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Law Symposium: Adjudicating Sexual Misconduct On Campus: Title IX And Due Process In Uncertain Times

Roger Williams University School of Law

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Adjudicating Sexual Misconduct on Campus: Title IX and Due Process in Uncertain Times

Friday, November 15, 2019

8:30 am

RWU Law – Bristol Campus
Open to the Public
Registration Required

A Roger Williams University School of Law Symposium - Sponsored by the Roger Williams University Law Review

8:30 AM Registration
9:00 AM Welcome & Opening Remarks

Agenda

Register Today!

RWU Law - Bristol Campus

One of the most controversial topics on college campuses is how to handle allegations of sexual misconduct under Title IX of the Education Amendments Act of 1972, a federal law that prohibits discrimination based on sex in educational programs. Since its enactment, the
In 2011, the Obama administration issued a “Dear Colleague Letter,” which presented guidelines for educational institutions adjudicating sexual misconduct on campus. In response to the letter, colleges and universities implemented policies and procedures that attempt to adequately balance the rights of students who report misconduct and the due process rights of the accused. Although investigations and hearings occur outside of the criminal justice system, the consequences for both parties can be severe in both personal and professional terms. In the view of some critics, many procedures enacted in response to the 2011 “Dear Colleague Letter” tipped the scales in favor of complaining parties and failed to adequately protect the rights of the accused.

In 2017, the Trump administration repealed the “Dear Colleague Letter” and, in 2018, proposed new rules that would significantly change the legal obligations of educational institutions. Some notable aspects of the proposed rules include the right to cross-examination, an increased evidentiary burden, and a bar to schools having jurisdiction over claims of misconduct that arise from off-campus behavior. The Trump administration views these proposed rules as better calibrating the balance between the rights of complaining parties and those of the accused. Critics of these proposed regulations view them as a rollback of progress gained that will result in harm to those who report instances of sexual misconduct.

This symposium will explore the Title IX legal landscape and the anticipated implications of the Trump administration’s proposed regulations. Panel discussions will touch on legal developments surrounding Title IX, due process concerns, and the issue of consent on campus. Each panel will be composed of practitioners and professionals who will provide diverse perspectives on the myriad issues surrounding Title IX.

**Keynote Speaker**

Cantalupo

*Nancy Chi Cantalupo* is an Associate Professor at Barry University School of Law. Her past positions include Associate Vice President for Equity, Inclusion & Violence Prevention at a higher education professional association (NASPA); an Assistant Dean at Georgetown Law; and an attorney with Drinker Biddle & Reath LLP. Her scholarship focuses on the use of law to combat discriminatory violence, particularly gender-based violence, and includes: publications in

Professor Cantalupo has worked to combat gender-based violence in education for nearly 25 years as a researcher, campus administrator, student activist, victims’ advocate, attorney, and policymaker. Her past and present pro bono work includes consultations with President Obama’s White House Task Force to Protect Students from Sexual Assault, participation on a U.S. Senate roundtable, service as a Negotiator on the Negotiated Rulemaking Committee that amended regulations for the Clery Act, and testimony before the Maryland and Virginia state legislatures. Recently she has filed both solely-authored and coauthored comments in federal proceedings related to Title IX, was asked by the American Bar Association’s Commission on Domestic and Sexual Violence to write Recommendations for Practice for investigations of campus dating, domestic, sexual and stalking violence, and co-authored “Title IX & the Preponderance of the Evidence: A White Paper,” signed by over 100 law professors from across the country. She serves or has served on the Boards for the Asian/Pacific-Islander Domestic Violence Resource Project and the Conference of Asian Pacific American Law Faculty.

Panel 1: Title IX: Where are we now?

Claire K. Hall, J.D. is a national expert who has trained thousands of faculty, staff and students at colleges and universities across the country on a multitude of higher education compliance related topics. Claire is also the Owner of UECAT, LLC, where her work focuses on providing compliance, training, investigation and consulting services for colleges and universities. Prior to founding UECAT, Claire spent many years working at a large private university, where she served as the Assistant General Counsel and Special Advisor to Student Services and also managed the institution’s Title IX grievance process. Claire holds a Juris Doctorate from Tulane University Law School, a Master’s in Communication from Emerson College and a Bachelor of Arts in Journalism from the University of Rhode Island.
Amanda Walsh, Esq., is a Senior Attorney at the Victim Rights Law Center. Amanda returned to the VRLC in January 2017 as an Education Program Senior Attorney. In this role, Amanda provides training and technical assistance to colleges and universities through the Office on Violence Against Women campus grant program. From 2011-2015, Amanda was a VRLC staff attorney, focusing primarily on the representation of students in both K-12 and higher education settings. She also trained colleges and universities nationally on Title IX and campus sexual assault response. Before returning to the VRLC, Amanda was the Title IX Program Officer at Brown University. She was responsible for implementing Brown’s sexual and gender-based harassment and violence policy and complaint procedures, building Brown’s flagship Title IX Office, and overseeing all related complaint investigations. Amanda is a graduate of Northeastern University and Roger Williams University School of Law.

Jen Stanley is the Associate Dean and Title IX Coordinator at Roger Williams University. During her time at RWU, she has been a member of a variety of campus initiatives and task force groups. Jen currently oversees the Green Dot Bystander Intervention efforts, chairs the Title IX Task Force, and co-chairs the Diversity & Inclusion Climate and Intergroup Relations subcommittee.

Jen has been a member of the National Association of Student Personnel Administrators (NASPA) regional advisory board since 2000 and currently serves as the regional Knowledge
Community Coordinator. Jen also serves on the national board of directors of The Silent Witness Initiative, a volunteer organization addressing issues of relationship violence, specifically working with college students around the globe in an effort to make campuses safe for all students. She represents RWU as a member of the Rhode Island Cross-Campus Learning Collaborative for Sexual Violence Prevention.

Lynette Labinger is an attorney in private practice in Providence, Rhode Island with a litigation practice concentrating in civil and constitutional rights and employment discrimination law. She first came to Rhode Island in 1974 after completing law school to clerk for Judge Raymond J. Pettine of the federal district court.

Labinger is a Fellow of the American College of Trial Lawyers and has been recognized as a New England “Super Lawyer” each year since 2007, and featured in its 2010 edition for her contributions to civil rights advocacy. In 2010, the RI Commission on Women named Labinger their “Woman of the Year/Advocacy.” In June 2018, she was honored by Rhode Island Legal Services with its “Equal Justice Award” and in October 2019 will be one of the honorees for the Houston Memorial Award of Justice Assistance of Rhode Island.

Labinger served as lead trial and appellate counsel for the plaintiff class in the landmark Title IX sex discrimination case challenging the treatment of women athletes at Brown University (Cohen v. Brown University). She is also a long-time cooperating attorney for the American Civil Liberties Union of RI, which has twice honored her with its Civil Libertarian of the Year Award. Labinger has litigated many high profile civil rights cases in Rhode Island, including cases involving reproductive rights and First Amendment rights, representing a teenager in vindicating her First Amendment right not to have a religious display in her high school and representing a prison inmate in vindicating his right to practice his religion in prison. Labinger served as Associate and Chief Judge of the Housing Court of the City of Providence from 2004 to January 2019.
Panel 2: Due Process Panel

**Carr**

**Angela Carr** is an accomplished civil litigator and trial attorney, Angela focuses her practice on medical and professional liability defense. She advises medical professionals, hospitals, medical practices, and other healthcare-related organizations in all stages of the litigation lifecycle. Angela provides skilled representation to health care providers before federal and state courts, administrative agencies, and licensing boards in Massachusetts and Rhode Island. In addition, she routinely consults with hospitals and healthcare practice groups on risk management and patient safety. Angela also represents students involved in Title IX investigations at local colleges.

**Miltenberg**

**Andrew T. Miltenberg** is a founding partner of Nesenoff & Miltenberg, LLP. Miltenberg is nationally renowned due process attorney representing students and faculty in Title IX and related disciplinary matters and, if necessary, commencing lawsuits on their behalf. Miltenberg has brought a number of groundbreaking Title IX lawsuits including the first class action case against Michigan State University and is described by Newsweek at the “go-to attorney for students” facing Title IX issues. Some of his high profile Title IX federal litigation included Doe
v. Brown University, Doe v. Columbia University, Grant Neal v. CU Pueblo, Keith Mumphrey v. Michigan State Univ; Paul Nungesser v. Columbia (a/k/a the mattress girl case), Doe v. Purdue University; Boermeester v. USC, and Doe v. Grinnell.

Miltenberg has vigorously and successfully defended students and faculty at disciplinary proceedings facing suspension or expulsion from a wide range of colleges and universities often. These institutions range from small, elite liberal arts colleges to large public universities. In all, Andrew has represented more than 150 students and faculty in college disciplinary hearings in more than 30 states. He has also filed numerous civil lawsuits against universities often traveling across the country in a search for justice in connection with mistreatment of accused students and faculty.

He is often called upon by national media and academic publications to provide expert commentary on Title IX and its related developments and has been featured in The New York Times, The Washington Post and many other media outlets. A passionate advocate, colleagues often seek Miltenberg as trial counsel for his aggressive yet efficient tactical choices, thorough preparation and composure. Celebrating its 27th year, Nesenoff & Miltenberg, LLP prides itself on its dedicated, thoughtful and common-sense approach to law and business.

Richard

Steven M. Richard is a partner at Nixon Peabody LLP with thirty years of trial and appellate experience. He has litigated Title IX and student conduct matters extensively in federal and state courts nationally. Steven was trial and appellate counsel in Wills v. Brown University, 184 F.3d 20 (1st Cir. 1999), which remains twenty years later a widely cited Title IX precedent regarding institutional liability. Subsequent to the issuance of the 2011 Dear Colleague letter, Steven has defended colleges and universities in Title IX lawsuits filed by complainants and respondents, including a trial before Chief Judge William E. Smith in the Rhode Island Federal District Court. Steven leads Nixon Peabody’s national Title IX team and writes 12-15 client alerts annually addressing Title IX administrative and judicial developments. He is an active member of the Rhode Island Federal District Court Bench/Bar Committee and an Executive Board member of the Rhode Island Chapter of the Federal Bar Association. Steven earned his undergraduate degree from Boston University, his law degree from Notre Dame Law School where he was a member of its Law Review, and his master of business administration from Bryant University.
Panel 3: Consent on Campus Panel

Susan Kruth earned her B.A. from New York University’s Gallatin School of Individualized Study in 2007, with a concentration in music and film. While attending the University of Virginia School of Law, she completed internships with the Transgender Legal Defense & Education Fund and the American Civil Liberties Union LGBT & AIDS Project. Susan earned her J.D. in 2011 and is licensed to practice law in Virginia and Pennsylvania. After law school, she worked for the Thomas Jefferson Center for the Protection of Free Expression in Charlottesville, Virginia, before moving to Philadelphia to work at the Foundation for Individual Rights in Education. At FIRE, Susan has served as editor-in-chief of FIRE’s blog and as a member of FIRE’s litigation team, and she now works in FIRE’s legal and public advocacy department focusing on due process and fundamental fairness in campus disciplinary procedures.
**Tiffany Gaffney** is the Assistant Dean of Students and Title IX Deputy Coordinator at Providence College. She also represents Providence College as a member of the Rhode Island Cross-Campus Learning Collaborative for Sexual Violence Prevention.

**Jennifer Gentile Long** (MGA, JD) currently serves as the Chief Executive Officer of AEquitas, which she co-founded in April 2009 and serves as an expert on issues related to the prosecution of sexual violence and gender-based violence and human trafficking. She began her career as an Assistant District Attorney in Philadelphia where she prosecuted cases involving adult and child physical and sexual abuse and served on a team in the Family Violence and Sexual Assault Unit. After her departure, served as an advocate for victims of domestic violence and child abuse in Bermuda and Philadelphia, respectively.

Jennifer was a Senior Attorney and then was appointed the Director of the National Center for the Prosecution of Violence Against Women at the American Prosecutors Research Institute at NDAA. She promoted meaningful multidisciplinary collaboration and improved prosecution practices through authorship and contribution to numerous articles, publications, resources and curricula and provided assistance to prosecutors and allied professionals.

Jennifer’s commitment to the identification, implementation and preservation of innovative, research-informed practices led her to co-found AEquitas, where she continues to work with prosecutors, allied professionals, and policy makers across the United States and internationally. Jennifer serves as an Advisory Committee Member with the American Law Institute, an Editorial Board Member with the Civic Research Institute for the Sexual Assault and Domestic Violence Reports, and an Adjunct professor at Georgetown University Law Center, where she teaches Prosecuting Sexual Violence: From Research to Practice.
Rhode Island MCLE Credit
This program has been approved for 5.5 Rhode Island MCLE credits.

Registration Fee
$50 includes all symposium sessions, lunch, and 5.5 Rhode Island MCLE credits. RWU Law students may attend the symposium complimentary but registration is required. Registration Link

Cancellation & Refund Policy
Symposium cancellations received by Friday, November 8, 2019 are eligible to receive a full refund less a $10 administrative fee. Cancellations received after the stated deadline will not be eligible for a refund. Cancellations are accepted via email at lawevents@rwu.edu.

Special Accommodations
Persons who, because of a special need or condition, would like to request an accommodation for an event should contact the Office of Programs & Events, as soon as possible, but no later than 72 hours before the event, so that appropriate arrangements can be made. lawevents@rwu.edu

Grappling with Laws on Campus Sexual Misconduct

Experts will convene at RWU Law to discuss the reach and impact of Title IX in these uncertain times.

November 8, 2019
One of the most controversial topics raging on college campuses today concerns how to properly handle allegations of sexual misconduct.

For decades, such matters have been governed by Title IX of the Education Amendments of 1972. But opposing positions on the law taken by recent U.S. presidential administrations—playing out amid the seismic societal shifts of the #MeToo movement—have contributed to an atmosphere of uncertainty surrounding the statute’s current reach, application and impact.

Next Friday, November 15, three panels of national experts will convene at Roger Williams University School of Law in Bristol, R.I., to grapple with these issues in an all-day symposium titled “Adjudicating Sexual Misconduct on Campus: Title IX and Due Process in Uncertain Times,” hosted by the Roger Williams University Law Review.

“Title IX has become a powerful, and often controversial, tool for promoting gender equality in colleges and universities,” explained RWU Law 3L Caitlyn Horbert, editor-in-chief of the Law Review. “But the statute has also yielded passionate debate about a number of issues, including whether student allegations of sexual misconduct should be resolved in the courts or on campuses—and, if on campuses, what processes colleges and universities should use to balance the interests of students.”

“Ultimately, changes to Title IX enforcement will impact virtually every college and university in this country.”

~ RWU Law 3L Caitlyn Horbert

In recent years, that legal debate has been further complicated by political considerations.

“Changes in the Oval Office have resulted in significant shifts in Title IX policies,” Horbert said. “The Obama Administration issued guidance that expanded the protections for reporting students, but the Trump Administration has since revoked that guidance and proposed regulations that would enhance the protections for respondents, and limit the reach of Title IX.”

Those shifts have already led to some high-profile legal battles.

“The adjudication of allegations of sexual misconduct has not just roiled campuses,” noted RWU Law Professor David Logan. “It has led to civil litigation brought by students at prestigious schools like Brown and Yale, who claim that their schools’ disciplinary processes violated their rights.”

And the debate isn’t going away any time soon.

“Ultimately, changes to Title IX enforcement will impact virtually every college and university in this country, at both the student and administrative levels,” Horbert said. “So the Law
Review is excited to provide the legal and educational community an opportunity to engage in a timely discussion about the many important issues raised by the statute.”

Panel discussions at the symposium will touch on legal developments surrounding Title IX, as well as due process concerns and the issue of consent on campus. Each panel will be composed of practitioners and professionals who will provide diverse perspectives on the myriad issues surrounding Title IX.

The event’s keynote speaker is Nancy Chi Cantalupo, an associate professor at Barry University School of Law, whose scholarship focuses on the use of law to combat discriminatory violence, and particularly gender-based violence. Her work has appeared in multiple law reviews, and her op-eds have been published in the New York Times, Time, USA Today, and the Washington Post.

For further information on speakers and panelists, please visit the event page. Registration for the symposium is free for Roger Williams students, faculty and staff, and $50 for the public. Registration includes all symposium sessions plus lunch. All attendees must register. Members of the Rhode Island bar can earn 5.5 Rhode Island MCLE credits by attending the program.

Title IX in a Time of Uncertainty

Amanda Walsh, RWU Class of 2011
Last month, when a national array of experts converged at Roger Williams University School of Law to discuss Title IX and the adjudication of sexual misconduct on campus, one of the most authoritative voices on hand was that of Amanda Walsh ’11, who – as Senior Attorney at the Victim Rights Law Center (VRLC) in Boston – provides training and technical assistance in the field to colleges and universities across the country.

Walsh made headlines a few years ago as the first Title IX Program Officer at Brown University, where she implemented the school’s sexual and gender-based harassment and violence policy and complaint procedures, built its flagship Title IX Office, and oversaw complaint investigations. We recently talked with Walsh about her work:

RWU Law: How did you first get drawn to your career path? “Title IX coordinator” wasn’t yet a common position in higher ed at the time you graduated.

AW: My first exposure to Title IX happened when I worked on a K-12 case at a civil rights firm out in Oregon in 2009, the summer after my first year at RWU Law – and that’s what sort of got me hooked.

But you’re right, Title IX wasn’t really talked about anywhere at that time, and Title IX coordinators barely existed. It was usually just another hat that administrators wore in addition to their full-time positions.

RWU Law: As I understand it, your first position out of law school was as a staff attorney at the VRLC in Boston – the same organization you’ve now returned to as Senior Attorney?

AW: That’s right, though it wasn’t my original plan. For most of my time at RWU Law, I thought I’d probably end up working for a firm out in Oregon. Then I had a sort of “end-of-law-school change of heart” [while working on the Title IX case] and decided to take the Mass. Bar and pursue this career path instead. My first role was actually as an AmeriCorps attorney, a position I took in hopes of being placed at the VRLC – I felt it was the only way I could get into that organization.

RWU Law: It seems to have worked out.

AW: Yes, I got my placement at the VRLC, and stayed on there as a staff attorney from the end of the summer of 2011 through the beginning of 2015. My primary focus was on Ed. cases, both K-12 and campus.

RWU Law: Then you moved on to Brown University – which didn’t really have a Title IX program yet. You were basically tasked with building it, is that right?

AW: Yes, Brown had never had a dedicated Title IX program officer or coordinator up to that point. (Again, it was sort of an additional role that another senior administrator took on, in
addition to being the Vice President for Diversity, Equity and Inclusion.) But the university had put together a task force that came up with a series of recommendations to improve the university’s response to sexual assault, and one of the recommendations was to have a dedicated Title IX coordinator. I was the first person to fill that role. I was there for just about two years, from the early ’15 to early ’17.

RWU Law: Why did Brown choose you? What made you the right person for the job?

AW: Brown was specifically looking for somebody with legal expertise, as opposed to any background that was victim-advocacy specific. The idea was to find a person who understood the needs of the students reporting, but balanced that with the need to implement a fair process for the students responding. It’s a delicate balance in cases involving campus sexual assault – really, in all cases involving two students in an adjudication on campus. But I think that the student activists at Brown really wanted to see a person in the role who understood the specific needs of the reporting parties.

RWU Law: Were you happy to be back in Rhode Island?

AW: Yes! Transitioning into an administrative role was sort of a natural fit for me at the time. My husband [Kurt Rocha ’11, whom Walsh met at RWU Law] practices in Rhode Island, and our family lives in Providence. So I was happy to get rid of the commute!

RWU Law: But now you’re back at the VRLC, this time as Senior Attorney. Does that mean you’re back to commuting again?

AW: No, I’m happy to say. I transitioned back as a Senior Attorney, but in a remote position – this was at a time when I had a toddler and knew I was going to have another child. So it was definitely a family-dynamic thing.

RWU Law: But is your new job just as interesting as the others?

AW: Oh yes, it kind of combines the best of both worlds. I get to work with more than 150 colleges and universities, doing a lot of the policy work and helping to implement some of what I did at Brown – but also some of what I did at the VRLC as a staff attorney. There are just so many different institutions with such a wide range of identities and cultures – community colleges, tribal institutions, HBCUs [historically black colleges and universities]. It’s really interesting work. It has allowed me to interact with a diverse group of institutions.

RWU Law: What sort of interactions?

AW: I continue to supervise the Ed. attorneys’ cases, that’s a part of it. But I also provide technical assistance and consulting expertise in the education realm, for colleges and universities. In fact, the main reason I came back to the VRLC was because they had received a Department of Justice grant as part of their Campus Grant program, to help student-conduct administrators, deans of students, Title IX coordinators, etc., to improve their responses to dating violence,
domestic violence, sexual assault, and stalking, and to create sustainable initiatives that will extend beyond the grant period.

RWU Law: So you’re now in a position where you can work with a large number of institutions rather than just one. Was that part of the appeal?

AW: Very much so. The VRLC was transitioning to taking the lead on that grant and they needed somebody to spearhead those efforts. That allowed me to, as you said, impact a great number of institutions as opposed to one single institution – as well as, again, offering me a lot of work-life flexibility that I simply didn’t have in my role as an administrator. Title IX coordinators do not have easy jobs – they’re incredibly time-consuming and the demands are just around the clock.

RWU Law: You were a panelist at the Title IX conference that RWU Law’s Law Review held here in November. What did you perceive as the value of the symposium?

AW: It was wonderful. It offered a lot of very high-level, nuanced conversation. There were really important speakers who had incredible things to say – and there was a lot of value added by the people who attended the symposium as well, through the thoughts and the comments they shared. The keynote address [by Professor Nancy Chi Cantalupo] was extremely nuanced, for example. Nancy talked a lot about the layers of a victim's identity and why gender equity and racial equity must be considered together. She addressed the ways in which changes made by the Department of Education are impacting women of color specifically.

That’s the sort of nuanced conversation you don’t get in most forums. Typically, Title IX training sessions are very compliance-oriented. You know: “Here’s what the law is, and here’s how you meet it.” It feels a little bit like checking boxes. I think people are hungry for something more substantial right now, in a time of so many unknowns. We don’t know exactly what to expect from the Department of Education. People are just sort of waiting for whatever guidance eventually comes.

RWU Law: Does that state of affairs handicap your work?

AW: Well, there’s definitely a lot of uncertainty about where things are headed, and how much flexibility individual institutions will have in implementing whatever regulations eventually do come out of the Department of Education. The RWU Law forum allowed people to raise those questions and talk in detail about the challenges that the unknown has brought to light on campus.

RWU Law: Could you share an example?

AW: Sure. Colleges and universities have, for example, traditionally responded to sexual assault incidents that occur between two students off-campus. That may be something that changes under the new regulations – will off-campus incidents no longer be considered under the purview of Title IX? We just don’t know yet. If it happens, that would be a huge shift for, say, community or predominantly commuter colleges. For institutions that are highly residential, on
the other hand, there would be less impact. At the Roger Williams conference, there were administrators in the room representing both perspectives, which allowed for some very informative exchanges in an area that’s not usually talked about in traditional training sessions.

**RWU Law:** You mentioned an “end-of-law-school change of heart” that made you decide to practice in this area. Besides your time working on a Title IX case, were there any experiences at RWU Law that impacted your decision to practice in this area?

**AW:** Yes, Liz Tobin Tyler’s Medical-Legal Collaborative program was a transformative experience for me, because it explored the idea that the law is not necessarily an adequate remedy all of the time. But instead of just dismissing it as, “Okay, so this is not a legal issue,” Liz’s course brought in a medical partner and said, “Lawyers and doctors can collaborate in order to find a more holistic and an adequate response to the problem.”

**RWU Law:** How did that impact your approach to Title IX cases?

**AW:** It allowed me to see the value of an organization like the VRLC – which has a very similar mission of looking more holistically at a client, as opposed to just trying to fit them into whatever box happens to be within my legal expertise.

Sticking with the example we just discussed, let’s say you’re a student at a university, but you’re off-campus and you’re sexually assaulted in your apartment. Well, you may be concerned about crossing paths with the accused person again within the educational environment, and so you want a restraining order. Or you don’t feel safe in your apartment anymore, so you have legal issues related to terminating your lease. Traditionally, the law is so siloed that you’d need multiple lawyers to help you with these different legal issues. By contrast, the VRLC has a wide array of experts on staff – meaning you can address all of your legal issues while staying within our organization. You don’t have to repeat your story and narrative multiple times for multiple people, which is an exhausting use of anyone’s time resources.

**RWU Law:** That makes a lot of sense.

**AW:** I’d add that my RWU Law-related connections have been invaluable in this regard. I’ve never even practiced in Rhode Island, yet I’m lucky enough to know a lot of people in the community here. I still have the ability to get resources and support when I need it – because Rhode Island is small and someone I graduated with inevitably practices in the areas I need help with. Most of my VRLC colleagues rarely cross paths with anyone that they graduated with, so they can’t reach out in the same way I can.
2013-14 Department of Education
Civil Rights Data Collection

- General discipline rate differed by sex: 30% of Black boys received out-of-school suspensions versus 5.3% of white boys.
- Discipline rates by sex: males received only 0.18 and were quite low across the board (0.2% for white boys and 0.2% for Black boys).