



LIEBERT CASSIDY WHITMORE

san josé·evergreen

COMMUNITY COLLEGE DISTRICT



**ASSOCIATION OF CHIEF HUMAN RESOURCE OFFICERS (ACHRO) VIRTUAL FALL TRAINING
INSTITUTE**

October 29, 2020
9:00 AM – 10:15 AM

**LEADING RACIAL EQUITY CONVERSATIONS ON CAMPUS: PROMOTING MEANINGFUL
CONVERSATIONS ... WHILE SIMULTANEOUSLY PROTECTING FREE SPEECH AND
PREVENTING A HOSTILE WORK ENVIRONMENT**

Presented BY: Laura Schulkind, Partner, Liebert Cassidy Whitmore
Byron Breland, Chancellor, San Jose/Evergreen CCD &
Beatriz Chaidez, Associate Vice Chancellor, Human Resources, San Jose/Evergreen CCD

Note to participants: Please print if possible. The handout will not be displayed by the presenters to maximize screen space for participants to “see” each other.

AGENDA

- Present a scenario drawn from an amalgam of real-life situations from a variety of districts.
- Provide brief overview of legal framework
- Discuss best practices for fostering constructive dialogue and responding to negative fallout when it happens.

SCENARIO FOR DISCUSSION

Dr. Angela Lee is the President of XYZ College. The College holds an annual governance retreat, led by the President, that includes College administrators and senate leaders. In response to State Chancellor Oakley’s Call to Action, President Lee decides to devote much of the retreat to a discussion about race. The Agenda includes presentations on student achievement gaps by race and workforce demographics, a video on “how to talk about race”, and a period for “open discussion”.

With campuses closed due to COVID-19, the retreat was held over Zoom. After the formal presentations, President Lee opened the discussion by saying that the murder of George Floyd has exposed the systemic police brutality against African Americans, and the deep institutional racism that touches all our institutions. She said that that this conversation is to start to explore how racism impacts the College. She also announced that the College will be conducting a climate survey as part of the process of examining its own culture. She then opened the floor for discussion, and reminded everyone to listen with open minds and be kind to each other. Over the next 3 hours much was discussed but in couched and abstract ways, while a parallel series of conversations evolved in the chat box, including:

- Dean Mike Jones typed: “We need more African American faculty and college leaders. It is so meaningful for students to have people who look like them to look up to”
- Faculty member Lisa Vasquez responded: “Glad we’re talking about hiring faculty who look like our students...but doesn’t that mean we should be focusing on hiring Latinx faculty? We are an HSI. I’m all for BLM, but if we are talking about racism at *our* College, we have to talk about the Latinx community.
- Faculty member Bob Green replied: “It’s not a competition.”
- Faculty member Ron Dawson jumps in with, “That’s right! ALL LIVES MATTER”.
- Faculty member Janice Woods replies: “Did you really just say that?!? Hello? “Black Lives Matter” is a call for justice for Blacks, who are being systematically murdered by police. Are you saying that you don’t think Black lives matter?”
- Dawson responds: You’re putting words in my mouth.

At this point President Lee speaks up and remind everyone about civility.

After the retreat,

- The President is harshly criticized by a small but vocal group for failing to publicly call out Dawson for his racist and ignorant statement, and for telling minority faculty to be “civil”.
- Faculty member Dan Flynn sends an email out on the all-faculty list serve, saying that as an “ally” of his black and brown colleagues, he urges everyone to continue to engage in activities to unlearn racism, and provides links to resources.
- Faculty member Tom Dole replies-all: “Dan: So, they’ve got you brainwashed I see. You better re-think who your real friends are. When the minorities become majorities (a sad but inevitable fact), do you think they will remember to thank you for your support? ...I think not.”
- The Senate censures Dole, asserts he has created a hostile work environment for Flynn, and demands he be fired. At the next board meeting, the Senate President discusses the Senate’s censure of Dole directly and asks the Board to do the same.
- The Faculty Association sends a letter to the President, stating that a district-conducted climate survey is never truly anonymous, making it pointless because faculty and staff who are the victims of systemic racism at the College are too afraid to tell the truth.

DISCUSSION

1. What steps by President Lee—both in planning the retreat and during the retreat—might have changed its trajectory?
2. What are some “best practice” takeaways for planning and conducting district-sponsored discussions on race?
3. How should the District respond to the criticism of President Lee?
4. How should the District respond to the demands to fire Dole?
5. What steps may the District take to prevent the use of District email for transmitting deeply upsetting, overtly racist communications?
6. How should the District respond to the claims that the climate survey will not produce reliable information?