DACA workshop presented by SIREN
  - ▶ Flex Day Workshop on Undocumented Students
- ▶ Fall 2016
  - ▶ Flex Day Workshop on Undocumented Students




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## Mission College Dreamer Efforts

- ▶ Fall 2017
  - ▶ Undocumented Student Taskforce
  - ▶ MC Dreamers e-mail created
  - ▶ President's Letter to Mission College community
  - ▶ Dreamers Advocacy Week
  - ▶ SIREN Workshops
  - ▶ Support Dreamers Flyers and Brochures
- ▶ Spring 2018
  - ▶ SIREN Workshops
  - ▶ UndocuAlly Trainings
  - ▶ One-time emergency funding for dreamers




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## NEXT STEPS FOR MISSION COLLEGE

- ▶ UndocuAlly Workshops
- ▶ SB 68 Implementation
- ▶ Work with the District I.S. on the messaging to Dreamer students after submission of the CCC Apply application
- ▶ Exploring more ways to collaborate with our Santa Clara County education and nonprofit partners
- ▶ Exploring more scholarship opportunities for Dreamer Students




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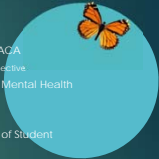
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## West Valley College Dreamer Efforts

- ▶ Fall 2016
  - ▶ President's Letter to college community
  - ▶ Appointment of lead administrators to serve as campus resources for DACA
  - ▶ Campus-wide presentation on immigration and DACA by Bill Ong Hing from a legal perspective
  - ▶ WV Support Group meeting for students, faculty and staff facilitated by Mental Health professional George Mageles and WV Counselors
- ▶ Spring 2017
  - ▶ Administration of Justice classroom speaker in collaboration with Office of Student Equity
  - ▶ ACLU Presentation, "Know your Immigration Rights" sponsored by the WVC Library
  - ▶ President's meeting with Puente classes
  - ▶ President's round table meeting with DACA students
  - ▶ Presentation to the Associated Student Government about Immigration & DACA




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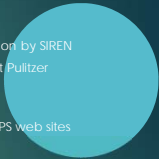
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## West Valley College Dreamer Efforts

- ▶ Fall 2017
  - ▶ Campus-wide DACA Allies and Know Your Rights presentation by SIREN
  - ▶ Student Services viewing of the video "Documented" about Pulitzer prize winning journalist, Jose Antonio Vargas
  - ▶ DACA students round table discussion
  - ▶ DACA resource information posted to Financial Aid and EOPS web sites
- ▶ Spring 2018
  - ▶ DACA Update and Q&A presentation by SIREN
  - ▶ "Beyond March 5" presentation by an immigration attorney




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## NEXT STEPS FOR WEST VALLEY



- ▶ Implement a campus DACA task force... "The Dream Team"
- ▶ Campus-wide discussions on the use of news reports about immigration status of individuals accused of or involved in crimes to nationally promote negative views about undocumented individuals
- ▶ Campus-wide discussions on the use of social media to foster negativity and unrest.
- ▶ Spring student workshops: "Immigration Myths", and "Navigating Higher Education as a DACA student".
- ▶ Continued counseling support for students
- ▶ Collaboration with Mission College and the development of joint procedures

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## Recommendations/Next Steps

- ▶ Convene a meeting once a semester between West Valley College and Mission College faculty, staff, and administrators involved with Dreamer efforts
- ▶ SB 68 Implementation at both colleges (expands eligibility criteria for AB540 status)
- ▶ Ongoing training opportunities
- ▶ Strengthen partnerships with local community colleges and nonprofit organizations to share ideas on how to better support Dreamers
- ▶ Develop uniform District data policies to effectively track/monitor Dreamer students
- ▶ Develop uniform District policies in response to ICE raids

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## Mission College Equity Framework




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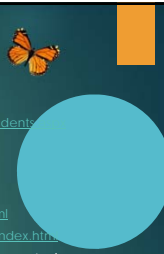
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Staying up to date



- ▶ California Community Colleges Chancellor's Office,
  - ▶ <http://www.cccco.edu/ResourcesforUndocumentedStudents>
- ▶ Mission Dreamer Student Resources:
  - ▶ <http://dreamers.missioncollege.edu/>
- ▶ West Valley College Dreamers Resources:
  - ▶ <http://westvalley.edu/services/financialaid/dreamact.html>
  - ▶ <http://westvalley.edu/services/academic-success/eops/index.html>
- ▶ Education Resource Binder: College Access for Undocumented Students in California
  - ▶ <http://e4fc.org/resourcebinder.html>

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**Ryan Ng**

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**From:** Theresa Tran  
**Sent:** Monday, April 16, 2018 6:45 PM  
**To:** All\_Mission\_users  
**Subject:** Intergenerational Communication workshop

**Categories:** Orange Category

Interested in learning more about your colleagues and students from a different generation? Attend this workshop taking place next Wednesday, April 25 from 12 pm – 1:30 pm in Gillmor Center 223! Space is limited so [please RSVP here](#).

Free pizza and drawings for KJ's gift cards!

We'll see you there,  
Dr. David Piper, Alejandro Zavala, and Theresa Tran

Learn how to communicate with your fellow  
**BABY BOOMERS, GEN XERS, & MILLENNIALS**

How does it relate to me?  
What are you thinking?  
Duran Duran

**WEDNESDAY**  
**April 25, 2018**  
12pm - 1:30pm  
Gillmor Center 223

Intergenerational  
**COMMUNICATION**

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Theresa Tran, EOPS Counseling Faculty  
Mission College  
3000 Mission College Blvd., MS 27  
Santa Clara, CA 95054  
T: 408.855.5061

# NORCAL EQUITY INSTITUTE

Mission College, Gillmor Center | March 9-10, 2018



## Building True Communities for Equity to Thrive

*To register, please contact Lusyna Narvaez at [Lusyna.Narvaez@missioncollege](mailto:Lusyna.Narvaez@missioncollege). Up to thirty spots are available for Mission College faculty, staff, and administrators.*

## C o n f e r e n c e   a t   a   G l a n c e

### Friday, March 9, 2018

8:30 - 9:00 **Breakfast, Check-in**  
 9:00-9:15 **Welcome**  
 9:15-12:15 **Keynote Addresses**  
 J. Luke Wood, Ph.D.  
 Nika Hogan, Ph.D.  
 Julie Keiffer-Lewis, Ed.D (c)  
 12:30-1:30 **Lunch**  
 1:45-2:15 **Student Panel**, Ken Songco, MPA  
 2:30-4:30 **Concurrent Sessions**  
 4:30-5:00 **Reflections, Closing Session**

### Saturday, March 10, 2018

8:30 - 9:00 **Breakfast, Check-in**  
 9:00-9:15 **Opening Remarks**  
 9:15-11:30 **Concurrent Sessions**  
 Veronica Neal, Ed.D.  
 Nancy Kahn, BayNVC  
 11:45-12:15 **Lunch**  
 12:30-2:30 **Concurrent Sessions**  
 Veronica Neal, Ed.D.  
 Nancy Kahn, BayNVC  
 2:30-3:00 **Reflections, Closing Session**





**Mission College's African-American**  
Visiting Writers Series Presents:

Acclaimed Novelist & Poet

**11:00 A.M. – 12:00 P.M.**  
Mission College Library

**Recipient of:**

- Guggenheim Fellowship
- The PEN/Hemingway Award
- An Edgar Prize
- A Ford USA Artists Fellowship

- Born in Nigeria
- Professor at Northwestern University.
- [chrisabani.com](http://chrisabani.com)

**Book signing and sales immediately after reading.**

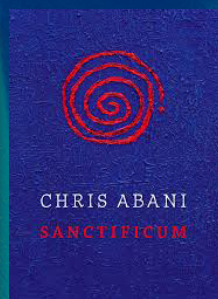
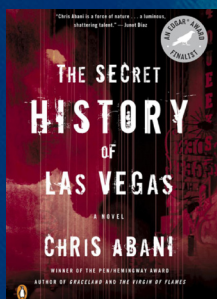
**Free and open to the public.**

Parking: \$3.00 in Lots B, C & D

**Event made possible by Mission College's Office of Student Equity and Success.**

Along with support from:

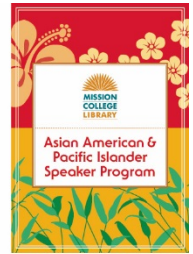
- Mission College's Office of the Vice President of Student Services
- Mission College Library
- Mission College's English Department



free and open to the public

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Come visit the **MISSION COLLEGE** Library for an  
**Asian American & Pacific Islander Speaker Event**



**Author:**

**Viet Thanh Nguyen**

**Date & Time:**

Wed., April 18, 2018  
7 pm – 8 pm

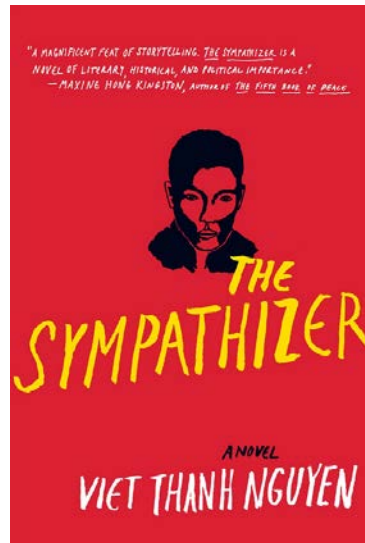
Thurs., April 19, 2018  
11 am – 12 pm

**Location:**

Mission College Library

**Parking:**

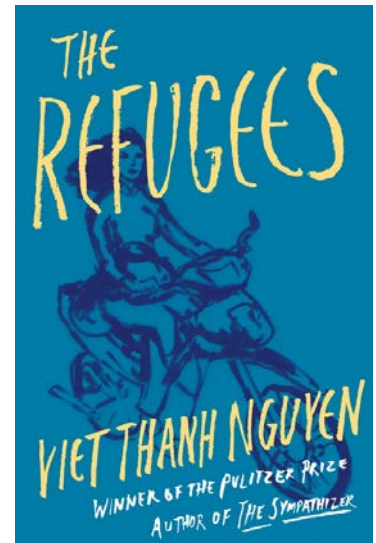
Daily parking permits  
are available for \$3.00  
in Lots B, C & D



*The Sympathizer*

Winner of the 2016  
Pulitzer Prize for Fiction.

A suspense thriller about a communist double agent, "a spy, a sleeper, a spook, a man of two minds" living in America, spying on his general and the men with whom he escaped Saigon.



*The Refugees*

(2017)

A collection of short stories written over a period of twenty years, set in both Vietnam and America, explores questions of immigration, identity, love, and family.

Mission College Communication Studies Presents:

Author • Actress • Poet

# VENUS JONES

## PEN > SWORD

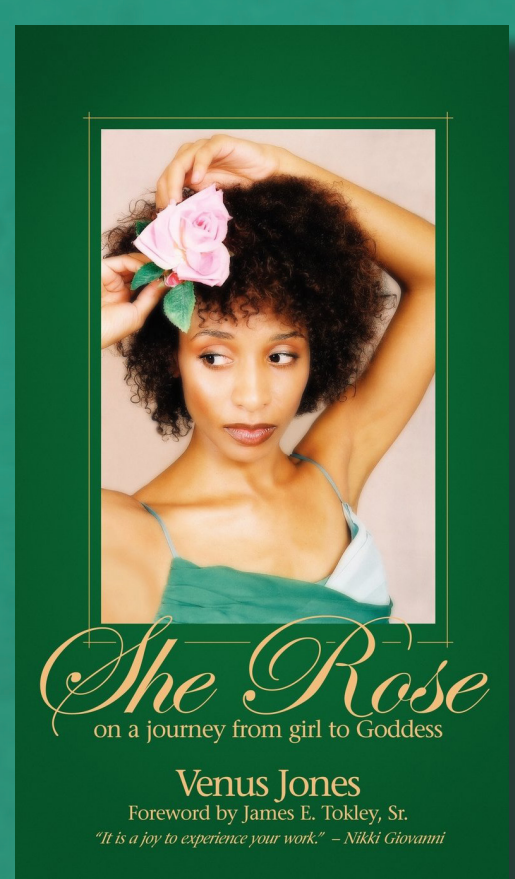
EXPLORING SOCIAL ADVOCACY THROUGH ART & POETRY

**Monday, April 16**

12:45–1:45 P.M. & 2:15–3:15 P.M.

Location: TAV 130

[venusjones.com](http://venusjones.com)



**FREE  
ENTRY!**

The Women, Gender, and Queer Studies & Social Justice Studies programs, and  
Office of Student Equity proudly present  
WVC's sixth annual

# The "F-Word" Global Gender Symposium

Wednesday, May 9, 2018 ~ 1-4pm

in LA/SS 50

Corinne Cowden      **Bleeding Out: Kenya's Fight to End the Stigma Around Periods**

Niki Dabir            **Women in Iran: The Fight For Equality**

Susan Lomasney     **Fiercely French: How One Nation is Leading the Way in Protecting Women from FGM**

Wayne Morgan       **"There are No Gays in Chechnya": The Purge of Chechnya's LGBTQ Community**

\*\*\*\*\*Intermission during passing period 1:55-2:05pm\*\*\*\*\*

Brynna Crumley     **Regulating Bodies: Reproductive Rights and Resistance in Ireland**

Evie Sanders         **Matriarchy: Modern or Merely Mythology?**

Angela Harb         **African Ecofeminism: Wangari Maathai and Intersectional Postcolonialism**

Steven Cannon       **The Penis Seat: Mexico City's Fight against Sexual Harassment on Public Transportation**

This event is free, open to everyone!



EQUITY SPEAKER SERIES

# PEDRO NOGUERA

HOW STUDENTS CAN SURVIVE IN A GLOBAL SOCIETY

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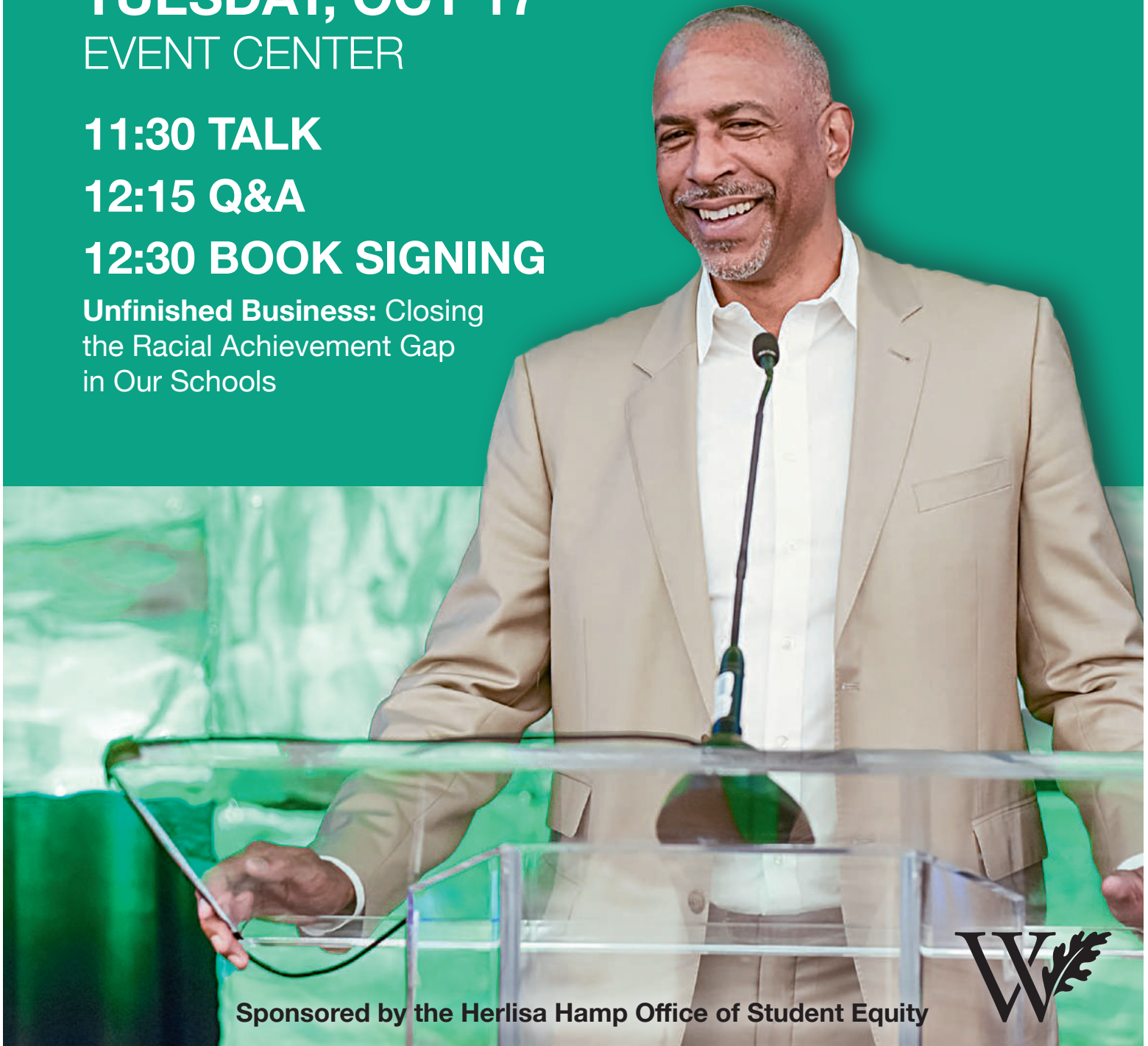
**TUESDAY, OCT 17**  
EVENT CENTER

**11:30 TALK**

**12:15 Q&A**

**12:30 BOOK SIGNING**

**Unfinished Business:** Closing  
the Racial Achievement Gap  
in Our Schools



Sponsored by the Herlisa Hamp Office of Student Equity



**Ryan Ng**

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**Subject:** 3rd Annual International Food Festival!

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**From:** Jacqueline Williams

**Sent:** Thursday, October 12, 2017 9:35 AM

**To:** all\_WVC\_users <[all\\_WVC\\_users@wvm.edu](mailto:all_WVC_users@wvm.edu)>

**Subject:** 3rd Annual International Food Festival!

Dear All,

Come travel the world at lunch time without leaving West Valley College. Everyone is invited to bring a traditional dish and the recipe to share. All we ask is that you include a write-up of the dish.

Also, come test your olfactory senses and taste buds with a Spices & Herbs Quiz.

Monday's event will be fun & you might even win a prize!!

October 16, 11 am-1 pm, Event Center.

If you have any questions, please contact Jackie at #2564

Cheers!

Sponsored by the Herlisa Hamp Office of Student Equity & The World Language Department

Come Celebrate The 3rd Annual  
**International Food Fest**



Monday  
October 16, 2017  
11 am- 1 pm  
Event Center

**How to Participate:**

1. Prepare a traditional dish.
2. Submit the following with your dish:
  - a) Name
  - b) Class, section number
  - c) Origin of your dish
  - d) Does your dish contain nuts?
  - e) Family tradition surrounding dish?
  - f) Family photos (optional)
3. For more information, please contact: [jacqueline.williams@westvalley.edu](mailto:jacqueline.williams@westvalley.edu)

**Ryan Ng**

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**To:** Ryan Ng  
**Subject:** Women's History Month PANEL DISCUSSION Mon 3/5, 2-3pm, Baltic

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**From:** Leigh Burrill  
**Sent:** Tuesday, February 27, 2018 3:28 PM  
**To:** all\_WVC\_users  
**Subject:** ¡¡Women's History Month events from Student Equity!!

Hello colleagues,

The Office of Student Equity is pleased to share with you an exciting lineup of events for Women's History Month; please bring your students or encourage them to attend, as each of these promises to be memorable and inspiring:

**Monday, March 5<sup>th</sup> (2-3pm) – Women's History Month Panel**

Student Government and Student Equity are teaming up and proud to present a **Women's History Month panel** of some of our very own colleagues, speaking about overcoming obstacles and sharing words of wisdom with the next generation of students: **2-3pm, Baltic Room**, refreshments provided.

**Monday, March 19<sup>th</sup> (10:55am & 12:30pm) – Social Justice for Action**

Brilliant, dynamic speaker **Eden Silva Jequinto** will be leading a dynamic workshop focused on our theme of Social Justice for Action. She/they/ze will be speaking presenting in two time blocks: **10:55am** and **12:30pm**, in Campus Center. Eden Silva Jequinto learned the power of education, organizing, and cultural work from a migrant Pilipinx family and the predominantly developing nations communities that raised her/them/zir. Please bring your class and get ready to be moved and have your consciousness awakened! For more information about Eden, please see: <https://transgenderlawcenter.org/about/staff-and-board/eden-jequinto>.

Please RSVP to Leigh if you're interested in bringing your class to one of these sessions – Eden is a very inspiring and the speaker!

**Tuesday, March 20<sup>th</sup> (12:30pm) – Movie Screening of “Dolores”**

Do you know Dolores Huerta? The Student Equity team and Puente Project are proud to bring you a screening of DOLORES, the film that tells the story of the ever-inspiring **Dolores Huerta**, social justice, civil rights and labor activist, and founder of the National Farmworkers Association. This screening will take place **on Tuesday, March 20<sup>th</sup>**. We will be presenting this film in the **Baltic Room, at 12:30pm**. Please join us in bringing your classes or encouraging your students to attend for bonus points -- even in the STEM fields! Check out the trailer here: <https://www.youtube.com/watch?v=Unzr9kiFScQ>

¡Sí se puede!

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**Leigh Burrill**  
*Faculty Lead for Student Equity*  
*Women and Gender Studies, English Instructor*  
[408/741-4054](tel:4087414054)  
[Leigh.Burrill@westvalley.edu](mailto:Leigh.Burrill@westvalley.edu)



"Life is either a daring adventure, or nothing." -- Helen Keller



**Ryan Ng**

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**To:** Yalem Lakew  
**Subject:** RE: Student Equity Speaker Series

**From:** Herlisa Hamp  
**Sent:** Tuesday, July 11, 2017 2:55 PM  
**Subject:** Student Equity Speaker Series



Happy Summer. The Office of Student Equity would once again like to thank all of you for your participation in our many cultural events throughout the past academic year. It's the time of the year when we begin to secure speakers for the 2017-2018 Academic Year. Feel free to share ideas of great speakers you would like to see on campus. While we will focus on the months listed below, anything educating our campus community on diversity and enrichment is a possibility.

Some of the highlights from this past year are the 50<sup>th</sup> Anniversary of Dr. Martin L. King's anti-Viet Nam Speech, Chinese New Year, Lantern Festival, Hijab Challenge and Dia De Los Muertos that were all very stimulating and well attended .

This year we will once again collaborate with the World Languages Department to host our 3<sup>rd</sup> Annual-International Food Festival and the History Department for Constitution Day. If you have speakers or event suggestions that you would like to see on campus, please share information. We are open to collaborating on multiple events and look forward to another year of exposing our campus community to cultural relevance.

Hispanic Heritage Month	September 15-
October 15	
LGBT History Month	October
Veterans Day	November
Native American Heritage Month	November
National Mentoring Month	January
Black History Month	February
Women's History Month	March
Arab American Month	April
Asian Pacific Islander Heritage Month	May
Mental Health Awareness Month	May
Foster Care Month	May
Immigrant Heritage Month	June



West Valley  
College

Herlisa Hamp, Director

Student Equity & Success

(408) 741-4616



# Norooz

**1397 | 2018**

MARCH 15TH 2018

3:00PM | WEST VALLEY COLLEGE  
DANCE | SINGING | MUSIC | FOOD

RADIO JAVAN DEEJAY AL

PARTY @ 5 PM



SPONSORED BY THE ASWVC, THE PRESIDENT'S OFFICE, CAREER  
PROGRAMS AND STUDENT EQUITY & SUCCESS OFFICE





# BLACK MINDS

## M A T T E R

**MONDAYS**

**4:30 PM**

**OCTOBER 23 – DECEMBER 11**

**ROOM: FOX 107**

LIVE STREAMING SITE, JOIN IN PERSON FOR VIEWING AND DIALOG.

This “public course” is presented in the form of a free eight-part webinar series that is open virtually to anyone who would like to participate. These sessions start at 4:30 pm, unless otherwise specified, beginning October 23, to December 11.

This course is designed to raise the national consciousness about issues facing Black boys and men in education. The course will intentionally draw linkages between the pervasive undervaluing and criminalization of Black boys and men in society and how those same patterns are evident in schools, colleges, and universities.



**Dr. J. Luke Woods**  
Professor,  
San Diego State University

**SOME OF OUR MANY GUEST SPEAKERS AND INTERVIEWEES WILL INCLUDE:**

**FIND OUT MORE AT**

[jlukewood.com/portfolio/black-minds-matter](http://jlukewood.com/portfolio/black-minds-matter)



**Patrisse Cullors**  
Co-Founded, Black Lives Matter



**Tyrone Howard**  
Professor of Urban Education,  
University of California Los-  
Angeles



**Shaun Harper**  
Clifford and Betty Allen  
Professor of Urban Leadership,  
University of Southern  
California



**Ilyasah Shabazz**  
Educator, Activist, and  
daughter of Malcolm X



**S. Lee Merritt**  
The Merritt Law Firm & Attorney for  
the family of Jordan Edwards



**Pedro Noguera**  
Distinguished Professor of  
Education, University of  
California Los-Angeles

Public Course Syllabus  
Dr. Luke Wood



A Focus on Black Boys and Men in Education

# Partnering Organizations

*We would like to extend a special thank you to our sponsors for their support of Black Minds Matter.*



**The Education Trust–West**



## *Inspiration for Course*

*Black Minds Matter was inspired by the Education Trust-West report "[Black Minds Matter](#)." This report documented the challenges and opportunities facing Black learners in the state of California.*

*Moreover, this course was offered in response to the advocacy of African American Ph.D. students at SDSU who were actively engaged in civil resistance following the slaying of unarmed Alfred Olango in El Cajon (San Diego).*

*This course is hosted by the Joint Ph.D. (JDP) Program in Education at San Diego State University. A partnership program with Claremont Graduate University.*

*Thank you to SDSU's Instructional Technology Services for supporting the delivery of this course.*



# About Dr. Luke Wood

J. Luke Wood, Ph.D. is the Dean's Distinguished Professor of Education in the College of Education at San Diego State University. Wood serves as the Director of the Joint Ph.D. program in Education between San Diego State University and Claremont Graduate University and Director of the Ed.D. Program in Community College Leadership. Dr. Wood is also Co-Director of the Community College Equity Assessment Lab (CCEAL), a national research and practice center.



Wood's research focuses on factors affecting the success of boys and men of color education, with a specific focus on community colleges. In particular, his research examines contributors (e.g., social, psychological, academic, environmental, institutional) to positive outcomes. Dr. Wood has delivered over a 120 scholarly professional and conference presentations. His research has been featured by the White House Initiative on Educational Excellence for African Americans, New York Times, Chronicle of Higher Education, Huffington Post, Fortune Magazine, Los Angeles Times, Miami Herald, San Francisco Chronicle, and C-SPAN. Dr. Wood has authored over 120 publications, including more than 60 peer-reviewed journal articles. He has authored and edited 14 books, his most recent books include: *Supporting men of color in the community college* (2017, Wood and Harris III), *Teaching boys and young men of color* (2016, Wood and Harris III) and *Teaching men of color in the community college* (2015, Wood, Harris III, and White).

Wood received his PhD in Educational Leadership & Policy Studies (Higher Education) and master's degree in Curriculum and Instruction (Early Childhood Education) from Arizona State University (ASU). He also holds a master's degree in Higher Education Leadership (Student Affairs) and a bachelor's degree in Black History and Politics from California State University, Sacramento. Luke is a member of Alpha Phi Alpha Fraternity Incorporated.

# Coordination Team

**Darielle Blevins** is a doctoral student in the Joint Ph.D. program in Education with San Diego State University and Claremont Graduate University. Her current focuses on the educational experiences of African American girls and women from preschool to college.

**Lorren Comeaux** is a master's student in the Community Based Block Multicultural Counseling Program at San Diego State University. Her focus is on developing culturally relevant counseling-based interventions for Black children in elementary settings.

**Karan Jain** is a masters student in Computer Science at San Diego State University. Karan has founded a software development company through which he has developed numerous websites, softwares, and mobile applications. This includes the applications WomenTriangle and Docentome.

**Soua Xiong** is a doctoral student in the Joint Ph.D. program in Education with San Diego State University and Claremont Graduate University. His research focuses on Southeast Asian students in postsecondary education.



**Fatima AlFulaij** – is a documentary filmmaker who is pursuing her bachelor's degree from San Diego State University's Film and Media Studies program.

**Ari Lerner** – is a director of various forms of film and a graduate of San Diego State University's Film and Media Studies program.

# Introduction

*In recent years, there have been many high profile slayings of young Black men. Trayvon Martin, Michael Brown, Tamir Rice, Eric Garner, Alfred Olango and far too many others. Anger regarding these slayings has led to numerous marches, protests, and vigils throughout the nation. Rising through the power of social media, the Black Lives Matter movement has shed light on the injustices facing Black communities and has provided a statement of affirmation that Black lives do indeed matter.*

*Shadowing this movement there has been increased discourse about the status, experiences, and outcomes of Black students in education, particularly Black males. Black Lives Matter has shown that Black boys and men are devalued and over-criminalized in society. These same patterns are evident in educational settings, leading to over-representation in special education, exposure to high rates of suspension and expulsion, and ultimately feeding the school-to-prison pipeline. Similar disparities are manifested in college and university settings.*

*“Similar to the Black Lives movement, the course provides an affirmative statement that Black minds do matter.”*

*Black Minds Matter is a public course designed to increase the national consciousness about issues facing Black boys and men in education. The course draws parallels between issues faced by Black males in society and the ways that Black minds are engaged in the classroom. Through this lens, we will engage research on Black students in education (from preschool to doctoral education), emphasizing strategies and practices that can support their success. Similar to the Black Lives movement, the course provides an affirmative statement that Black minds do matter.*

*The course employs three tenets of the Black Lives movement (e.g., loving engagement, collective value, restorative justice) as a framework for enhancing outcomes for Black boys and men in education. In particular, the course encourages educators to see their classrooms, offices, schoolyards, and campuses as sites for civil resistance.*

*“I have never encountered any children in any group who are not geniuses. There is no mystery on how to teach them. The first thing you do is treat them like human beings and the second thing you do is love them.” - Asa Hilliard*

*In an educational setting, civil resistance is manifested most powerfully through teaching that empowers the disaffected and communicates love. This involves embracing a new educational paradigm that truly values the intelligence, worth, and morality of Black minds.*

*“Love your neighbor as yourself and love their children as your children.”*

*As a person of faith, my approach to civil resistance is rooted in the adage, “love you neighbor as yourself.” As educators, we have the privilege of educating the children of our neighbors. Therefore, we must embrace their children, not as strangers, but as our own. Love your neighbor as yourself and love their children as your children. Teach them with love, discipline them with love, build personal relationships with love, as if they were your own.*

*Welcome to Black Minds Matter,*

*Dr. Luke Wood  
Dean's Distinguished Professor of Education  
San Diego State University*



# 20 Must-Reads Works for Educators of Black Boys and Men

While compiling readings for this course, my research team and I identified contemporary scholarly works (excluding books) that we felt represented must-read works for any educator who works with Black boys and men in education. This list represents the viewpoints of the Black Minds Matter coordination team, not necessarily that of the guest speakers and interviewees. These works are listed in alphabetical order by the authors last name.

Bonner, F. A., Jennings, M. E., Marbley, A. F., & Brown, L. A. (2008). [Capitalizing on leadership capacity: Gifted African American males in high school](#). *Roeper Review*, 30(2), 93-103.

Dancy, T. E. (2014). (Un) doing hegemony in education: Disrupting school-to-prison pipelines for Black males. *Equity & Excellence in Education*, 47(4), 476-493.

Davis, J. E. (1994). [College in Black and White: Campus environment and academic achievement of African American males](#). *The Journal of Negro Education*, 63(4), 620-633.

Ford, D. Y., & Moore, J. L. (2013). [Understanding and reversing underachievement, low achievement, and achievement gaps among high-ability African American males in urban school contexts](#). *The Urban Review*, 45(4), 399-415.

Harper, S. R. (2009). [Niggers no more: A critical race counternarrative on Black male student achievement at predominantly White colleges and universities](#). *International Journal of Qualitative Studies in Education*, 22(6), 697-712.

Harper, S. R. (2014). [\(Re\)setting the agenda for college men of color: Lessons learned from a 15-year movement to improve Black male student success](#). In R. A. Williams (Ed.), *Men of color in higher education: New foundations for developing models for success* (pp. 116-143). Sterling, VA: Stylus.

Harris III, F., Palmer, R. T., & Struve, L. E. (2011). ["Cool posing" on campus: A qualitative study of masculinities and gender expression among Black men at a private research institution](#). *The Journal of Negro Education*, 80(1), 47-62.

Howard, T. C. (2016). Why Black lives (and minds) matter: Race, freedom schools & the quest for educational equity. *The Journal of Negro Education*, 85(2), 101-113.

Howard, T.C., Douglass, T., & Warren, C. (2016). ["What works?" Recommendations in transformation of Black male educational outcomes](#). *Teachers College Record*, 118(6), 1-10.

Ladson Billings, G. (2011). Boyz to men? Teaching to restore Black boys' childhood. *Race Ethnicity and Education*, 14(1), 7-15.

Moore, J. L. III, Madison-Colmore, O., & Smith, D. M. (2003). [The prove-them-wrong syndrome: Voices from unheard African-American males in engineering disciplines](#). *The Journal of Men's Studies*, 12(1), 61-73.

Noguera, P. A. (2003). [The trouble with Black boys: The role and influence of environmental and cultural factors on the academic performance of African American males](#). *Urban Education*, 38(4), 431-459.

Palmer, R. T., Davis, R. J., & Hilton, A. A. (2009). [Exploring challenges that threaten to impede the academic success of academically underprepared Black males at an HBCU](#). *Journal of College Student Development*, 50(4), 429-445.

Sealey-Ruiz, Y. & Lewis, C. (2013). [Letters to our teachers: Black and Latino males write about race in the urban English classroom](#). In J. Landsman (Ed.), *Talking about race: Alleviating the fear* (274-290). Sterling, VA: Stylus.

Smith, W. A., Allen, W. R., & Danley, L. L. (2007). ["Assume the position...you fit the description": Psychosocial experiences and racial battle fatigue among African American male college students](#). *American Behavioral Scientist*, 51, 551-578.

Strayhorn, T. L. & Tillman-Kelly, D. L. (2013). [Queering masculinity: Manhood and Black gay men in college](#). *Spectrum: A Journal on Black Men*, 1(2), 83-110.

Tatum, A. W. (2008). [Toward a more anatomically complete model of literacy instruction: A focus on African American male adolescents and texts](#). *Harvard Educational Review*, 78(1), 155-180.

Toldson, I. A., Sutton, R. M., & Brown, R. L. F. (2012). [Preventing delinquency and promoting academic success among school-age African American males](#). *Journal of African American Males in Education*, 3(1), 12-27.

Wood, J. L. (2014). [Apprehension to engagement in the classroom: Perceptions of Black males in the community college](#). *International Journal of Qualitative Studies in Education*, 27(6), 785-803.

Wood, J. L., & Essien-Wood, I. (2012). [Capital identity projection: Understanding the psychosocial effects of capitalism on Black male community college students](#). *Journal of Economic Psychology*, 33(5), 984-995.

# Course Purpose

Black Minds Matter is a public course that is designed to raise the national consciousness about issues facing Black boys and men in education. The course intentionally addresses the pervasive undervaluing and criminalization of Black minds. Tangible solutions for promoting the learning, development, and success of Black males are offered.

# Student Learning Outcomes

- Identify how assumptions of criminality about Black boys and men are manifested in school, college, and university settings.
- Recognize how socially constructed viewpoints of Black male intelligence decenter them as learners in educational institutions.
- Embrace asset-based views of Black boys and men rooted in the concepts of equity-mindedness and institutional responsibility.
- Articulate research-based policies and practices that serve to promote the learning, development, and success of Black males throughout the educational pipeline.

# Course Prerequisites

There are two dispositional prerequisites for this course. Learners must have a willingness to:

1. Acknowledge their own unconscious bias and the effect this has on the educational experiences of Black boys and men.
2. Engage their personal responsibility for redressing disparate educational outcomes for Black boys and men in education.

# Required Resource

Subscribe to: [www.youtube.com/jlukewood](http://www.youtube.com/jlukewood). All course videos are hosted on this site.

# Required Books



Wood, J. L., & Harris III, F. (2016). *Teaching Boys and Young Men of Color: A Guidebook*. San Diego, CA: Lawndale Hill.

Moore III, J., & Lewis, C. W. (2014). *African American Male Students in PreK-12 Schools: Informing Research, Policy, and Practice (Advances in Race and Ethnicity in Education)*. Bingley, UK: Emerald.

Harper, S. R., & Wood, J. L. (Eds.) (2014). *Advancing Black Male Student Success: From Preschool to Ph.D.* Sterling, VA: Stylus.

Howard, T. C., (2014). *Black Male(d): Peril and Promise in the Education of African American Males*. New York, NY: Teachers College Press.

Wood, J. L., Harris III, F., & White, K. (2015). *Teaching men of color in the community college: A guidebook*. San Diego, CA: Lawndale Hill.

Bonner III, F. A. (Ed.) (2014). *Building on Resilience: Models and Frameworks of Black Male Success Across the P-20 Pipeline*. Sterling, VA: Stylus.

# Course Schedule

*The course schedule is subject to change.*

## **WEEK 1 – 10/23/17 – Linking Black Lives and Black Minds**

*Live Broadcast from 4:30pm to 6:30pm Pacific Time*

- Speaker: Ryan Smith, The Education Trust-West
- Interviewee: S. Lee Merritt, Civil Rights Attorney
- Speaker: Patrisse Cullors, Black Lives Matter

## **WEEK 2 – 10/30/17- Foundations of Black Male Research and Practice**

*Live Broadcast from 4:30pm to 6:00pm*

- Speaker: Frank Harris III, San Diego State University
- Interviewee: Shaun R. Harper, University of Southern California

## **WEEK 3 – 11/06/17- Ascription of Intelligence**

*Live Broadcast from 4:30pm to 6:00pm*

- Speaker: Fred A. Bonner II, Prairie View A&M University
- Interviewee: Donna Ford, Vanderbilt University

## **WEEK 4 – 11/13/17- Assumptions of Criminality**

*Live Broadcast from 4:30pm to 6:00pm*

- Speaker: Tyrone C. Howard, University of California Los-Angeles
- Interviewee: Pedro Noguera, University of California Los-Angeles
- Speaker: Neshia Savage, San Diego City College

## **WEEK 5 – 11/20/17- Campus Climates and Non-Cognitive Outcomes**

*Live Broadcast from 4:30pm to 6:00pm*

- Speaker: Terrell L. Strayhorn, DoGoodWork LLC
- Interviewee: James L. Moore III, The Ohio State University
- Interviewee: Kimberly A. Griffin, University of Maryland

## **WEEK 6 – 11/27/17- Promising Practices for Teaching and Learning**

*Live Broadcast from 4:30pm to 6:00pm*

- Speaker: Ilyasah Shabazz, Educator & Daughter of Malcom X and Dr. Betty Shabazz
- Speaker: Chance Lewis, University of North Carolina – Charlotte
- Interviewee: Jawanza Kunjufu, African American Images

## **WEEK 7 – 12/04/17- Holistic Support for Black Male Learners**

*Live Broadcast from 4:30pm to 6:00pm*

- Speaker: Eboni Zamani-Gallaher, University of Illinois – Urbana Champaign
- Interviewee: Robert T. Palmer, Howard University
- Speaker: Vanessa McCullers, Moms of Black Boys (MOBB) United

## **WEEK 8 – 12/11/17- Advancing Black Male Policy, Support and Research**

*Live Broadcast from 4:30pm to 6:00pm*

- Interviewee: Ivory Toldson, Howard University
- Speaker: Robert Simmons, Campaign for Black Male Achievement
- Interviewee: Jerlando F. L. Jackson, University of Wisconsin Madison

# Video Releases

## **“Police Brutality and Black Males”**

Interview with S. Lee Merritt,  
Attorney for the Family of Jordan Edwards

## **“Black Minds Matter”**

Contributions by Jonathan Butler, Ronald Walker, Keith Curry et al.  
Video Montage

## **“Teaching Men of Color”**

Interview with Frank Harris III  
San Diego State University

## **“Moving from Restorative to Transformative Justice”**

Interview with Joey Estrada  
San Diego State University

## **“One Practices That Works for Black Boys and Men”**

Contributions by Dr. Steven Perry et al.  
Video Montage

## **“Literacy and Black Male Achievement”**

Interview with Roma J. Benjamin  
Senior Pastor of New Wine Gateway Ministries

# Weekly Readings

## WEEK 1 – 10/23/17

### Linking Black Lives and Black Minds

#### Required Book

- Harper, S. R., & Wood, J. L. (Eds.) (2014). *Advancing Black Male Student Success: From Preschool through Ph.D.* Sterling, VA: Stylus.

#### Required Articles

- Education Trust – West (2015). [Black minds matter: Supporting the educational success of Black children in California.](#) Oakland, CA: Author.
- Howard, T. C. (2016). Why Black lives (and minds) matter: Race, freedom schools & the quest for educational equity. *The Journal of Negro Education*, 85(2), 101-113.

#### Optional Readings

- Griffin, K. A., Jayakumar, U. M., Jones, M. M., & Allen, W. R. (2010). [Ebony in the Ivory Tower: Trends in the socioeconomic status, achievement, and self-concept of Black male freshmen between 1971 and 2000.](#) *Equity and Excellence in Education*, 43(2), 232-248.
- Parham, T. A., & McDavis, R. J. (1987). Black men, an endangered species: Who's really pulling the trigger? *Journal of Counseling & Development*, 66(1), 24-27.
- Wood, J. L., Harrison, J. D., & Jones, T. K. (2016). [Black males' perceptions of the work-college balance: The impact of employment on academic success in the community college.](#) *The Journal of Men's Studies*, 24(3), 326-343.

## WEEK 2 – 10/30/17

### Foundations of Black Male Research and Practice

#### Required Articles

- Harper, S. R. (2009). [Niggers no more: A critical race counternarrative on Black male student achievement at predominantly White colleges and universities.](#) *International Journal of Qualitative Studies in Education*, 22(6), 697-712.
- Harper, S. R. (2014). [\(Re\)setting the agenda for college men of color: Lessons learned from a 15-year movement to improve Black male student success.](#) In R. A. Williams (Ed.), *Men of color in higher education: New foundations for developing models for success* (pp. 116-143). Sterling, VA: Stylus.
- Harper, S. R. (2015). Black male college achievers and resistant responses to racist stereotypes at predominantly White colleges and universities. *Harvard Educational Review*, 85(4), 646-674.
- Harris III, F., Palmer, R. T., & Struve, L. E. (2011). ["Cool posing" on campus: A qualitative study of masculinities and gender expression among Black men at a private research institution.](#) *The Journal of Negro Education*, 80(1), 47-62.

#### Optional Readings

- Strayhorn, T. L. & Tillman-Kelly, D. L. (2013). [Queering masculinity: Manhood and Black gay men in college.](#) *Spectrum: A Journal on Black Men*, 1(2), 83-110.
- Harper, S. R. (2015). [Success in these schools? Visual counternarratives of young men of color and urban high schools they attend.](#) *Urban Education*, 50(2), 139-169.

# Weekly Readings

## WEEK 3 – 11/06/17

### Ascription of Intelligence

#### Required Articles

- Bonner, F. A., Jennings, M. E., Marbley, A. F., & Brown, L. A. (2008). [Capitalizing on leadership capacity: Gifted African American males in high school](#). *Roeper Review*, 30(2), 93-103.
- Ford, D. Y., & Moore, J. L. (2013). [Understanding and reversing underachievement, low achievement, and achievement gaps among high-ability African American males in urban school contexts](#). *The Urban Review*, 45(4), 399-415.
- Wood, J. L. (2014). [Apprehension to engagement in the classroom: Perceptions of Black males in the community college](#). *International Journal of Qualitative Studies in Education*, 27(6), 785-803.
- Sealey-Ruiz, Y. & Lewis, C. (2013). [Letters to our teachers: Black and Latino males write about race in the urban English classroom](#). In J. Landsman (Ed.), *Talking about race: Alleviating the fear* (pp. 274-290). Sterling, VA: Stylus.

#### Optional Readings

- Allen, Q. (2010). [Racial microaggressions: The schooling experiences of Black middle-class males in Arizona's secondary schools](#). *Journal of African American Males in Education*, 1(2), 125-143.
- Singer, J. N. (2005). Understanding racism through the eyes of African American male student-athletes. *Race Ethnicity and Education*, 8(4), 365-386.

## WEEK 4 – 11/13/17

### Assumptions of Criminality

#### Required Book

- Howard, T. C., (2014). *Black Male(d): Peril and Promise in the Education of African American Males*. New York, NY: Teachers College Press.

#### Required Articles

- Dancy, T. E. (2014). (Un) doing hegemony in education: Disrupting school-to-prison pipelines for Black males. *Equity & Excellence in Education*, 47(4), 476-493.
- Ladson Billings, G. (2011). Boyz to men? Teaching to restore Black boys' childhood. *Race Ethnicity and Education*, 14(1), 7-15.
- Smith, W. A., Allen, W. R, & Danley, L. L. (2007). [“Assume the position...you fit the description”: Psychosocial experiences and racial battle fatigue among African American male college students](#). *American Behavioral Scientist*, 51, 551-578.

#### Optional Readings

- Toldson, I. A., Sutton, R. M., & Brown, R. L. F. (2012). [Preventing delinquency and promoting academic success among school-age African American males](#). *Journal of African American Males in Education*, 3(1), 12-27.
- Zamani-Gallaher, E. M., & Fuller, K. (2016). [Altering the pipeline to prison and pathways to postsecondary education](#). Champaign, IL: Office of Community College Research and Leadership, University of Illinois at Urbana-Champaign.

# Weekly Readings

## WEEK 5 – 11/20/17

### Campus Climates and Non-Cognitive Outcomes

#### Required Articles

- Davis, J. E. (1994). [College in Black and White: Campus environment and academic achievement of African American males](#). *The Journal of Negro Education*, 63(4), 620-633.
- Moore III, J. L., Madison-Colmore, O., & Smith, D. M. (2003). [The prove-them-wrong syndrome: Voices from unheard African-American males in engineering disciplines](#). *The Journal of Men's Studies*, 12(1), 61-73.
- Palmer, R. T., & Gasman, M. (2008). [‘It takes a village to raise a child’: The role of social capital in promoting academic success for African American men at a Black college](#). *Journal of College Student Development*, 49(1), 52-70.
- Wood, J. L., & Essien-Wood, I. (2012). [Capital identity projection: Understanding the psychosocial effects of capitalism on Black male community college students](#). *Journal of Economic Psychology*, 33(5), 984-995.

#### Optional Readings

- Palmer, R. T., Wood, J. L., & Arroyo, A. (2016). [Toward a model of retention and persistence for Black men at HBCUs](#). *Spectrum: Journal on Black Men*, 4(1), 5-20.
- Strayhorn, T. L. (2015). Factors influencing Black males' preparation for college and success in STEM majors: A mixed methods study. *Western Journal of Black Studies*, 45-63.

## WEEK 6 – 11/27/17

### Promising Practices for Teaching and Learning

#### Required Book (select one of these two books)

- Wood, J. L., & Harris III, F. (2016). *Teaching Boys and Young Men of Color: A Guidebook*. San Diego, CA: Lawndale Hill.
- Wood, J. L., Harris III, F., & White, K. (2015). *Teaching men of color in the community college: A guidebook*. San Diego, CA: Lawndale Hill.

#### Required Articles

- Howard, T. C., Douglass, T., & Warren, C. (2016). [“What works?” Recommendations in transformation of Black male educational outcomes](#). *Teachers College Record*, 118(6), 1-10.
- Essien, I. (2017). Teaching Black boys in early childhood education: Promising practices from exemplar teachers. *Journal of African American Males in Education*, 8(2), 3-27.
- Tatum, A. W., & Gue, V. (2012). The sociocultural benefits of writing for African American adolescent males. *Reading & Writing Quarterly*, 28(2), 123-142.

#### Optional Readings

- Tatum, A. W. (2006). [Engaging African American males in reading](#). *Educational Leadership*, 63(5), 44.
- Toldson, I. A., Braithwaite, R. L., & Rentie, R. J. (2009). [Promoting college aspirations among school-age Black American males](#). In *Black American males in higher education: Research, programs and academe* (pp. 117-137). Emerald Group Publishing Limited.

# Weekly Readings

## WEEK 7 – 12/04/17

### Holistic Support for Black Male Learners

#### Required Book

- Bonner III, F. A. (Ed.) (2014). *Building on Resilience: Models and Frameworks of Black Male Success Across the P-20 Pipeline*. Sterling, VA: Stylus.

#### Required Articles

- Noguera, P. A. (2003). [The trouble with Black boys: The role and influence of environmental and cultural factors on the academic performance of African American males](#). *Urban education*, 38(4), 431-459.
- Palmer, R. T., Davis, R. J., & Hilton, A. A. (2009). [Exploring challenges that threaten to impede the academic success of academically underprepared Black males at an HBCU](#). *Journal of College Student Development*, 50(4), 429-445.
- Tatum, A. W. (2008). [Toward a more anatomically complete model of literacy instruction: A focus on African American male adolescents and texts](#). *Harvard Educational Review*, 78(1), 155-180.

#### Optional Reading

- Caldwell, L. D., Sewell, A. A., Parks, N., & Toldson, I. A. (2009). [Guest editorial: Before the bell rings: Implementing coordinated school health models to influence the academic achievement of African American males](#). *The Journal of Negro Education*, 78(3), 204-215.
- Moore III, J. (2006). [A qualitative investigation of African American males' career trajectory in engineering: Implications for teachers, school counselors, and parents](#). *The Teachers College Record*, 108(2), 246-266.

## WEEK 8 – 12/11/17

### Advancing Black Male Policy, Support and Research

#### Required Book

- Moore III, J., & Lewis, C. W. (2014). *African American Male Students in PreK-12 Schools: Informing Research, Policy, and Practice (Advances in Race and Ethnicity in Education)*. Bingley, UK: Emerald.

#### Required Articles

- Jackson, J. F. L. (2008). [Race segregation across the academic workforce: Exploring factors that may contribute to the disparate representation of African American men](#). *American Behavioral Scientist*, 51(7), 1004-1029.
- Lewis, C. (2006). African American male teachers in public schools: An examination of three urban school districts. *Teachers College Record*, 108(2), 224-245.

#### Optional Readings

- Wood, J. L., & Palmer, R. T. (2012). Innovative initiatives and recommendations for practice and future research: enhancing the status of Black men in HBCUs and beyond. In R. T. Palmer & J. L. Wood (Eds.), *Black men in college: Implications for HBCUs and beyond* (pp. 176-196). New York: Routledge.
- Lewis, C. (2013). Black male teachers' path to U.S. K-12 classrooms: Framing the national discussion. In C. Lewis & I. Toldson (Eds.), *Black male teachers: Diversifying the United States' teacher workforce* (pp. 3-14). United Kingdom: Emerald.

## Our Scholarship Matters (OSM)

*Black Minds Matter has partnered with Our Scholarship Matters (OSM) to support the enrollment of educators into the public course. As part of this partnership, OSM has developed a line of clothing items and other gear for those interested in visibly communicating their affirmation that Black Minds Matter.*



**[ourscholarshipmatters.com](https://ourscholarshipmatters.com)**

**[ourscholarshipmatters.com/pages/bmm-collection](https://ourscholarshipmatters.com/pages/bmm-collection)**

WE ARE ALL IN  
OUR  
SCHOLARSHIP  
MATTERS  
THIS TOGETHER

**BLACK MINDS MATTER  
COLLECTION**

WE ARE ALL IN  
OUR  
SCHOLARSHIP  
MATTERS  
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***OSM products intentionally broaden awareness by promoting diversity, extolling voices that have been minoritized, particularly seeking to affirm and uplift scholars and practitioners of color. OSM endeavors to reinforce messages that inspire, inform, empower and appreciate OUR beautiful and broad collective.***





**#blackmindsmatter**

## Contributions to Identification of Course Readings

*Fred A. Bonner II*

*Kimberly A. Griffin*

*Shaun R. Harper*

*Frank Harris III*

*Adriel A. Hilton*

*Tyrone C. Howard*

*Jerlando F. L. Jackson*

*Jawanza Kunjufu*

*Chance W. Lewis*

*Robert T. Palmer*

*Ryan Smith*

*Terrell L. Strayhorn*

*Eboni Zamani-Gallaher*

#blackmindsmatter

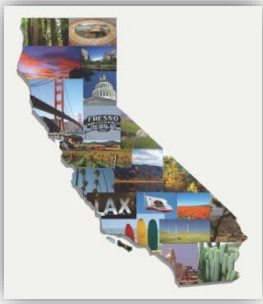
# BLACK MINDS MATTER

A Focus on Black Boys and Men in Education

*Bay Area CCD Employment Relations Consortium Summit Series:*

**BUILDING INTERDISCIPLINARY TEAMS FOR EFFECTIVE LEGAL COMPLIANCE**

**Supervision and Performance Management**



Back by popular demand! The Bay Area CCD Employment Relations Consortium is continuing with the summit-style training series it initiated last year. These trainings recognize and facilitate the interdisciplinary collaboration necessary to implement today's complex legal obligations. In this day-long summit, your administrators, supervisors and managers from across the institution—academic affairs, student discipline, human resources, facilities, risk management, DSPS, safety & police, athletics, etc.—are invited to join together to discuss legal requirements and operational strategies for minimizing excessive absenteeism, maximizing employee performance and creating effective performance evaluations.

This Summit will be led by Kristin Lindgren and will address the following:

- Causes of employee absenteeism and abuse of leave;
- Criteria and standards for attendance, absences, and leaves;
- Management's and employees' legal rights;
- Motivating and managing marginal employees;
- Enhancing your effectiveness as a supervisor;
- Using performance evaluations to build communication and trust;
- Using ongoing evaluations as a tool to stop problems from growing;
- Setting and monitoring employee performance goals; and
- Writing effective, accurate and thorough evaluations.

The day will include a range of opportunities for small group discussions, sharing information, and application through interactive and practical scenarios.

*LCW is an approved provider for Minimum Continuing Legal Education (MCLE) Credit. Attorneys attending this course will receive 5.5 hours of MCLE credit. An MCLE sign-in sheet and certificate will be available at the summit.*

**DATE: Friday, November 3, 2017**

**TIME: 8:30 AM – 2:30 PM; Lunch will be provided. (Districts will be invoiced following the Summit.)**

**LOCATION: Mission College  
3000 Mission College Blvd.  
Santa Clara, CA 95054**

**PARKING/ROOM: To be provided**

*Please register directly through your district's HR Department.*

# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: *Laura Schulkind*



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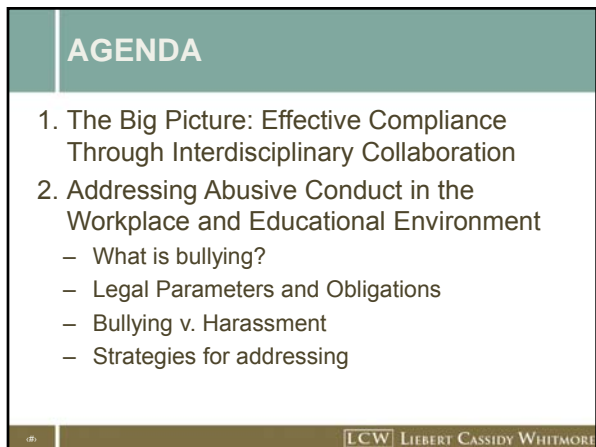
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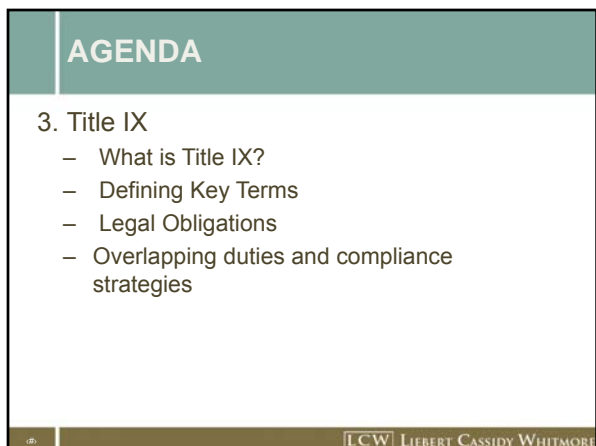
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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

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## Big Picture: Effective Compliance Through Interdisciplinary Collaboration

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### UNIQUE CHALLENGES AND THE INTERDISCIPLINARY LENS

Who needs to be involved?

*A classified lab tech. reports to Dean of Sciences that he is being bullied by a biology instructor who continually berates him in front of students, calls him stupid and an idiot, and falsely reported he hasn't prepared or cleaned up labs properly, resulting in an unfair negative evaluation. He also reports that this is causing him tremendous stress and anxiety and he doesn't know how much longer he can take it.*

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### UNIQUE CHALLENGES AND THE INTERDISCIPLINARY LENS

Who needs to be involved?

*The advisor to the Associated Student Government reports to the Dean of Student Services concerns that the ASG president excludes, belittles and mocks one of the other officers who is now threatening to quit.*

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

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**UNIQUE CHALLENGES AND THE INTERDISCIPLINARY LENS**

Who needs to be involved?

*A student who is receiving services from DESP reports to her DESP counselor that a male student is bothering her—following her around campus, trying to contact her on Facebook, etc. The male student also receives DESP services.*

*The student is told that an investigation will be conducted. The student's mother contacts the Title IX Coordinator very upset. She says the investigation could take weeks, meanwhile her daughter needs immediate protection from this predator.*

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**UNIQUE CHALLENGES AND THE INTERDISCIPLINARY LENS**

Who needs to be involved?

*A nursing student, Rachel, reports that while she was working at a hospital during her clinics, she was groped in the elevator by Dr. Harris. She met the doctor briefly during orientation and knows he is a very well-respected member of the hospital's surgical team.*

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**UNIQUE CHALLENGES ADDRESSING ABUSIVE CONDUCT**

- Issues arise with two distinct groups:
  - Employees
  - Students
- Involving conduct that may not violate law/policy
- Occurring in situations outside districts' purview to control...but which might create a duty to remediate

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: *Laura Schulkind*

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**ABUSIVE CONDUCT IN THE  
WORKPLACE & EDUCATIONAL  
ENVIRONMENT**

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**WHAT IS...AND ISN'T ABUSIVE  
CONDUCT**

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**“ABUSIVE CONDUCT”**

- Malicious conduct
- Objectively and subjectively hostile or offensive
- Unrelated to an employer’s legitimate interest

Gov. Code section 12950.1(g)(2)

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**WHAT IS BULLYING?**

**Fluid definition:**

- Repeated and persistent attempts by one person or a group to torment, frustrate, provoke or intimidate another person
- A type of interpersonal aggression
- Goes beyond simple incivility
- Marked by frequency, intensity, duration

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**WHAT IS BULLYING?**

- Violation of a person's physical, psychological, or professional integrity
- Low-intensity deviant behavior
- Intended to harm the target
- Violation of norms for mutual respect and courtesy

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**WHAT IS BULLYING?**

- Deliberate, hurtful and repeated
- Mistreatment of a target by a perpetrator
- Driven by the perpetrator's desire to control the target
- The perpetrator's actions have the effect, intended or not, of hurting the target

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**BULLYING TERMINOLOGY**

- No “Victims”
- Only “Targets”....
- “Perpetrator” bullies
- Bystander
  - Hurtful
  - Helpful

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**EXAMPLES OF BULLYING**

- Insults and puts co-workers down
- Discounts ideas
- Denies accomplishments
- Collective bullying (mobbing)
- Yells, screams and uses threatening tones
- Steals credit for accomplishments of others

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**EXAMPLES OF BULLYING**

- Examples of bullying in the student context:
  - Hazing
  - Exclusion
  - Postings on Social Media

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**CYBERBULLYING**

1. The use of the Internet and related technologies to harm others in a deliberate, repeated and hostile manner
2. Reaches out to Targets and follows them home

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**CYBERBULLYING**

If employees are using **District's computers** or Internet connection for

- Non-work-related purpose of posting bullying message on social media, then district may prohibit that pursuant to Internet use policy
- **Caveat:** Update your policy!

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**BULLYING & LEGAL OBLIGATIONS: STUDENTS**

- Board requested to adopt and publish policies and procedures on, among others, bullying
- To be included in rules and regulations governing student behavior

Education Code §66303

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**WORKPLACE BULLYING & LEGAL OBLIGATIONS**

- California law
  - Requires employers to train supervisors on preventing “abusive conduct” in the workplace.

Government Code §12950.1

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**WORKPLACE BULLYING & LEGAL OBLIGATIONS**

**REASONS BEHIND GOV. CODE?**

- Abusive work environments increasing throughout the nation
- Reduces productivity
- May lead to
  - Higher absenteeism rates, frequent turnover
  - Increases in medical and workers comp claims
  - Cost of \$200 billion per year

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**WORKPLACE BULLYING SURVEY**

- 27% of people surveyed have current/past experience with abusive conduct at work
- 72% are aware of workplace bullying
- Bosses still the majority of bullies
- 72% of employers deny, discount, encourage, rationalize, or defend bullying

Feb. 2014 Study Commissioned by Workplace Bullying Institute

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: *Laura Schulkind*

**WHAT IS NOT BULLYING?**

- A supervisor holding subordinates accountable for their performance
- An instructor holding high standards or “tough grading” for students
- An isolated incident of inappropriate behavior
  - Though may be bad management and unprofessional
- Expression of an opinion—no matter how offensive to others—if not a personal attack.

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**BULLYING VS. HARASSMENT**

- Both consist of offensive conduct that is either pervasive or severe, going beyond civility
- What is the difference?

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**UNLAWFUL HARASSMENT**

- Conduct is directed at someone’s membership in a protected classification
- Harassment is
  - Illegal
  - Violates District’s anti-harassment policy

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**BULLYING**

- Bullying is **not** directed at someone's membership in a protected classification
  - Bullying is **not** illegal
  - But violates District's anti-bullying policy

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**STRATEGIES FOR ADDRESSING ABUSIVE CONDUCT AT WORK & SCHOOL**

1. Effective supervision/classroom management
2. Student/employee training on dispute resolution options
3. Policies: uses and limitations

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**1. EFFECTIVE SUPERVISION**

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**1. EFFECTIVE SUPERVISION**

**DISCUSSIONS WITH BULLIES**

- Have a plan
- Practice in advance
- Describe concerning behavior
- Do not ask them to “change” but instead tell them that the behavior must stop
- Pay attention to the reaction

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**1. EFFECTIVE SUPERVISION**

**RECOGNIZE AND BE PREPARED FOR COMMON RESPONSES:**

- You are oversensitive.
- Hey, I just tell it like it is.
- I was just kidding!
- Are you still mad about that?
- I did not do/say that.
- I’m laughing with you, not at you.
- Just what is your problem?

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**1. EFFECTIVE SUPERVISION**

**ESCALATING RESPONSES TO BULLIES**

- Counseling
- Management coaching
- Facilitator to work on relationships
- Anger management
- Training and support
- Discipline

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**1. EFFECTIVE SUPERVISION**

- Anticipate and manage foreseeable conflicts before they occur
- Foster the positive work/education environments in which bullying doesn't root and grow.
  - Set expectations for collaborative work
  - Recognize and value collaborative efforts
  - Create opportunities for positive collaborative experiences

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**2. EMPLOYEE/STUDENT TRAINING ON DISPUTE RESOLUTION OPTIONS, AND RETHINKING THE "HARASSMENT" AND "BULLYING" LABELS**

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**2. TRAINING ON DISPUTE RESOLUTION OPTIONS**

- Employees and students who see a pathway to solve their problems are less likely to mislabel them:
  - "harassment"
  - "unsafe"
  - "abusive"

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**2. TRAINING ON DISPUTE RESOLUTION OPTIONS**

**1. Ask employees/students: what does a positive work/education environment mean to you?**

- Respect
- Appreciation
- Opportunity to grow
- Freedom from discrimination/harassment
- Productivity
- Empathy
- Fairness
- Teamwork
- Collegiality
- Shared decision-making
- Valuing diversity
- Humor

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**2. TRAINING ON DISPUTE RESOLUTION OPTIONS**

**2. Ask employees/students what destroys a positive work/education environment?**

- Disrespect
- Gossip
- Sarcasm
- Fear
- Discrimination/Harassment
- Retaliation
- Secrecy
- Verbal Abuse
- Name-calling
- Personalizing disputes
- Shouting/losing temper

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**2. TRAINING ON DISPUTE RESOLUTION OPTIONS**

**When Disputes Arise, Use the Right Tool to Resolve Them**

Harassment/Discrimination?.....Tool=Complaint process

Contract interpretation/application?.....Tool=Grievance process

Interference w/organizational rights?.....Tool=Unfair practice charge

Other misunderstandings?.....Tool=Informal dispute resolution

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**2. TRAINING ON DISPUTE RESOLUTION OPTIONS**

**Not All “Hostility” Constitutes a “Hostile Work Environment”**

- Ask: *Is there objective information that the adverse treatment or “hostility is based on a protected status?*
  - If yes: File a complaint.
  - If no: Don’t give up, just find the right tool to solve the problem.

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**2. TRAINING ON DISPUTE RESOLUTION OPTIONS**

**Not All Unwelcome Behavior is “Unsafe”**

- Ask: *Is there objective information that the adverse treatment or “hostility” is putting me or someone close to me in physical danger?*
  - If yes: Call the police.
  - If no: Don’t give up, just find the right tool to solve the problem.

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**2. TRAINING ON DISPUTE RESOLUTION OPTIONS**

**Not All Workplace Disputes Raise Contractual Issues**

- Ask: *Is there objective information that the conduct at issue violates the terms of the applicable CBA?*
  - If yes: File a grievance
  - If no: Don’t give up, just find the right tool.

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

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**NOT ALL WORKPLACE DISPUTES RAISE CONTRACT ISSUES**

**Informal Dispute Resolution**

- Trust (commitment to no-retaliation)
- Focus on the problem not the person
- Be concrete
- Be fair and accurate
- Be honest
- Be professional
- Listen
- Find common ground
- Be part of the solution

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**3. DISTRICT POLICIES**

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**3. DISTRICT POLICIES**

**Anti-bullying policies & linking bullying to discipline:**

- Clearly define the prohibited conduct
- Clearly identify consequences
- Grounds for classified discipline include:
  - Failure to cooperate with employee's supervisor or fellow employees
  - Disorderly conduct
  - Foul or abusive language
  - Rude, discourteous offensive or abusive treatment of others,
- Faculty discipline: EC 87732

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: Laura Schulkind

**3. DISTRICT POLICIES**

**Electronic Communications Policies**

- Internet, E-mail on District system
- Policy may:
  - Confirm system is *non-public* forum
  - Limit use to *work-related* or *educational* speech only
  - Personal use only *incidental* (e.g., a few minutes a day)
  - Prohibit illegal, harassing, and other clear categories

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**3. DISTRICT POLICIES**

**Social media and cyberbullying**

- If bullying messages posted on social media **NOT** using District equipment, must evaluate:
  - Privacy issues
  - Nexus to workplace/educational environment
  - First Amendment/viewpoint neutrality issues

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**4. SUSTAINED EFFORTS FOR BUILDING RESPECTFUL WORK/EDUCATION ENVIRONMENTS:**

***It takes a village***

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**4. SUSTAINED EFFORTS TO BUILD RESPECTUFL ENVIRNOMENTS**

- Inclusive work & educational environments encourage:
  - Celebration
  - Curiosity
  - Empathy
  - Good will

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**4. SUSTAINED EFFORTS TO BUILD RESPECTUFL ENVIRNOMENTS**

- Leadership
- Visible support at all levels
- Institutional curiosity
- Policies/procedures
- Training/education

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**4. SUSTAINED EFFORTS TO BUILD RESPECTUFL ENVIRNOMENTS**

- Strategies for moving beyond conflict:
  - Get to know the people you work with and assist
  - Appreciate contributions
  - Facilitate productive outcomes
  - Feel enriched by diverse environment

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## TITLE IX

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### WHAT IS TITLE IX?

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

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### INTRODUCTION TO TITLE IX

- Prohibits discrimination on the basis of sex
- Prohibits sexual misconduct that limits a student’s ability to participate in educational programs and activities

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**IT WAS NEVER JUST ABOUT ATHLETICS...**

- “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”  
– *United States Congress, June 23, 1972*
- Purpose was to combat “the continuation of corrosive and unjustified discrimination against women in the American educational system.”  
– *Senator Birch Bayh of Indiana*

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**EVOLUTION of TITLE IX**

- 1972 – Title IX of the Education Amendments enacted
- 1975 – Final Title IX regulations issued
- 1992 – The Supreme Court rules that students who suffer sexual harassment in schools may be awarded monetary damages under Title IX.  
– *(Franklin v. Gwinnett County Schools (1992) 503 U.S. 60.)*
- 1997 – OCR issues “Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties.”  
– Emphasizes that institutions are responsible for preventing and punishing student-on-student sexual harassment.

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**EVOLUTION of TITLE IX**

- 2001 – OCR issues “Revised Sexual Harassment Guidance,” reaffirming its 1997 Guidance.
- 2011 – OCR issues a Dear Colleague Letter defining ‘sexual violence’ for the first time, making it clear that Title IX protections against sexual harassment and sexual violence apply to all students.
- 2014 – President Obama establishes a “White House Task Force to Protect Students from Sexual Abuse.”
- 2015 – OCR issues “Title IX Coordinator” Dear Colleague Letter and Resource Guide.
- 2016 – OCR issues DCL on Transgender Students.

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**EVOLUTION of TITLE IX**

**Resulted in:**  
Prohibition of discrimination on the basis of sex in federally assisted education programs and activities and applies to:

- Sexual harassment of students (a form of sex discrimination)
- Sexual violence (a form of sexual harassment, which is a form of sex discrimination)

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**WHO IS PROTECTED**

- Title IX protection applies to *all* students
- Protects students from sexual misconduct committed by:
  - Other students
  - District employees
  - Third-parties

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**KEY TITLE IX DOCUMENTS**

- March 1997 – OCR Sexual Harassment Guidance
- January 2001 – OCR Revised Sexual Harassment Guidance
- January 2006 – OCR DCL “increasing awareness” of sexual harassment of students
- April 2011 – OCR DCL on “Title IX Requirements Related to Sexual Harassment and Sexual Violence”
- April 2014 – OCR Questions and Answers
- April 2014 – White House Task Force Report
- April 2015 – OCR DCL and Resource Guide on “Title IX Coordinators”
- May 2016 OCR – DCL on “Transgender Students”

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**SOME DOCUMENTS WITHDRAWN**

- February 22, 2017 – US DOE and DOJ withdraw 2016 DCL guidance on transgender bathrooms
  - CA law already provided similar protection so no change in CA
- September 22, 2017 – US DOE withdraws two enforcement guidance documents
  - 2011 DCL
  - 2014 Q&A
  - Issued new OCR Interim Guidance

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**STATE GUIDANCE**

- Withdrawing guidance has little effect on educational institutions in California due to state laws that provide similar protections and requirements
- California Education Code, Section 200
  - Prohibits discrimination based on gender, gender identity, gender expression, and sexual orientation among other protected classes

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**INTRODUCTION TO TITLE IX: KEY TERMS**

**Sexual Harassment**

- Unwelcome conduct of a sexual nature
  - Includes unwelcome sexual advances, requests for sexual favors, and other nonverbal, visual, or physical conduct of a sexual nature
  - Two types
    - Quid pro quo
    - Hostile environment
- Also means sexual violence

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**INTRODUCTION TO TITLE IX:  
KEY TERMS**

- **Quid pro quo harassment**
  - A faculty or staff member conditions an educational decision or benefit on the student’s submission to unwelcome sexual conduct

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**INTRODUCTION TO TITLE IX:  
KEY TERMS**

- **Hostile environment**
- Sexual harassment creates a hostile environment if conduct
  - Interfered with or limits participation in or benefit from educational program or activity
  - The more severe the conduct, the less the need to show repetitive series of incidents
    - Particularly true if physical

2017 Interim Guidance, 2001 Guidance

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**INTRODUCTION TO TITLE IX:  
KEY TERMS**

**Sexual Violence**

- Physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to age or use of drugs/alcohol or intellectual/other disability
- Acts that fall into the category include – rape, sexual assault, sexual battery, sexual abuse, and sexual coercion
- Is a form of sexual harassment

2017 Interim Guidance

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**KEY TERMS**

**Sexual Misconduct (OCR)**

- “sufficiently serious” sexual harassment
  - Sexual violence
  - Physical acts against a person’s will
  - Rape
  - Sexual assault
  - Sexual battery
  - Sexual coercion
  - Repeated unwanted acts

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**CASE STUDY:  
SEXUAL MISCONDUCT**

Sarah is in the dining hall when she is approached by a classmate, Andy. Andy tells Sarah that she has a nice figure, so she can drink whole milk if she wants.

***Is this sexual misconduct?***

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**CASE STUDY:  
SEXUAL MISCONDUCT**

Sarah attends a coed physical education class. During nearly every class meeting, students Edward, Conrad, and Bill join in to taunt Sarah about her breasts while she runs.

***Is this sexual misconduct? Should you do something about it even if you are not the class instructor?***

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**KEY TERMS**

**Educational Program or Activity**

- All college or university operations, including:
  - Academic
  - Extra-curricular
  - Athletic
  - College and university trips
  - Sponsored events

2001 Guidance  
20 U.S.C. § 1687 and 34 C.F.R. § 106.2(h)

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**KEY TERMS**

**Responsible Employee**

- Authority to take action to redress sexual misconduct
- Duty to report sexual misconduct, OR
- Person student reasonably believes has such authority
  - Title IX coordinator, administrators, deans, faculty members, academic counselors, resident advisor, and District law enforcement.
- Note: Mental health counselors, health center employees, professionals with license requiring confidentiality & volunteer counselors are responsible employees for training purposes, but not reporting purposes.

2001 Guidance and 2017 Interim Guidance,  
34 C.F.R. §106.8(a)

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**KEY TERMS**

**Responsible Employee**

**Open questions and LCW's answers:**

- Do districts have the authority to designate faculty as responsible employees?

*Yes – absent unique contract language, policies or practices. However, there may be effects bargaining.*

- May districts mandate training?

*Most Likely – this may impact terms and conditions and need to be negotiated.*

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**CASE STUDY**

Rachel confides in Dean Michaels about what happened in the elevator. Dean Michaels asks Rachel if she wants him to reassign her. Rachel declines because she does not want to lose the opportunity to work at the top-rated hospital. Dean Michaels is concerned about the hospital pulling out of the clinical program.

*Does Dean Michaels have a duty to report?*

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**LEGAL OBLIGATIONS UNDER TITLE IX**

**Upon notice of sexual misconduct or harassment**

- Take **prompt and effective action**
  - To **end** the misconduct
  - To **prevent** its recurrence

2001 Guidance  
34 C.F.R. § 106.8(b)

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**LEGAL OBLIGATIONS UNDER TITLE IX**

**Title IX Requires**

- Policies/Procedures
- Reporting of Possible Sexual Misconduct
- Investigation
- Effective Action
- Training and Education
- No Retaliation

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**PROCEDURAL REQUIREMENTS**

**Title IX Coordinator**

- Oversees complaints
- Oversees reporting
- Identifies any patterns revealed
- Any other responsibilities District assigns:
  - Provide training
  - Conduct investigation
  - Determine interim measures

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**PROCEDURAL REQUIREMENTS**

**Grievance Procedures**

- Notice to students of complaint procedures
- Procedures once a complaint is filed
- Procedures for adequate, reliable, and impartial investigations
- Designated and reasonably prompt time frames
  - 60 days total time (per state law)
- Written notice to the victim and alleged perpetrator of the outcome of the complaint
- Assurance that the school will take steps to prevent recurrence

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**WHO MUST REPORT SEXUAL MISCONDUCT?**

**Reporting of Possible Sexual Misconduct**

- All “responsible employees” must report incidents of possible misconduct to Title IX Coordinator
  - Names of perpetrator and victim
  - All relevant details
- Exceptions:
  - Mental health counselors
  - Health center employees
  - Professionals with license requiring confidentiality
  - Volunteer counselors

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**CASE STUDY**

A student tells an academic advisor during lunch that she “thinks” she was assaulted while drunk at a victory party for the basketball team.

**Reporting obligation?**

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**CONFIDENTIALITY AND REPORTING**

**How to Respond to a Student’s Request to Keep Information Confidential**

- Honor request to extent possible
  - Secure information
  - Release on “needs to know basis only”
- Tell student you will report to the Title IX coordinator
  - Title IX Coordinator makes confidentiality determination: whether alleged conduct presents a safety threat.

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**TITLE IX INVESTIGATIONS**

**What is a Title IX Investigation?**

- Fact-finding to find out:
  - Did the misconduct occur?
  - What actions necessary?
- Investigations may vary, but must be:
  - Prompt (i.e. 60 days)
  - Adequate
  - Reliable
  - Impartial

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**WHEN IS AN INVESTIGATION REQUIRED?**

**Duty to Investigate May Be Triggered**

- **Directly**
  - Victim files formal report with college
  - Victim files police report with campus police
  - Victim tells a “responsible employee”
- **Indirectly—Including Social Media**
  - Report from friend, parent, or other 3<sup>rd</sup> party
  - Newspaper article details a campus assault
  - An anonymous voicemail, email, or message report
  - Student posts about an incident on social media

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**WHO SHOULD INVESTIGATE?**

**Title IX and OCR Do Not Specify Who, But the Person Must Have:**

- Training **or** experience in:
  - Handling complaints of sexual violence; AND
  - The District’s grievance procedures.

2017 Interim Guidance

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**WHO SHOULD INVESTIGATE?**

**Investigator Training Should Include:**

- How to determine credibility
- How to evaluate evidence and weigh it in an impartial manner
- Effects of trauma, including neurobiological change
- Cultural awareness on impact of sexual violence on students

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**HOW TO RESPOND TO A FINDING OF SEXUAL MISCONDUCT**

**Effective Action Includes**

- Interim measures
  - Options to avoid contact
  - Health, counseling, academic, legal assistance
- Discipline
- Post-Investigation Remedies
- Notice to both parties
- Appeal process

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**CASE STUDY**

Javier reported to the Title IX Coordinator that a classmate in his Chemistry lab sexually assaulted him at an off-campus party. The District initiated an investigation. Javier claims he is too frightened to attend the lab, and is worried because the final exam is approaching.

**What interim measures might the District consider?**

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**TITLE IX TRAINING, EDUCATION, AND PREVENTION**

**Districts Must Provide Training to Employees**

- Identifying sexual misconduct
- Confidentiality
- Informing students of Title IX protections
- Informing students of grievance procedures

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**TRAINING: RESPONSIBLE EMPLOYEES**

**Training should include:**

- How to prevent and identify sexual violence
- Attitudes of bystanders that may allow conduct to continue
- Potential for re-victimization by responders and its effects on students
- Appropriate measures for responding to a student who may have experienced sexual violence, including use of non-judgmental language
- Impact of trauma on victims
- The person(s) to whom such misconduct must be reported

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**TRAINING: RESPONSIBLE EMPLOYEES**

**Training should include reporting obligations:**

- What should be included in a report
- Consequences for failing to report
- Procedure for responding to request for confidentiality
- Providing the contact information for the Title IX Coordinator
- Information to provide students

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**TRAINING: RESPONSIBLE EMPLOYEE**

**Training on information to provide students:**

- Responsible employees reporting obligations
- Students option to request confidentiality and available confidential advocacy, counseling, or other support services
- Right to file a Title IX complaint with OCR and a criminal complaint with local law enforcement

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**TITLE IX TRAINING, EDUCATION, AND PREVENTION**

**Districts Must Provide Training to Students**

- Sexual misconduct
- Reporting options
- Grievance procedures
- Disciplinary code provisions
- Effects of trauma
- The role of drugs and alcohol
- Title IX protection against retaliation

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**TRAINING: STUDENTS**

- Title IX and what constitutes sexual violence, including same sex sexual violence under policies
- Definition of affirmative consent, with examples
- How the college analyzes
  - Whether conduct was unwelcome under Title IX
  - Whether unwelcome sexual conduct creates hostile environment
- Reporting options

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**TRAINING: STUDENTS**

- College's grievance procedure
- Disciplinary code provisions
- Effects of trauma, including neurobiological change
- Role alcohol and drugs
- Strategies and skills for bystanders
- How to report sexual violence to campus/local law enforcement
- Protections against retaliation

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**TRAINING: STUDENTS**

**Required outreach programs:**

- To make students aware of college's policy on sexual violence, domestic violence, dating violence, and stalking
- To include a range of prevention strategies, including but not limited to:
  - Empowerment programming
  - Awareness campaigns
  - Prevention, bystander intervention, and risk reduction

Ed Code § 67386

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**TRAINING: STUDENTS**

**Required outreach programs must include:**

- Process for contacting and informing student body, campus organizations, athletic programs, and student groups about college's overall sexual assault policy
- Practical implication of affirmative consent standard
- Students rights and responsibilities

Ed Code § 67386

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**TITLE IX TRAINING, EDUCATION, AND PREVENTION**

**Recommended specialized training:**

- Student athletes and athletic departments
- International students
- Faculty in programs with nontraditional learning environments
- Student discipline panels
- DESP staff

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**TITLE IX PROHIBITION ON RETALIATION**

**Prohibition Against Retaliation**

- Protects ALL who participate
- Requires districts to take steps to prevent
- Inform where and how to report
- Protects against retaliation by other students

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**COMPLIANCE ISSUES: OVERLAPPING LEGAL REQUIREMENTS**

**State Law Mandates**

- "Yes" means "Yes" Policy *Ed Code § 67386*
- District Nondiscrimination *Ed Code § 220*
- Student Orientation *Ed Code § 67385.7*
- District / School Safety Plans *Ed Code § § 67380 (postsecondary) & 32280 (K-12)*
- Coordination with Law Enforcement *Ed Code § 67381*
- Confidentiality of Sexual Assault Victims *Ed Code § 67385*
- Mandated Reporting *Pen Code § 11164 et seq. & Ed Code § 48906*
- Data Collection, analysis, notice *Ed Code § 67380*
- Student Discipline Procedures
- Collective Bargaining Agreements

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**ADOPT A POLICY CONCERNING**

**Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

- Involving a student, both on and off campus
- Affirmative consent standard
- Preponderance of evidence standard (more likely than not) for complaint
- Victim-centered
- Collaborative partnerships with community organizations for victim support
- Comprehensive prevention and outreach programs

**Education Code § 67386**

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Presented by: *Laura Schulkind*

**AFFIRMATIVE CONSENT STANDARD**

**Affirmative, Conscious, and Voluntary Agreement to Engage in Sexual Activity**

- Responsibility of each party
- Lack of protest/resistance does not mean consent
- Silence does not mean consent
- Must be ongoing throughout
- Can be revoked at any time

Education Code § 67386(a)(1)

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**STUDENT ORIENTATION REQUIREMENTS**

**Education And Preventative Information:**

- Common facts and myths about sexual violence
- Dating violence, rape, sexual assault, domestic violence, and stalking crimes
- How to file complaints, available resources for victims of sexual assault, and contact info
- Information regarding campus, criminal, and civil consequences of committing acts of sexual violence

Education Code § 67385.7(a)(1)

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**STUDENT EXPELLED FOR SEXUAL ASSAULT**

**When A District Receives An Application for Admission From A Student:**

- Expelled for sexual assault within five years
- Undergoing expulsion procedures for sexual assault
- District can request information from another District
- District can respond to requests
  - to determine if student poses a danger
- District may require student to disclose prior expulsions
- Before District denies admission, must hold a hearing

Education Code § 76038

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# Management Training Series: Legal Compliance & Best Practices in the Areas of Bullying & Title IX

West Valley-Mission Community College District | March 9, 2018

Presented by: *Laura Schulkind*

**STUDENT COMPLAINTS**

- District Title IX Coordinator
- State Chancellor's Office
- Office for Civil Rights of the U.S. Department of Education (OCR) (1-800-421-3481 or 1-415-486-5555)  
<http://www2.ed.gov/about/offices/list/ocr/complaintprocess.html>

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**THANK YOU!**

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**Management Training Series: Title IX Compliance—Putting it into Practice**

Presented By: Laura Schulkind  
April 6, 2018

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**Five Key Compliance Areas**

- 1. Policies and Procedures**
- 2. Staffing**
- 3. Training**
- 4. Internal Coordination & Overlapping responsibilities**
  - **Investigations**
    - Complaints alleging student sexual misconduct
    - Complaints alleging employee sexual misconduct
  - **Interim measures**
- 5. External Coordination**

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**POLICIES AND PROCEDURES**

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**Policies and Procedures**

**Required by:**

- Title IX
- Violence Against Women Reauthorization Act/Campus SaVE Act
- Education Code

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**Policies and Procedures**

**Title IX:**

- **Nondiscrimination Policy**
  - Notice, Publication & Distribution
- **Designation of Title IX Coordinator**

34 C.F.R. § 106.8

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**Policies and Procedures**

**Title IX:**

- **Grievance Procedures**
  - Easy to find and navigate
  - Notice of grievance procedures, including where complaints may be filed
  - providing for prompt and equitable resolution
  - student and employee complaints alleging any action" prohibited Title IX
  - Statement of college's jurisdiction over Title IX complaints

34 C.F.R. § 106.8

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**Policies and Procedures**

**Title IX:**

- **Grievance Procedures (con't)**
  - Definitions of sexual harassment, which includes sexual violence, and an explanation of when it creates a hostile environment
  - Designated and reasonably prompt time frames
  - Written notice of the outcome of the complaint
  - Assurance the college will take steps to prevent recurrence and remedy discriminatory effects

34 C.F.R. § 106.8

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**Policies and Procedures**

**VAWA/SaVE Act**

- **Disciplinary procedures**
  - In cases of dating violence, domestic violence, sexual assault, or stalking
  - Statement that accuser and accused are simultaneously informed in writing of:
    - Outcome of proceedings
    - Appeal procedures
    - Any changes to the result before it becomes final
    - When the results become final

20 U.S.C. § 1092 (f)(8)(B)(iv)

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**Policies and Procedures**

**Student safety – Ed. Code § 67385:**

**Written policies & procedures regarding victims of sexual assault**

- Campus specific
- Cover events at campuses, off-site grounds/facilities & facilities maintained by student organizations
- Reference college Policy regarding sexual assault
- Personnel on campus to notify and notification procedures
- Legal reporting requirements and procedures
- Services available to victims and responsible personnel

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**Policies and Procedures**

**Student safety – Ed. Code § 67385:**  
**Written policies & procedures regarding victims of sexual assault (con't)**

- Description of on and off-campus victim resources
- Procedure for ongoing case management, including:
  - Keeping victim informed of:
    - Status of any student disciplinary proceedings
    - Results of any disciplinary action or appeal
  - Helping victim deal with academic difficulties that may arise

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**Policies and Procedures**

**Student safety – Ed. Code § 67385:**  
**Written policies & procedures regarding victims of sexual assault (con't)**

- Procedures for guaranteeing confidentiality and handling requests for information from the press, concerned students, and parents
- Information about availability of:
  - Criminal and civil prosecutions
  - Disciplinary process through the college
  - Availability of mediation
  - Alternative housing assignments
  - Academic assistance alternatives

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**Policies and Procedures**

**Student safety – Ed. Code § 67386:**

- **Policy on sexual assault, domestic violence, dating violence, and stalking**
  - Affirmative consent standard
  - It is not a valid excuse for accused to claim s/he believed complainant consented to sexual activity where:
    - The belief was because the accused was intoxicated/reckless, and
    - The accused did not take reasonable steps to ascertain if complainant affirmatively consented to sexual activity
    - The accused knew or should have known complainant was unable to consent

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**Policies and Procedures**

**Student safety – Ed. Code § 67386**  
**Policy on sexual assault, domestic violence, dating violence, and stalking (con’t):**

- Preponderance of the evidence standard
- Detailed, victim-centered policies and protocols that comport with best practices and current professional standards.

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**Policies and Procedures**

**Student safety – Ed. Code § 67382**

- Policy allowing victims and witnesses to report crimes to campus police or security department on a voluntary, confidential, or anonymous basis

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**Policies and Procedures**

**Student discipline – Ed. Code requirements:**

- Rules and regulations to specify applicable penalties for violating rules and regulations
- Can only suspend/expel for good cause
- Can only expel when there is no other alternative to ensure proper conduct or when student causes a continuing danger to the physical safety to others
- Student will be granted a hearing within 10 days

Ed. Code §§ 66300 and 76030

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**Policies and Procedures**

**Student discipline – Ed. Code requirements:**

- List all “good causes” offenses, which include
  - Sexual assault
  - Sexual exploitation
- Cannot remove, suspend, or expel unless student’s conduct relates to college activity or attendance, except where the conduct is :
  - Sexual assault
  - Sexual exploitation

Ed. Code §§ 76033 and 76034

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**Policies and Procedures**

**VAWA/SaVE Act - student discipline:**

Requires, in the case of domestic violence, dating violence, sexual assault, and stalking:

- Statement of the standard of evidence used
  - Preponderance of the evidence
- Sanctions/protective measures the college may impose following a final determination
- How victims’ confidentiality will be protected, including record-keeping that excludes personally identifiable information on victims

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**Possible Strategies**

- Use consistent definitions throughout policies and procedures and student code of conduct
- Use a single process for all harassment complaints—with sections addressing specific types of complaints such as:
  - Title 5
  - Title IX
- Develop on-line design for easy access and navigation
- Institute and coordinate early behavior intervention teams into process
- Utilize interdisciplinary team to develop and oversee coordinated responses

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**STAFFING**

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**Staffing**

- Title IX Coordinator
- Multiple “assistant” Title IX Coordinators
- Investigators

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**Importance of Staffing**

**Postsecondary sexual violence complaints:**

- 2009 – 11
- 2010 – 11
- 2011 – 16
- 2012 – 16
- 2013 – 33
- 2014 – 106
- 2015 – 164

2015 OCR Report to President Obama and the Secretary of Education

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**Importance of Staffing**

**26 OCR Investigations in California as of October 14, 2016:**  
Butte College – 1 case  
California Institute of the Arts – 1 case  
California Polytech at San Luis Obispo – 1 case  
La Sierra University – 1 case  
Loyola Marymount University – 1 case  
Pomona College – 1 case  
Saint Mary's College of California – 1 case  
San Francisco State University – 1 case  
San Jose/Evergreen Community College District – 1 case  
Santa Clara University – 1 case  
Stanford – 4 cases  
UC Berkeley – 2 cases  
UC Davis – 1 case  
UC Los Angeles – 2 cases  
UC San Francisco – 2 cases  
UC Santa Cruz – 2 cases  
University of San Diego – 1 case  
University of Southern California – 2 cases

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**Importance of Staffing**

**AAU 2015 “Campus Climate Survey on Sexual Assault and Sexual Misconduct”**

More than 150,000 students from 27 universities participated

- Nearly one in four female students experienced unwanted sexual contact
- Assaults were carried out by force, threat of force, or while complainant was intoxicated

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**Importance of Staffing**

**AAU 2015 Study Cont'd:**

- Rates of sexual assault and misconduct highest among undergraduate females and LGBT\*
- Nonconsensual sexual contact involving drugs and alcohol constituted a significant percentage of the incidents
- A little less than half witnessed a drunk person heading for a sexual encounter and most did not try to intervene

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**Importance of Staffing**

**“One in Three U.S. Women Worry About Being Sexually Assaulted”**

- 34% of women worried, up from an average 30% in 2013-2015
- Younger women worry more than older women
- Increase was apparent before Trump tapes were released

Gallup, Oct. 17, 2016

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**Staffing: Title IX Coordinator**

“Each recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under [Title IX], including any investigation of any complaint communicated to such recipient alleging its noncompliance with this part or alleging any actions which would be prohibited by this part”

34 C.F.R. § 106.8(a)

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**Staffing: Title IX Coordinator**

**Visibility:**  
District must notify all students and employees of the name or title and contact information of the person designated to coordinate the recipient’s compliance with Title IX

34 C.F.R. § 106.8(a)

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**Staffing: Title IX Coordinator**

- Must have at least one person actually serving at all times
  - Position **may not** be left vacant
- Be independent to avoid potential conflict of interest
- Report directly to senior leadership
  - Ensures senior officials stay informed
  - Provides the appropriate formal and informal authority to coordinate compliance

Note: 2015 Title IX Coordinator DCL

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**Staffing: Title IX Coordinator**

- Title IX Coordinator must have:
  - Qualifications
  - Training
  - Authority
  - Time
- OCR recommends Title IX Coordinator
  - Have knowledge of policies and procedures, *and*
  - Be involved in policy/procedure revision and drafting

Note: 2015 Title IX Coordinator DCL

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**Staffing: Title IX Coordinator**

**Job responsibilities:**

- Coordinate compliance, including procedure for resolving Title IX complaints
- Identify patterns or systemic problems revealed by Title IX reports
  - Therefore, must be informed of all reports and complaints raising Title IX issues

Note: 2015 Title IX Coordinator DCL

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**Staffing: Multiple Title IX Coordinators**

- OCR recommends multiple Title IX coordinators when a college has multiple campuses
  - Notice of nondiscrimination should include name and describe each coordinators responsibilities
- College should designate one coordinator as having ultimate oversight responsibility over Title IX coordinators

*Note: 2015 Title IX Coordinator DCL*

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**Staffing: Investigators**

- Title IX and OCR do not specify who should conduct Title IX investigations
- OCR recommends:
  - All investigators have training or experience in:
    - handling complaints of sexual violence and
    - the District's grievance procedures

*2017 Interim Guidance*

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**Staffing: Investigators**

- **Essential considerations in staffing investigations:**
  - Time to conduct the investigation and write the report
  - Necessary authority
  - Strong writing skills
  - Specific training/experience in conducting sexual violence investigations
  - Investigator role does not interfere with other job duties or professional relationships with colleagues or students

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# Management Training Series: Title IX Compliance Putting It Into Practice

West Valley Mission Community College District | April 6, 2018

Presented by: Laura Schulkind

**Possible Strategies**

- Have assistant Title IX Coordinators at each college or campus
- Have a clear description of duties
  - **Clearly distinguish Title IX duties from other duties**
- Have Title IX Coordinator(s) join peer support group to discuss challenges, solutions, and resources
- Encourage Title IX Coordinator(s) and investigators to practice self-care
- Provide training and support to investigators

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**TRAINING. TRAINING, TRAINING**

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**Training**

- **Required:**
  - Title IX coordinators
  - Investigators
  - Responsible employees
  - Campus security authorities
  - Students

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**Training**

- **Recommended specialized training:**
  - Student athletes and athletic departments
  - International students
  - Faculty in programs with nontraditional learning environments
  - Student discipline panels
  - DESP staff

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**Training: Title IX Coordinator**

**OCR recommends training:**

- Applicable California and federal law, regulations, and policies that overlap with Title IX
- Different facets of Title IX, including regulations, OCR guidance, and District’s Title IX policies and procedures
- Regular training to ensure current knowledge

Note: 2015 Title IX Coordinator DCL

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**Training: Investigators**

- OCR recommends all investigators have training or experience in handling complaints of sexual violence and in the college’s grievance procedures
- Education code requires comprehensive trauma-informed training when investigating sexual assault, dating violence, domestic violence, and stalking

Ed Code § 67386; Note: 2014 Q&A §J-3

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**Training: Investigators**

**OCR recommends training include:**

- Information on working with victims of sexual violence
- Information on particular types of conduct that would constitute sexual violence
- The proper standard of review
  - Preponderance of the evidence
  - “More likely than not” - 50% plus a feather

*Note: 2014 Q&A §J-3*

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**Training: Investigators**

**Investigator Training Should Include:**

- How to determine credibility
- How to evaluate evidence and weigh it in an impartial manner
- Effects of trauma, including neurobiological change
- How sexual violence may impact students differently, depending on cultural backgrounds

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**Training: Investigators**

**Investigator Training Should Include:**

- Working with LGBT and gender nonconforming students
- Information on same-sex sexual violence

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**Training: Responsible Employees**

**OCR recommends training all employees likely to witness or receive reports of sexual violence including:**

- Instructors
- Campus police/security
- Administrators
- Counselors
- Athletic coaches
- Health personnel

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**Training: Responsible Employees**

**New employees:**

- College to offer primary prevention and awareness programs on rape, acquaintance rape, domestic violence, dating violence, sexual violence, and stalking
- To receive:
  - Copy of college’s written policy on sexual harassment
  - Training on:
    - List of offenses the college prohibits
    - Definitions of the offenses and consent
    - Safe and positive options for bystander intervention

Ed. Code § 66281 and 20 U.S.C. § 1092 (f)(8)(B)

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**Training: Responsible Employees**

**Training should include:**

- How to prevent and identify sexual violence
- Attitudes of bystanders that may allow conduct to continue
- Potential for re-victimization by responders and its effects on students
- Appropriate measures for responding to a student who may have experienced sexual violence, including use of non-judgmental language
- Impact of trauma on victims
- The person(s) to whom such misconduct must be reported

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**Training: Responsible Employee**

**Training should include reporting obligations:**

- What should be included in a report
- Consequences for failing to report
- Procedure for responding to request for confidentiality
- Providing the contact information for the Title IX Coordinator
- Information to provide students

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**Training: Responsible Employees**

**Training on information to provide students:**

- Responsible employees reporting obligations
- Students option to request confidentiality and available confidential advocacy, counseling, or other support services
- Right to file a Title IX complaint with OCR and a criminal complaint with local law enforcement

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**What should a responsible employee tell a student who discloses a reportable incident?**

**Before disclosure, if possible:**

- Your duty to report relevant facts, including names, date, time, and location
- Student's option to request that the school maintain confidentiality, which the Title IX coordinator will consider, and
- Student's ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual-assault-related services

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**Training: Campus Security Authorities**

**U.S. Dept. of Education recommends training include:**

- The role of a campus security authority;
- Providing reporting materials
- The importance of documentation
- Need for timely report submission

*Handbook for Campus Safety and Security Reporting, 2016  
pg. 4-11*

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**Training: Students**

- Orientation
- Out reach programs
- Specific groups of students
- General training

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**Training: Students**

**Student orientation:**

- College to collaborate with campus and community-based victim advocacy organizations to ensure preventative and educational information about sexual violence is provided
- To include information on the prevalence of date rape and the name and contact information of Title IX coordinator

Ed Code §67385.7

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**Training: Students**

**Student orientation to discuss:**

- Common myths and facts about causes of sexual violence
- Dating violence, rape, sexual assault, domestic violence, and stalking crimes
- Information on how to file a campus complaint and criminal charges

Ed Code § 67385.7

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**Training: Students**

**Student orientation to discuss:**

- Methods of encouraging peer support for victims and the imposition of sanctions on offenders
- Campus, criminal, and civil consequences of committing acts of sexual violence

Ed Code § 67385.7

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**Training: Students**

**New students:**

- College to offer primary prevention and awareness programs on rape, acquaintance rape, domestic violence, dating violence, sexual violence, and stalking
- To training on:
  - List of offenses the college prohibits
  - Definitions of the offenses and consent
  - Safe and positive options for bystander intervention

20 U.S.C. § 1092 (f)(8)(B)

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**Training: Students**

**Required outreach programs:**

- To make students aware of college's policy on sexual violence, domestic violence, dating violence, and stalking
- To include a range of prevention strategies, including but not limited to:
  - Empowerment programming
  - Awareness campaigns
  - Prevention, bystander intervention, and risk reduction

Ed Code § 67386

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**Training: Students**

**Required outreach programs must include:**

- Process for contacting and informing student body, campus organizations, athletic programs, and student groups about college's overall sexual assault policy
- Practical implication of affirmative consent standard
- Students rights and responsibilities

Ed Code § 67386

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**Training: Students**

**OCR recommends training on:**

- Title IX and what constitutes sexual violence, including same sex sexual violence under policies
- Definition of affirmative consent, with examples
- How the college analyzes
  - Whether conduct was unwelcome under Title IX
  - Whether unwelcome sexual conduct creates hostile environment
- Reporting options

Note: 2014 Q&A § J-4

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**Training: Students**

**OCR recommends training on (contd.):**

- College's grievance procedure
- Disciplinary code provisions
- Effects of trauma, including neurobiological change
- Role alcohol and drugs
- Strategies and skills for bystanders
- How to report sexual violence to campus/local law enforcement
- Protections against retaliation

2014 Q&A § J-4

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**TITLE IX TRAINING, EDUCATION, AND PREVENTION**

**Recommended specialized training:**

- Student athletes and athletic departments
- International students
- Faculty in programs with nontraditional learning environments
- Student discipline panels
- DESP staff

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**Training: Possible Strategies**

- Assign training to a dedicated position(s)
- Work directly with student groups and engage them in training
- Meet and confer with unions regarding administration of mandated training
- Ensure training of Title IX Coordinator and assistant Title IX Coordinator(s), investigators, and hearing officers includes due process rights of respondent

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**Training: Possible Strategies**

- Develop and tailor training for
  - Student athletes
  - International students
- In-house investigators should receive specific and regular training on
  - Working with victims of trauma
  - Investigating complaints of sexual violence
  - Determining credibility, and collecting and interpreting evidence
  - Report writing

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**INTERNAL COORDINATION FOR  
TITLE IX COMPLIANCE AND  
OVERLAPPING OBLIGATIONS**

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**HOW TO RESPOND TO A FINDING  
OF SEXUAL MISCONDUCT**

**Effective Action Includes:**

- Prompt reporting and investigations
- Interim measures
  - Options to avoid contact
  - Health, counseling, academic, legal assistance
- Discipline if allegations sustained
- Post-Investigation Remedies if allegations sustained
- Notice to both parties
- Appeal process

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**Internal Coordination**

- Campus safety
- Avoiding conflicts
- Overlapping obligations
- Student services:
  - Discipline/due process
  - Disabled Students Programs and Services
- Academic services
- Information Technology
- Human resources
- Labor relations re: mandated training

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**Internal Coordination**

**Campus safety – Clery Act requires college to:**

- Disclose campus security policies
- Issue, post, and distribute Annual Security Report
- Provide timely warnings
- Issue a separate report for each campus

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**Internal Coordination**

**To avoid conflicts:**

- Not designate as Title IX coordinator an employee whose job responsibilities may create a conflict
- Hearing officers of domestic violence, dating violence, sexual assault, and stalking proceedings to be trained on how to investigate and conduct hearings in a manner that protects the safety of victims and promotes accountability
- Investigators must have training and experience in handling complaints of sexual violence and college's grievance procedures

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**Internal Coordination**

**Overlapping obligations:**

- Affirmative consent (“Yes Means Yes”)
- Nondiscrimination
- Student orientation requirements
- Safety plans
- Coordination with law enforcement
- Confidentiality of sexual assault victims

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**Internal Coordination**

**Overlapping obligations:**

- Mandated reporting
- Data collection, analysis, and notice
- Student discipline
- Collective bargaining agreements
- Cal/OSHA health and safety rights of employees

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**Internal Coordination**

**Student services - discipline/due process:**

- To be consistent with federally guaranteed due process rights
- Cannot remove, suspend, or expel a student unless discipline is related to college activity or attendance
  - Exception for sexual assault and sexual exploitation

Ed. Code §§ 76033 and 76034

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**Internal Coordination**

**Student Services - discipline/due process**

**Core elements of due process:**

- Hearing to be a real one, not a sham
- Confront and cross-examine adverse witnesses
- Not draw inference from a witness's invocation of a privilege
- Evidence must support decision
- Cannot be abuse of discretion when imposing a penalty

*Doe v. Regents of U.C. San Diego, 2015*

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**Internal Coordination**

**Student services – discipline/due process**

- OCR found Wesley College violated Title IX by:
  - Failing to provide accused students with essential procedural rights and
  - not adhering to safeguards provided in its own discipline procedures.
- OCR found student was not provided a full opportunity to respond to the charges, rebut the allegations, or defend himself at his hearing.

OCR's Oct. 12, 2016 Letter to Wesley

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**Internal Coordination**

**Student services – discipline/due process:**

- Officers conducting proceedings to be trained on how to conduct hearings in manner that “protects safety of victims” and “promotes accountability”
- Accuser and accused have same opportunities to have others present during disciplinary proceeding, including being accompanied to any related meeting or proceeding by an advisor of their choice
- Notify accused and accuser simultaneously in writing of outcome of proceeding and appeal procedures

20 U.S.C. § 1092 (f)(8)(B)(iv)

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**Internal Coordination**

**Student services - DESP:**  
Federal law prohibits colleges from discriminating against students with disabilities.

42 U.S.C. § 12101  
29 U.S.C. § 794

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**Internal Coordination**

**Academic services:**  
Interim measures

- Taken before final outcome of investigation
- To be prompt
- Provide complainant with periodic updates on status of the investigation
- To minimize burden on complainant

2014 Q&A § G

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**Internal Coordination**

**Academic services:**  
Interim measures: factors to consider

- Specific need expressed by complainant
- Age of students involved
- Severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether complainant and respondent share the same residence hall, class, transportation, or job
- Whether other judicial measures [restraining order] have been taken to protect the complainant

2014 Q&A § G2

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**Internal Coordination**

**Information technology: campus website**

- Easy access to
  - Title IX webpage
  - Student code of conduct
- Post sexual violence prevention and education information
- Online training for faculty, staff, and students
- Online reporting system
- Acceptable use policy

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**Internal Coordination**

**Human resources & labor relations**

- Impacts and effects bargaining over designating responsible employees and mandating training
- Personnel issues arising in Title IX context:
  - Complaints against/by employees
  - Employees failing to carry out Title IX duties

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**Possible Strategies**

- Interdisciplinary collaboration to
  - Identify and implement interim measures
  - Create an early intervention team
  - Create a management-level team to facilitate collaboration
- Conduct a “campus climate survey” to determine prevalence of sexual assaults on campus
- Develop opportunities for students and students groups in developing and providing training and services to students

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**EXTERNAL COORDINATION**

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**External Coordination**

**Written agreement with local law enforcement:**

- District to enter in agreement to
  - Clarify operational responsibilities for investigation of violent crimes on campus
  - Delineate specific geographical boundaries for each agency's operational responsibility
- Good practice for agreements to outline emergency preparedness responsibilities and response plans

20 U.S.C. § 1092 (f)(1)(C)

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**External Collaboration**

**Collaborate with on-campus or community advocacy organizations:**

- To ensure preventative and educational information about sexual violence is presented to all students during orientation
- To extent feasible, enter into MOU or partnership to
  - Refer students for assistance – “victim” and “accused”
  - Make services available to students including counseling, health, mental health, victim advocacy, and legal assistance

Ed. Code section 67386

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# Management Training Series: Title IX Compliance Putting It Into Practice

West Valley Mission Community College District | April 6, 2018

Presented by: Laura Schulkind

**Possible Strategies**

- Develop or update law enforcement MOU
- Hold regular meetings with all police and sheriff departments serving district
- Collaborate with community organizations
- Develop contract language for vendor contracts or dual enrollment agreements that address handling of Clery reporting or Title IX complaints

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**STRATEGIES FOR  
INTERDISCIPLINARY  
COLLABORATION**

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**Compliance Planning**

**Form 2 groups based on where you work:\***

1. West Valley College
2. Mission College

\* District staff divide yourselves between the two colleges

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**Strategies for Title IX Compliance:  
 Exercise #1: Compliance Review Discussion**

1. What role do you play in addressing allegations of sexual misconduct?
2. Where are you doing well, and where do you need to improve, in the compliance areas identified?
  - Identify specific steps that the College/District can implement, and
  - identify who should be involved in planning and implementing these steps.

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**Strategies for Title IX Compliance:  
 Exercise #2: Compliance in Practice**

- 1. How should the College handle the following scenarios? Try to be specific. Discussion should include:**
  - What immediate steps should be taken, and who is responsible for taking them?
  - Who needs to be involved in determining what next steps are required/appropriate?
  - Based on the information provided, what do you recommend as appropriate next steps, and who should take them?
- 2. Be prepared to share ideas when we reconvene.**

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**Interdisciplinary Collaboration**

**Scenario #1**

*A student meets with the dean who supervises one of her instructors and reports:*

- *During office hours the instructor (male) told her she should “go down” to the lab and then started laughing and said, “I guess I shouldn’t say ‘go down’ in this day and age.” She also says that while he said this he made suggestive motion with his pelvis while staring at her suggestively.*
- *She is now extremely uncomfortable in class as this was totally gross and inappropriate.*
- *She does not want the instructor to know she reported this, as she is still in his class.*

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**Interdisciplinary Collaboration**

**Scenario #2**

*A student reports to her academic counselor that another student forced her to have sexual intercourse in a remote stairwell on campus. She says that he used to be her boyfriend and she agreed to meet him there “to talk”. He then asked her to perform oral sex, and she reluctantly agreed. Then, “things got out of control.” She is scared to be at school now and is thinking about dropping out. The male student has been the subject of two previous sexual harassment complaints. The first was not sustained for insufficient evidence. The second resulted in a warning.*

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**Interdisciplinary Collaboration**

**Scenario #3**

*A student who is receiving services from DESP reports to her DESP counselor that a male student is bothering her—following her around campus, trying to contact her on Facebook, etc. The male student also receives DESP services.*

*The student is told that an investigation will be conducted. The student’s mother contacts the Title IX Coordinator very upset. She says the investigation could take weeks, meanwhile her daughter needs immediate protection from this predator.*

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**Interdisciplinary Collaboration**

**Scenario #4**

*A male student reported to the Title IX Coordinator that a classmate in his Chemistry lab sexually assaulted him at an off-campus party. He says he is too frightened to attend the lab, and is worried because the final exam is approaching.*

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**Management Training Series: Title IX Compliance Putting It Into Practice**  
West Valley Mission Community College District | April 6, 2018  
*Presented by: Laura Schulkind*

**Thank You!**

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