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Anti-Discrimination in the School Setting

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Disclosures

No disclosures to report.

I have no ties to pharmaceutical industries or other corporate entities to disclose.



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Where We Left Off...



- CAP Mental Health
- Racism and its many forms
- History of Racism in schools
- Bias
- Microaggressions
- Emotional Toll & Impact
- Overview/Roadmap



Children Need to See Themselves Reflected and Represented

- Create and foster a sense of belonging (peer support/mentorship)
- Diversity within curriculum, books, and materials
- Recruitment and retention of educators, providers and staff of diverse backgrounds
- Develop and maintain cultural supports
- Encourage and create opportunities for cultural pride



What do you think/hope we are going to learn about?





Objectives

1. Learners will be able to define discrimination and recognize how it can exist in the school setting
2. Understand the impact on youth and the learning environment
3. Define cultural humility and how to foster a culturally sensitive and competent school environment
4. Understand how to effectively respond to incidents of discrimination

**“Every human is
like all other
humans, some
other humans, and
no other human”**

- Clyde Kluckhohn



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Discrimination



Exercise #1

Create a mental or physical list of as many forms of discrimination as you can think of in 60 seconds.



- Think about forms of discrimination that people experience here every day and around the world.
- What have you heard/seen in the news and media?
- What have you seen in schools?
- Does anyone want to share?



Discrimination

The Oxford Dictionary defines discrimination as "the unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, or sex."

The Merriam-Webster Dictionary defines it as "the act, practice, or instance of discriminating categorically rather than individually."



The Scope

Discrimination can take place based on race, gender, sexual orientation, marital status, ethnicity, religion, health or disability, a belief or creed, pregnancy, age ...



Exercise # 2

How is discrimination addressed in the school?



- What is being done to make all students feel seen, safe, and included?
- What are the policies and procedures?
- How can someone report acts of discrimination?
- How is discrimination addressed?



The 'Sting' of Discrimination

- Loss of self-confidence and self-esteem
- Loss of trust in ones own abilities and expertise
- Loss of satisfaction/interest/engagement in school
- Feelings of anger
- Elevated levels of stress



Impact Of Stress

- ***Discrimination is linked to increased stress and poorer health***
- ***Stress impacts physical and mental health.***
 - Hypertension
 - Cardiac disease
 - Chronic illness
 - Other physical and mental health-related symptoms, such as headaches or feeling anxious or depressed, changes in their behaviors such as yelling at their loved ones, ignoring responsibilities and social isolation



Adverse Childhood Experiences and Discrimination

Historical trauma recognized in Holocaust survivors is now known to affect Native American children and other communities of color adversely.

ACEs, such as war, natural disasters, poverty, divorce, separation of children from families, *racial discrimination*, living in violent neighborhoods have been identified by researchers SAMHSA, CDC and NIMH and increase risk of depression, suicide, alcoholism and violence



Protected Characteristics

It is unlawful for a school to discriminate against a pupil or prospective pupil by treating them less favorably because of their:

- sex
- race
- disability
- religion or belief
- sexual orientation
- gender reassignment
- pregnancy or maternity



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The 4 Types of Discrimination

1. Direct discrimination

Direct discrimination occurs when a person is treated less favourably because of PC

2. Indirect discrimination

Occurs when something applies to everyone in the same way but affects some people unfairly, usually less obvious than direct discrimination and is often unintended (*policies, practices, procedures, expectations ...*)

Example... telling a student with a disability that work has to be completed in the same timeframe as all the other student



The 4 Types of Discrimination

3. Harassment

‘unwanted conduct’ related to a protected characteristic. It must have the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Examples... Bullying, nicknames, gossip, intrusive or inappropriate questions and comments. Excluding someone (not inviting them to events) may also qualify.



The 4 Types of Discrimination

4. Victimization

Victimization occurs when a student suffers a 'detriment' because they have, in good faith, made allegations or supported someone who has (or is suspected to do so)

Examples... being labelled a 'troublemaker', being left out and ignored, being denied promotion/awards



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Bullying

A common form of discrimination in schools.

Kids are being made to feel scared, unsafe, humiliated, sad, lonely, anxious, depressed, physically hurt, and more.



Bullying - Cont'd:

- Causes physical or emotional harm to the victim or damages the target's property
- Places the target in reasonable fear of harm or damage to self or property
- Creates a hostile environment at school for the target
- Infringes on the rights of the target at school



Kids Who Bully

- Desire to fit in with a group
- Victim of bullying elsewhere (home or at school). Effort to reclaim a sense of power
- Attention-seeking - alternative methods haven't been successful
- Personality/character naturally more assertive and impulsive
- Perceives behavior of other kids as hostile (social cues)
- Lack of understanding of impact of their actions on others (younger kids)
- Low self-esteem



Kids Who Get Bullied

- The responsibility for bullying **always** falls on the bully, **not** the victim
- There are a number of types of kids who are often the target of bullies
- What can make them vulnerable...
 - Distinctive physical appearance
 - Illness or disability
 - Different sexual orientation
 - Religious or cultural beliefs
 - Different Race
 - Isolated
 - *Successful*
 - *Intelligent*
 - *Popular*



Where/When Does Bullying Occur?

Bullying tends to happen most often in and around schools — specifically in those areas where there is little or no adult supervision and in times of less structure, including but not limited to the following:

- Playground/recess
- Dismissal
- Hallways
- Bathrooms
- Cafeterias
- Classrooms (especially during transition times)
- Waiting to get on/off the bus
- Other less structured periods



Anti-Bullying Statute (M.G.L. c.71, s.370)

“Bullying” as defined in M.G.L. c.71, s.370, is the repeated use by one or more students or by a *member of a school staff* including, but limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a *written, verbal, or electronic expression or a physical act or gesture or any combination thereof*, directed at a target.



Bullying Includes Cyberbullying

M.G.L. c. 70 Sect. 370



Cyber-Bullying

Cyber-Bullying, as defined in M.G.L. c.71, s.370 is bullying through the use of *technology or any electronic communication*; which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, **radio**, electromagnetic, photo electronic or photo optical system; including, but not limited to, electronic mail, internet communications, instant messages or **facsimile communications**.

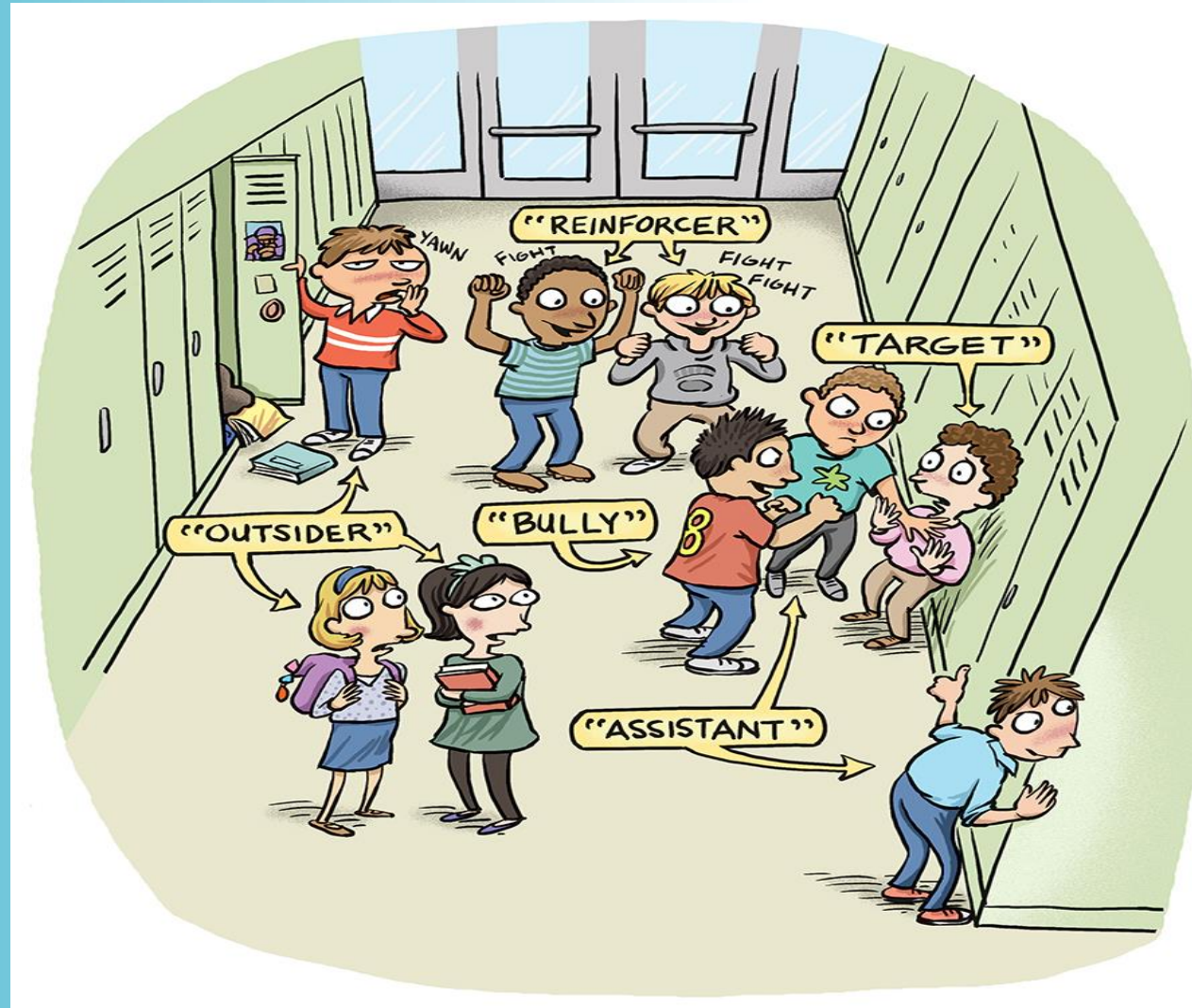


Cyber-Bullying Also Includes:

- Creating a web page/blog in which the creator assumes the identity of another person
- Knowingly impersonating another person as the author of posted content or messages, if the creation or impersonation is inclusive of any of the characteristics of bullying
- Distributing by electronic means of a communication to more than one person or the posting of material on an electronic medium that maybe accessed by one or more persons, if the distribution or posting creates any of the conditions in the definition of bullying



Everyone Has a Role





Bullying Prevention and Intervention Plan

- "recognize" in their bullying prevention and intervention plans that certain enumerated categories of students may be more vulnerable to being targets of bullying based on actual or perceived differentiating characteristics.
- specific steps they will take to support these vulnerable students and provide all students the skills, knowledge, and strategies they need to prevent or respond to bullying or harassment.
- must notify parents and guardians of targets of bullying of the availability of the Department's problem resolution system and assist these parents and guardians in understanding the problem resolution process.



Data Collection and Reporting

Data reporting and collection obligations

- 1) the number of reported allegations of bullying or retaliation
- 2) the number and nature of substantiated incidents of bullying and retaliation
- 3) the number of students disciplined for engaging in bullying or retaliation
- 4) other information required by the Department.

Administer a department-developed student survey, at least once every 4yrs to assess "school climate and the prevalence, nature and severity of bullying in schools."



Federal Law: Title VI of the Civil Rights Act

- Protects against discrimination based on age, race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness.
- Applies to students, parents, and employees.
- Prohibits discrimination in student class assignments or ability tracking and protects English Language Learner (ELL) students.



It's the Law

- Federal Law: Title II Americans with Disabilities Act (ADA)
 - Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in public entities.
- Massachusetts General Law (M.G.L.) Chapter 76, Section 5
 - No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation.
- 603 CMR 26 - Access to Equal Educational Opportunity
 - Includes anti-discrimination regulations regarding school admission (26.02), curriculum (26.05), athletics (26.06) and more.



McKinney-Vento Act Rights

- Homeless students attend a school and participate in school programs with students who are not homeless. Students cannot be separated from regular school programs because they are homeless.
- Enroll in school without giving a permanent address. School cannot require proof of residency that might prevent or delay school enrollment.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Receive the same special programs and services, if needed as
- provided to all other students served in these programs.
- Receive transportation to school and to school programs.



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Bias, Implicit and Explicit, Lead to Discrimination



Bias and Schools

- 1 in 4 African-American students with disabilities are suspended at least once, compared to 1 in 11 white students
- Students of color are more likely to be referred to law enforcement for school-related disciplinary matters
- 70% of students referred to “in-school” arrests or law enforcement are African-American or Latinx



Bias and Schools – Denial of Black Boyhood

Denial of Black Boyhood

- School
 - 6x rate suspension/expulsion from school
 - Disciplined more harshly and severely
 - Increased special ed placements, negative achievement labels
 - Inferior learning environments & education
- Societal perception
 - Perceived as four years older than their actual age and held more culpable for their behaviors
 - More dangerous legal and police encounters



January 29, 2021, Rochester police responded to an incident involving a Black nine-year-old girl, who they were told might be suicidal. An extended police body camera video of the incident shows the agitated child, her mother, and an officer attempting to de-escalate the situation.

The police detain the child by *restraining her in handcuffs* and placing her in the **backseat of the police vehicle**. Several of the nine officers who responded to the scene repeatedly *threatened the child with pepper spray* while detaining her.

The child is shown begging the officers not to pepper spray her, crying hysterically, and repeatedly calling for her father. At one point, an officer says, ***“stop acting like a child,”*** to which she responds, ***“I am a child.”***

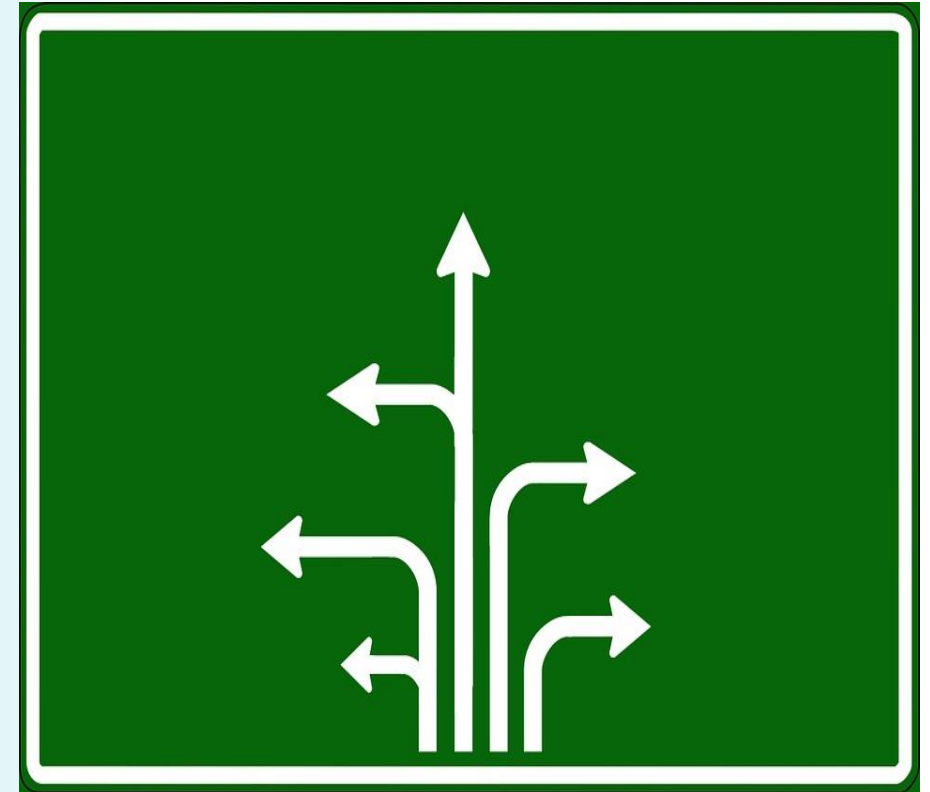
After the child is handcuffed and seated in the backseat of the police car, one of the police officers pepper sprays her and shuts the car door as the young girl screams inside.



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Creating a Positive, Supportive and Inclusive School Environment





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Cultural Competence and Cultural Humility



Cultural Competence

The ability to interact effectively with people of various cultural, racial, ethnic, socioeconomic, religious and social groups, *typically by learning about* the patterns of behavior, beliefs, language, values, and customs of particular groups.



Cultural Humility

Cultural humility is a process “of openness, self-awareness, being egoless, and incorporating self-reflection and critique after willingly interacting with diverse individuals”



Cultural Humility

“Cultural humility involves an ongoing process of self-exploration and self-critique combined with a willingness to *learn from others*. It means entering a relationship with another person with the *intention of honoring* their beliefs, customs, and values. It means *acknowledging* differences and *accepting* that person for who they are.”

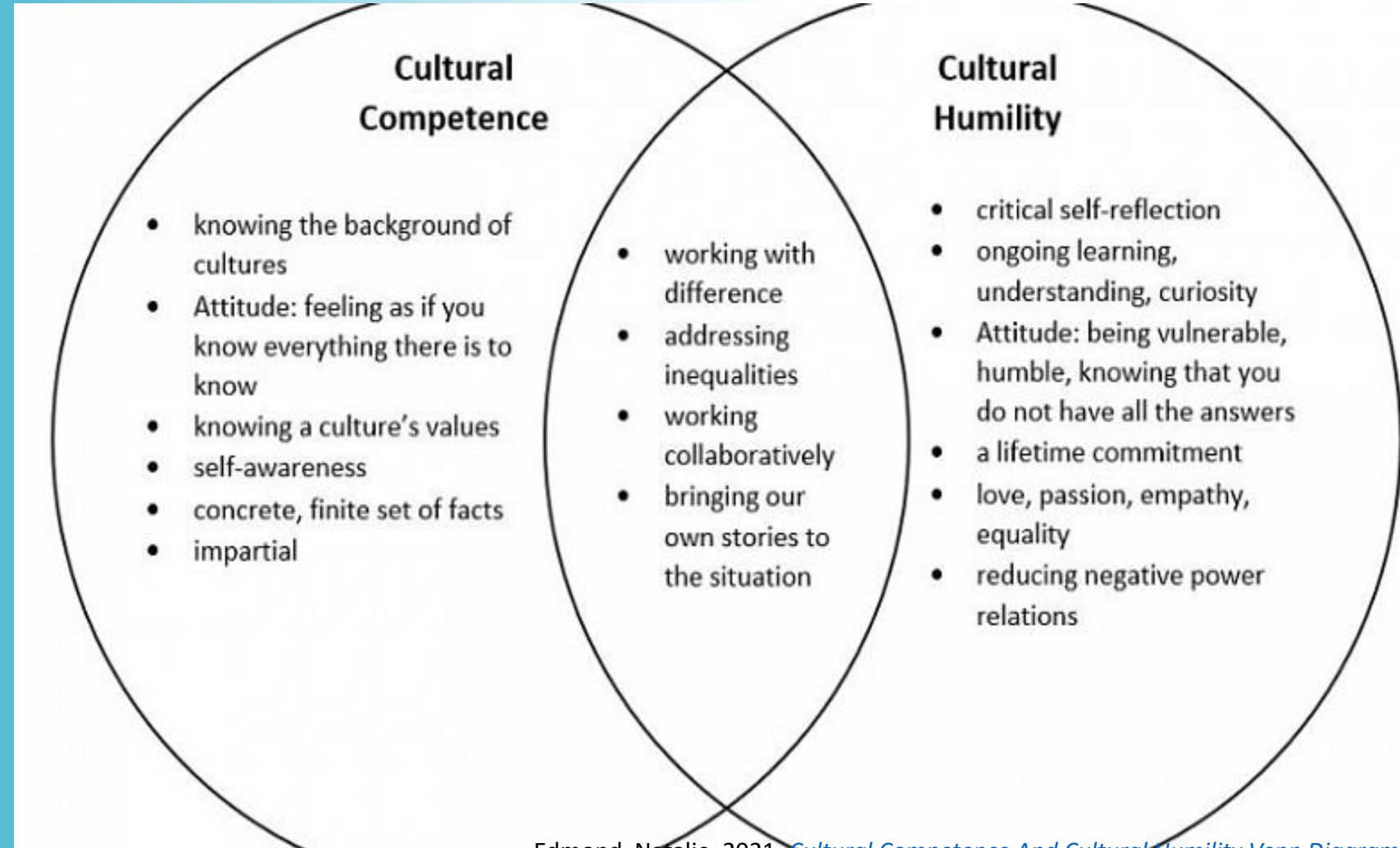


3 Components of Cultural Humility

1. Lifelong learning and critical self-reflection
2. Recognizing and challenging power imbalances for respectful relationships
3. Institutional accountability



Cultural Competence and Cultural Humility



Edmond, Natalie. 2021. [Cultural Competence And Cultural Humility Venn Diagram](#)



Cultural Competence and Humility Considerations ...

- Do not assume that one person's experience speaks for an entire group of people who share that identity. All people are a combination of intersectional identities.
- Be verbally humble. E.g., Preface a conversation with: "If I ask anything that makes you uncomfortable, please let me know."
- Frame your interactions with others as a partnership.
- Cultural humility is not just about what you know, it's also about not being distracted by what you think you know.
- Create space for the others to advocate for themselves by asking, "Is there anything you think I should know?"



Understanding the Gaps and Barriers

Insufficient Teacher/Staff Education and Training:

- Lack of adequate training on how to effectively address and prevent discrimination in the classroom.
- Educators feeling ill-equipped to handle discriminatory incidents or promote inclusive environments.



Understanding the Gaps and Barriers

Lack of Comprehensive Implementation:

- Implement of antidiscrimination programs in a comprehensive and sustained manner
- Lack of consistency
- Lack of a cohesive framework, limiting their effectiveness in addressing discrimination



Understanding the Gaps and Barriers

Limited Evaluation, Monitoring and Assessment:

- Lack rigorous evaluation and monitoring mechanisms to assess their impact.
- Uncertainty re the effectiveness of these programs and identify areas for improvement.



Understanding the Gaps and Barriers

Challenges in Addressing Intersectionality:

- Single dimension focused (race or gender) omitting the intersectional experiences of marginalized students.
- Lack of understanding of the complexities and how multiple forms of discrimination interact and compound one another.

Intersectionality

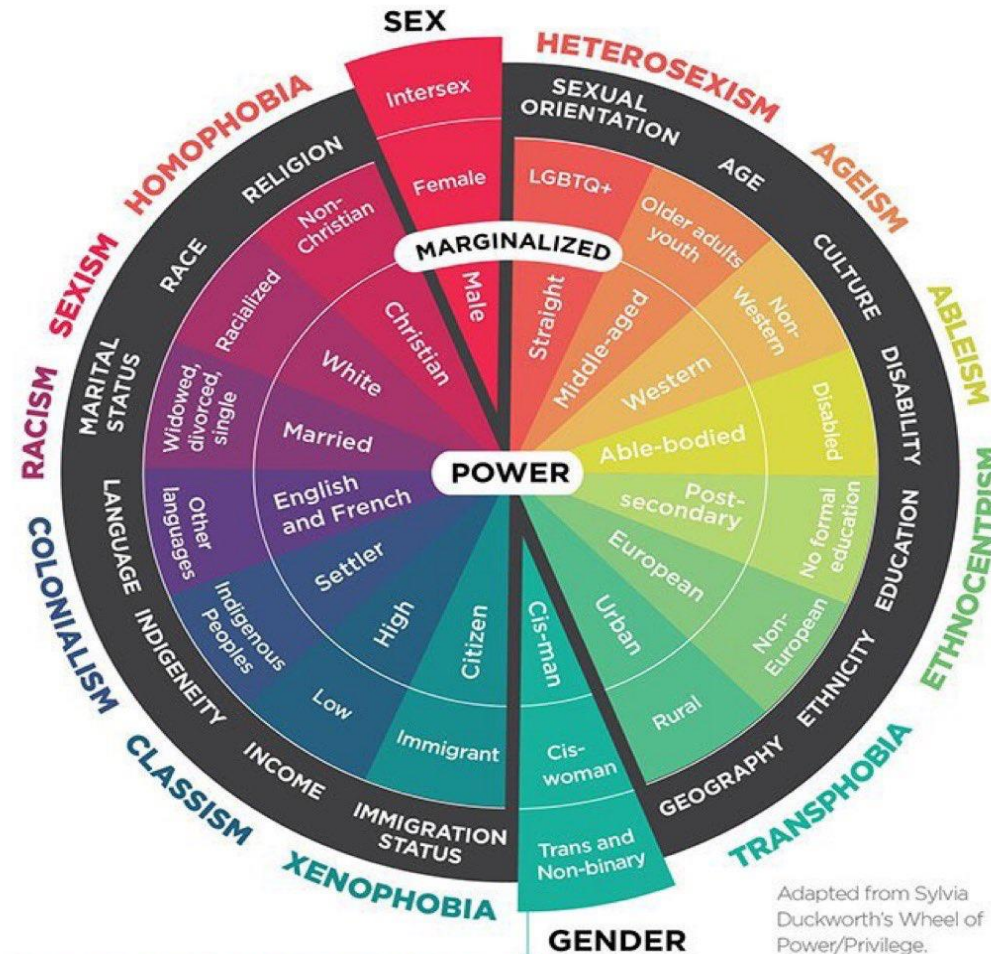


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- Kimberlé Crenshaw; Professor of Law at Columbia and UCLA
- Term coined in 1989
- Describes how our social identities; race, class, gender, and other individual characteristics, “intersect” with one another and overlap
- *...inequality can be experienced differently*



Some gender identity terms include:

Agender	Genderfluid	Gender neutral	Transgender man
Bigender	Genderqueer	Non-binary	Transgender woman



**We've Talked
About The
Negative Impacts
of Racism and
Discrimination;
but What About
the Benefits of
Diversity**





Diversity in the Classroom

“understanding each student brings unique experiences, strengths, and ideas to our classroom ... **Diversity is** the exploration and incorporation of these differences to enrich learning in our classroom.”



Benefits of Diversity in the Classroom

- Builds critical thinkers
- Develops social awareness
- Facilitates different perspectives
- Improves academic outcomes
- Helps students feel represented and included
- Fosters a rich environment for ideas to evolve into new and more refined forms (*Idea diversity*)
- The more diversity is a topic of discussion in your school, the less students and teachers will hesitate to address it



How Do We Get to Non-Discrimination?

- A commitment to ensuring that all programs and facilities are accessible to all.
- Actively seeking to prevent discrimination or harassment based on age, race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness in accordance with applicable laws and regulations.



Considerations for Promoting Diversity

- Language promoting positivity and doesn't reinforce existing stereotypes
 - Ie... “boys will be boys” justifying sexism or aggression.
- Respond immediately and effectively to inappropriate comments or actions.
 - Take infractions seriously and keep families informed.
- Model inclusion and acceptance.
 - Encourage students to include all of their peers if you see division forming along racial or economic lines.
- Remove existing markers of inequality in your school.
 - For example, singling out those receiving free or reduced lunch



Positive Steps Toward Creating a Supportive and Inclusive Environment

- Promotion of diversity, equity, and inclusion
- Become aware and understand our biases
- Review and update policies and procedures that perpetuate or reinforce
- Professional development; on going basis
- Cultural competency/cultural humility education and training
- Restorative justice programs



Ways to Support Diversity in the Classroom

- Get to know your students
- Connect with families and community
- Review and re-evaluate teaching materials
- Be willing to address inequality
- Meet diverse learning needs
- Hire diversely
- Support professional development opportunities



Creating a Culture of Responsibility

- Understand the mission, values and laws which exist
- Step in when you observe behavior that does not align with mission, values, laws.
- Address (the inappropriate) behavior with the student or staff.
- Make sure that the rules and expectations are clear with student, caregivers and staff
- Report and track incident
- Record and track interventions

Addressing Harassment and Discrimination



- Monitor the school climate
- Foster respect and appreciation for diversity
- Be familiar with basic facts about harassment, bullying, and hate crimes.
- Review crisis intervention plans
- Review crisis intervention plans
- Implement measures to address harassment immediately and effectively
- Document and report all incidents of harassment, discrimination and bullying

Addressing Discrimination and Creating a Supportive and Inclusive School Environment



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- Encourage student involvement.
- Enlist parents, students, and community in this effort
- Foster respect and appreciation for diversity
- Be sensitive to different cultures and religious holidays
- Challenge biased or disrespectful attitudes and behavior by students and staff.
- Be alert to signs of student harassment and bullying.
- Support victims and hold offenders accountable.





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“I’m right there in the room, and no one even acknowledges me.”



TOGETHER WE CAN MANAGE THIS



Q & A



Photo by [Rohit Farmer](#) on [Unsplash](#)



THANK YOU