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# Diversity, Equity, and Inclusion Considerations

Within the Title IX Process

Kateeka Harris | Jan 2023

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## Kateeka Harris

*She/Her/Hers*  
Senior Solutions  
Specialist

## Meet Your Facilitator

Kateeka J. Harris has nearly two decades of experience in higher education at four year and two-year colleges and universities including Title IX compliance, student conduct, multicultural program administration, and undergraduate admissions. Kateeka is a nationally recognized expert in Student Conduct and Title IX Administration and has held leadership positions within the Association for Student Conduct Administration, including President.

Throughout her professional career she has employed restorative practices including mediation. Before transitioning into higher education, Kateeka worked in the Juvenile Justice System. It was during that time that she implemented the Court's Victim Offender, Truancy, and Family mediation programs. Kateeka has a passion for alternative dispute resolution and has certifications in advanced mediation, and arbitration.



# About Us

## Vision

We exist to help create safe and equitable work and educational environments.

## Mission

Bring systemic change to how school districts and institutions of higher education address their Clery Act & Title IX obligations.

## Core Values

- Responsive Partnership
- Innovation
- Accountability
- Transformation
- Integrity

# Agenda

01

## Culture and the impact of our Lived Experiences

- *Title IX, Diversity and Inclusion Matters*
- *Culture as an Iceberg and Identity Development*
- *Cultural Competence vs. Cultural Humility*
- *Intent vs. Impact*

02

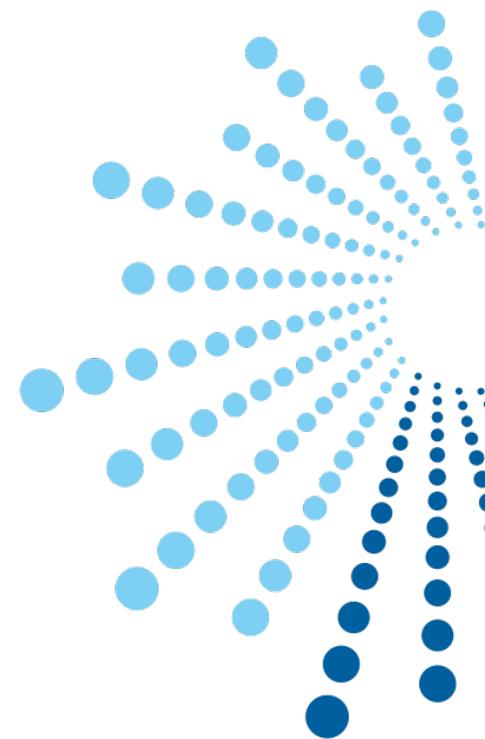
## Stereotypes, Bias, Rape Culture, and Sexual Violence

- *The Impact of Stereotypes and Bias*
- *Defining Prejudice, Discrimination, and Microaggressions*
- *Understanding Rape Culture*
- *Facts about Sexual Violence*

03

## Our Students: Applying Equity and Fair Practice

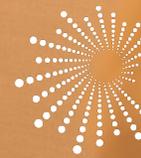
- *Trauma informed practices*
- *Intergenerational Communication*
- *Intentional Inclusive Language*
- *Balancing Support & Examining your process through DEI Lens*





# PRINCIPALS OF ENGAGEMENT

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# Principles of Engagement: **Embrace**

- Awareness towards understanding
- Leaning into discomfort
- Critical self-reflection
- Opportunities for cognitive dissonance
- Helping to create safe space
- Opportunity to learn about biases
- Vulnerability, willingness to “catch” each other
- Speak from “I” perspective (not for an entire group); allow others to tell their own stories (check first)
- Share airtime - if you’ve spoken twice in a row, allow others to jump in first
- Staying in the moment (Stay present)
- Explore impact; acknowledge intent

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# Realities of Diversity and Inclusion

- *Why Diversity and Inclusion Matter*
- *Culture as an Iceberg*
- *Identity Development*
- *Cultural Competency vs. Cultural Humility*

01

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# Title IX of the Education Amendments of 1972



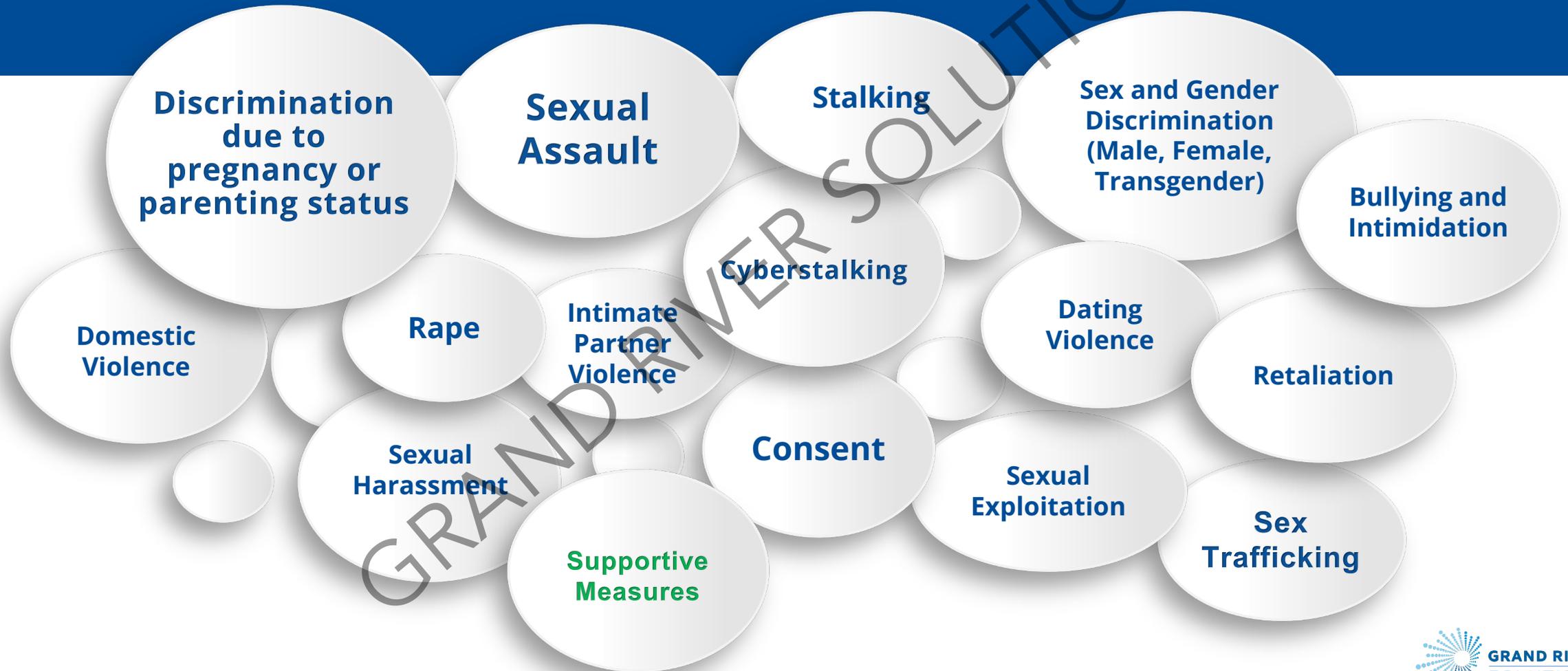
"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

# Reasons for Title IX

- Failure to provide equal opportunities in athletics
- Discrimination in a school's science, technology, engineering, and math (STEM) courses or programs
- Hostile work environment
- Failing to provide appropriate accommodations for pregnant and parenting students

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# TITLE IX Protections



# Title IX Requires the Schools to:

1. Stop the harassment
2. Prevent the reoccurrence of the harassment
3. Remedy the effects of the harassment





# How Do you Define Diversity?

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# Why Diversity Matters

Enriches the educational and workplace experience by encouraging critical thinking and cross-cultural communication.

Promotes personal growth and challenges stereotyped preconceptions.

Studies consistently show that diversity drives innovation and fosters creativity.

# The Benefits and Challenges of Diversity



## Benefits

- Increased organizational adaptability
- Broader service range
- Variety of viewpoints
- Innovation and collaboration
- More effective execution

## Challenges

- Communication (Bias & Perception)
- Resistance to change
- Implementation of diversity and inclusion initiatives in workplace (and student) policies
- Successful management of diversity in the workplace
- Common definition

**How do you define  
Inclusion? What does  
Inclusion look like in  
your Title IX process?**

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# Why Inclusion Matters

Students report that it is important for them to see themselves reflected in the faculty and curriculum to which they are exposed to create a sense of belonging and inclusiveness

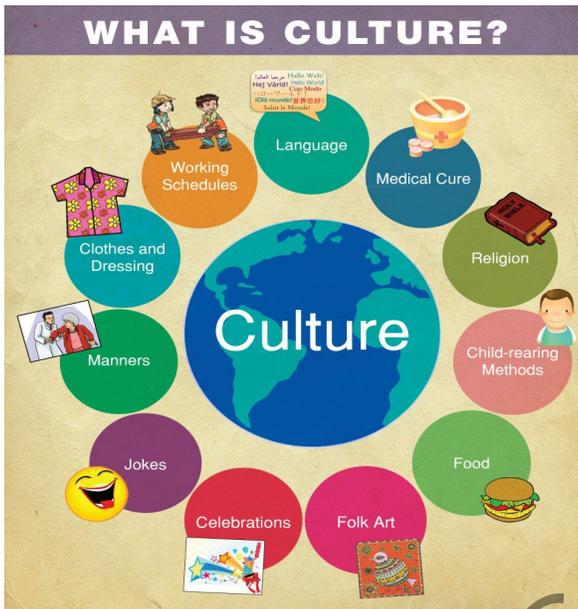
Students report less discrimination and bias at institutions where they perceive a stronger institutional commitment to diversity.

More collegial working environments lead to higher performance and lower turnover among staff and faculty

*National Survey of Student Engagement. (2020). Sense of Belonging. Retrieved from <https://nsse.indiana.edu/research/annual-results/belonging-story/index.html>*



# What is culture?



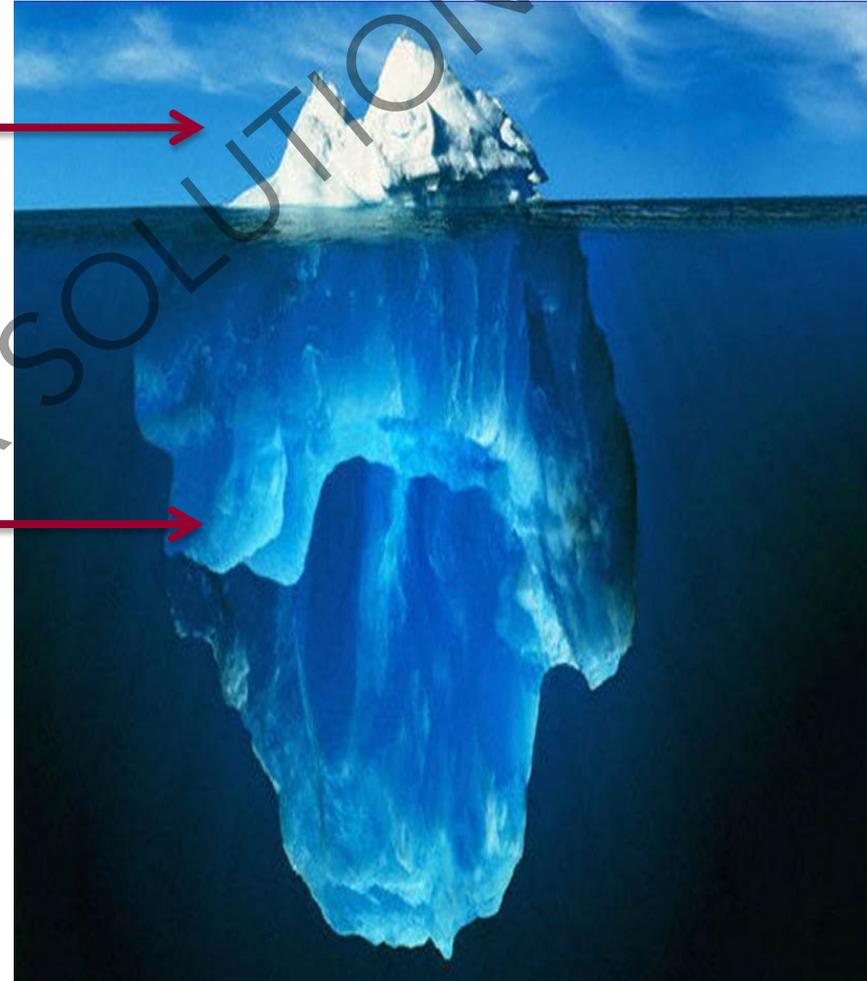
- **Culture** can be defined as the total accumulation of many beliefs, customs, activities, institutions and communication patterns of an identifiable group of people.

# Culture as an Iceberg

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Complex mass that is  
1/10 visible and  
understandable

Complex mass that is  
9/10 out of sight and  
more difficult to  
comprehend



# Culture as an Iceberg

Complex mass that is  
1/10 visible and  
understandable –  
**“LET’S CELEBRATE!”**

Complex mass that is  
9/10 out of sight and  
more difficult to  
comprehend –  
**UNDERSTAND**



# Discussion

1. Identities you think about most often
2. Identities you think about least often
3. Think of a time when you were othered due to an identity you possess
  - How did you feel and/or respond?



# What is Social Identity?

## Social Identity Theory

argues that people possess two identities: an inward looking '**personal identity**' and an outward looking '**social identity**'.

(Brown, 2000)

- Part of individual's self-concept that is based on membership in specific groups
- Accepted as a description of oneself
- Shared with others who have or are believed to have some characteristics in common

# How Social Identity Can Impact Our Interactions?

- How you present yourself/what you are aware of most when you enter a space
- Leads to social constructs, based on lived or learned experiences – that contributes to bias
- Guides what we think and how we approach situations





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# Competence vs Humility



## Cultural Competence

- Academic knowledge and training
- Idea that one can become competent' in other cultures
- Supports the myth that culture does not change or evolve
- Not rooted in lived experience
- Promotes skill building and working toward an end goal



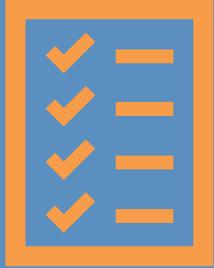
## Cultural Humility

- Introspective and co-learning
- Idea of learning with and from others
- No end goal or end result
- Encourages lifelong learning
- Critical self reflection
- Critical self critique
- Supports Personal and Institutional Accountability
- Attempts to diminish power dynamics that create inequity

# Cultural Humility\*

- Allows **culturally competent individuals** to identify the **presence** and **importance** of differences between **their orientation and that of each person they interact with** and to explore **compromises** that would be **acceptable to both**.
- A **lifelong process of self-reflection and self-critique**.

*Ubuntu*  
interdependence  
“I am because you are”



# Unpacking Stereotypes and Bias

- *The Impact of Stereotypes and Bias*
- *Defining Prejudice, Discrimination, and Microaggressions*
- *Rape Culture*
- *Sexual Violence Myths and Facts*

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# What We Now Know About Bias

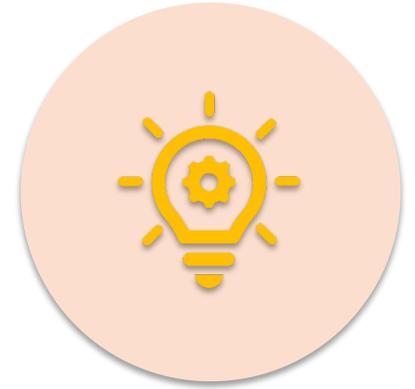
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Our brains are impacted by our lived experiences.



These experiences affect what information we focus on and how we categorize it.



Changing how we process information can be difficult, even when we are directed.



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## Implicit Bias

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Stereotypical thoughts, which can be followed by feelings (liking/disliking) **and/or** discriminatory behaviors.

- Tends to involve a limited or inaccurate perception of others.



# Intergroup/Ingroup Bias

Tendency to respond more positively to people from our ingroups than we do to people from outgroups. (Tajfel, Billig, Bundy, & Flament, 1971)

Ingroup members are rated as having more positive characteristics than outgroup members (Hewstone, 1990)

Biases can manifest among different groups including:

- Nationalities
- Races
- Political
- Religious Beliefs
- Arbitrary Group Affiliations



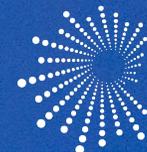
# Prejudice

- A **positive** or **negative feeling** about a person based on beliefs (stereotypes) about the group to which the person belongs; a prejudgment that involves liking or disliking.
- Prejudice tends to be based on social comparison with other groups in which one's group is the point of reference (norm/ideal).
- **Social Tactic:** Notice difference, but do not assign value (judging something or someone to be inherently better or worse).

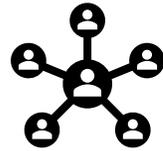
# Discrimination

- The behavioral manifestation of prejudice.
- A behavior or action towards someone based on feelings one holds towards the group to which that person belongs.
- Overt Examples: denial of job opportunities; redlining.
- Covert Examples: microaggressions.
  - e.g., most Italians may love sauce but not all.

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# Stereotypes



A generalization where all group members are identified as having the same characteristics; actual differences among the members are ignored or not recognized (e.g., all surgeons are men).



Beliefs that associate groups with traits.



Stereotypes are created by an overexposure to single stories.

# The Danger of a Single Story



# Why Bias Exists

## Minimal Group Effect

- In-group favoritism occurs even when group membership is random.
- We are built to connect.

## Bias and Self-Esteem

- Bias can be self-affirming.
- If other groups are inferior, my group ("I") must be superior.

## Rationalization for Oppression

- Powerful groups often retain power using stereotypes and prejudices.

## Socialization/Exposure

- We learn it.
- Influence of family, teachers, peers, media, and experience.

## Lack of Exposure to the Diversity within Other Groups

- We tend to appreciate the diversity within our own groups, but not other groups.

## Categorization

- Our mental tendency to group things, including people (e.g., race, gender, and age in the U.S.).





- Media
- Beliefs
- Education



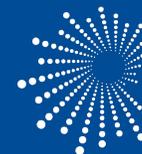
Implicit Bias

- Automatic Thoughts
- Feelings



- Non-Discriminatory
- Discriminatory
  - Overt
  - Covert

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# 4 Consequences of Bias



We Don't See Everything



We See What We Believe



Quick Decisions Can Be Flawed

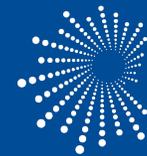


Our Memory Reinforces Errors



What does  
Implicit Bias  
look like in our  
world?

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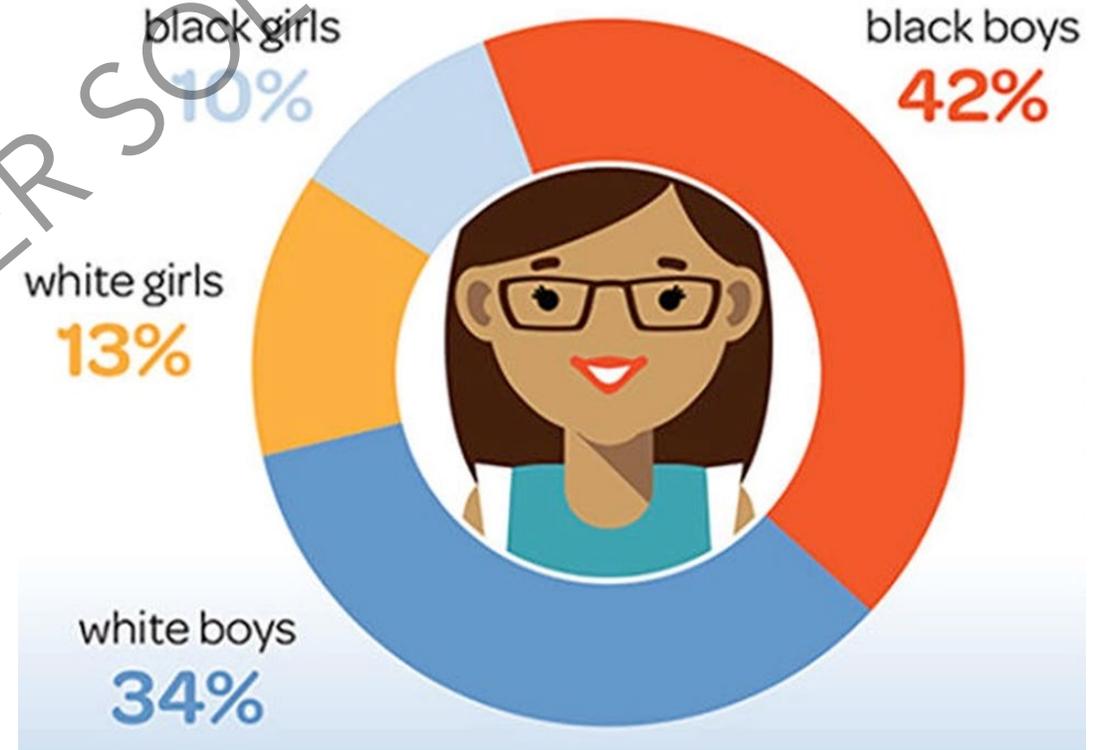
# Microaggressions

Statements, actions, or incidents regarded as instances of indirect, subtle, or unintentional discrimination against members of a marginalized group.



# Implicit Bias in Early Education

- Teachers watched a video of a classroom and were asked to identify challenging behaviors.
- Eye tracking showed the amount of time they spent watching each child.



# Let's Summarize

1. All human beings have bias!

2. Implicit bias has multiple causes but overexposure to single stories is a main cause.

3. The impact of our biases on others can be harmful (microaggressions /discrimination).

4. You can have a stereotypical thought, prejudicial feeling, and choose to not discriminate.

# Intent vs. Impact



# Getting Communication Back on Track

- Listen with the goal of understanding where they're coming from, not with the goal of defending yourself. It can help to use the active listening technique of repeating back exactly what you hear.
- Center their feelings, not yours. It's normal to feel a little prickly when someone tells you that you did something wrong, and you disagree. But take a deep breath and be okay with talking about your feelings later.
- Genuinely apologize and acknowledge the impact that your actions had on them. Steer clear of "I'm sorry if," "I'm sorry you," or "I'm sorry but," as these all lack accountability and put the blame on the one who was harmed. A simple "I'm sorry for doing that, and I'll do better next time" can go a long way.



Every 68 seconds, an American is sexually assaulted.

And every 9 minutes, that victim is a child. Meanwhile, only 25 out of every 1,000 perpetrators will end up in prison.

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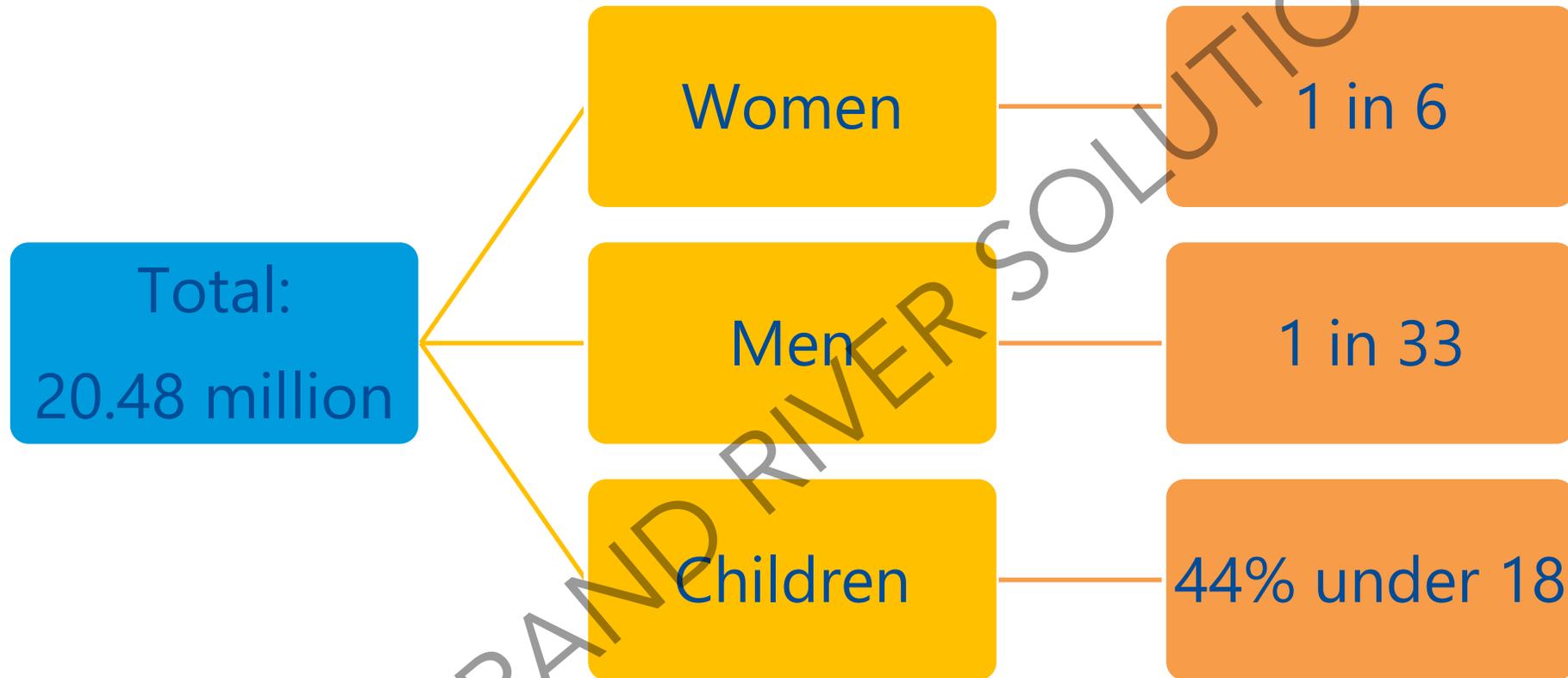
# Rape Culture

A phrase commonly used to describe a cultural environment in which sexual violence is not only prominent, it is tacitly sanctioned through widely promoted beliefs about gender, sexuality, and violence - norms.

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# United States Stats



•A majority of child victims are 12-17. Of victims under the age of 18: 34% of victims of sexual assault and rape are under age 12, and 66% of victims of sexual assault and rape are age 12-17.<sup>6</sup>

# Intimate Partner Violence (IPV) defined:



# The Truth about IPV

About **1 in 5** and **1 in 7** women and men



report having experienced severe physical violence from an intimate partner in their lifetime.

About **1 in 5** women and **1 in 12** men



have experienced contact sexual violence by an intimate partner.

**10% of women** and **2% of men** report having been stalked by an intimate partner.



# The National Intimate Partner and Sexual Violence Survey (NISVS) reports



# Facts about Sexual Violence



# Sexual Violence Statistics Continued...

Over **half** of women have experienced sexual violence involving physical contact during her lifetime.



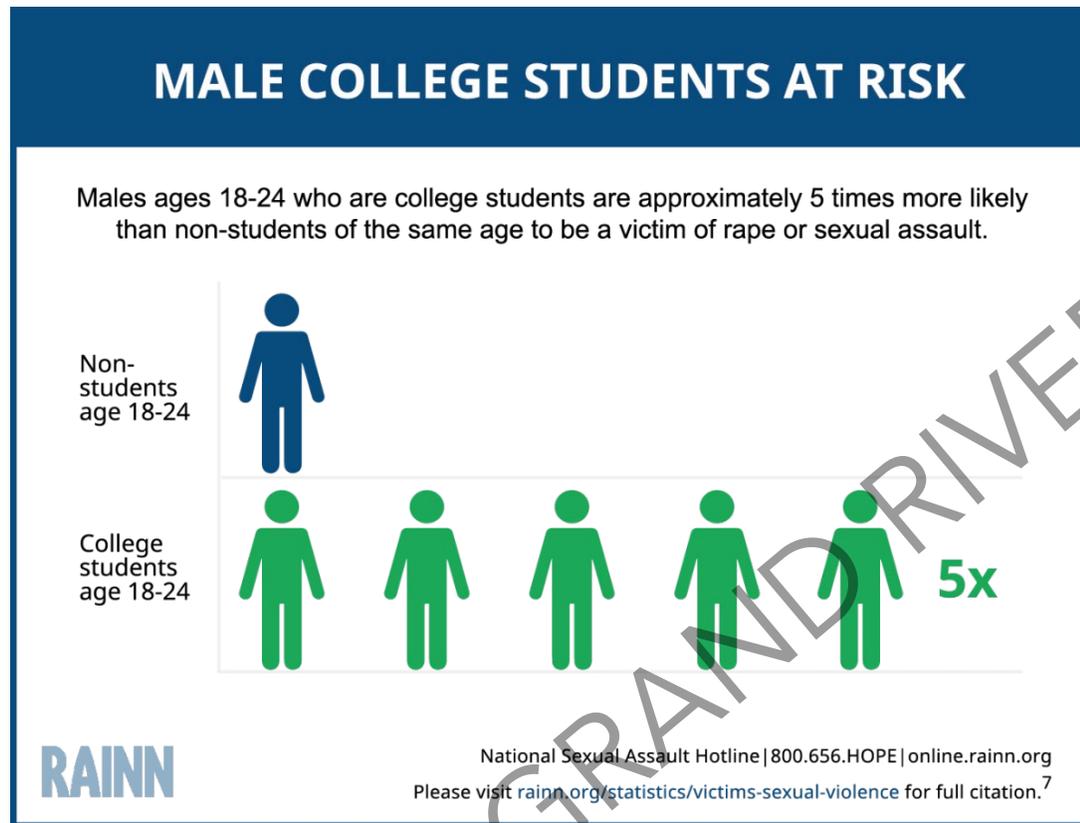
Almost **1 in 3** men have experienced sexual violence involving physical contact during his lifetime.



**Estimated Lifetime  
Cost of Rape**



# Additional Facts: Sexual Assault on Campus



- Transgender Students Are at Higher Risk for Sexual Violence
- 21% of TGQN (transgender, genderqueer, nonconforming) college students have been sexually assaulted, compared to 18% of non-TGQN females, and 4% of non-TGQN males.
- 1 of every 3 students with a disability has been sexually assaulted

<https://www.rainn.org/search/node/stats%20disability%20and%20sexual%20violence>

[https://ncd.gov/sites/default/files/NC\\_D\\_Not\\_on\\_the\\_Radar\\_Accessible\\_0129\\_2018.pdf](https://ncd.gov/sites/default/files/NC_D_Not_on_the_Radar_Accessible_0129_2018.pdf)



# Understanding our Students Better and Developing a Shared Language

- *Intergenerational Communication*
- *Trauma Informed Practices*
- *Intentional Inclusive Language*
- *Intent vs. Impact*

03

# Communication and Social Media



How Many Can You Name?

# Communication and Social Media



Facebook



Instagram



Pinterest



YouTube



What's App



LinkedIn



Snapchat



Twitter



Google Plus

How Many Can You Name?

# Intergenerational Paradigms



## Traditionalists

"Silent"

1925-1945

Be glad you  
have a job

Respect them

## Baby Boomers

1946-1964

I deserve  
better

Replace them

## Generation X Busters

1965-1980

Keep it Real

Ignore them

## Generation Y Millennials

1981-1996

Life is a  
Cafeteria

Choose them

## Generation Z

Digital Natives

1997-2010

I'm Coping  
and Hoping

Not sure I need  
them

## Generation Alpha

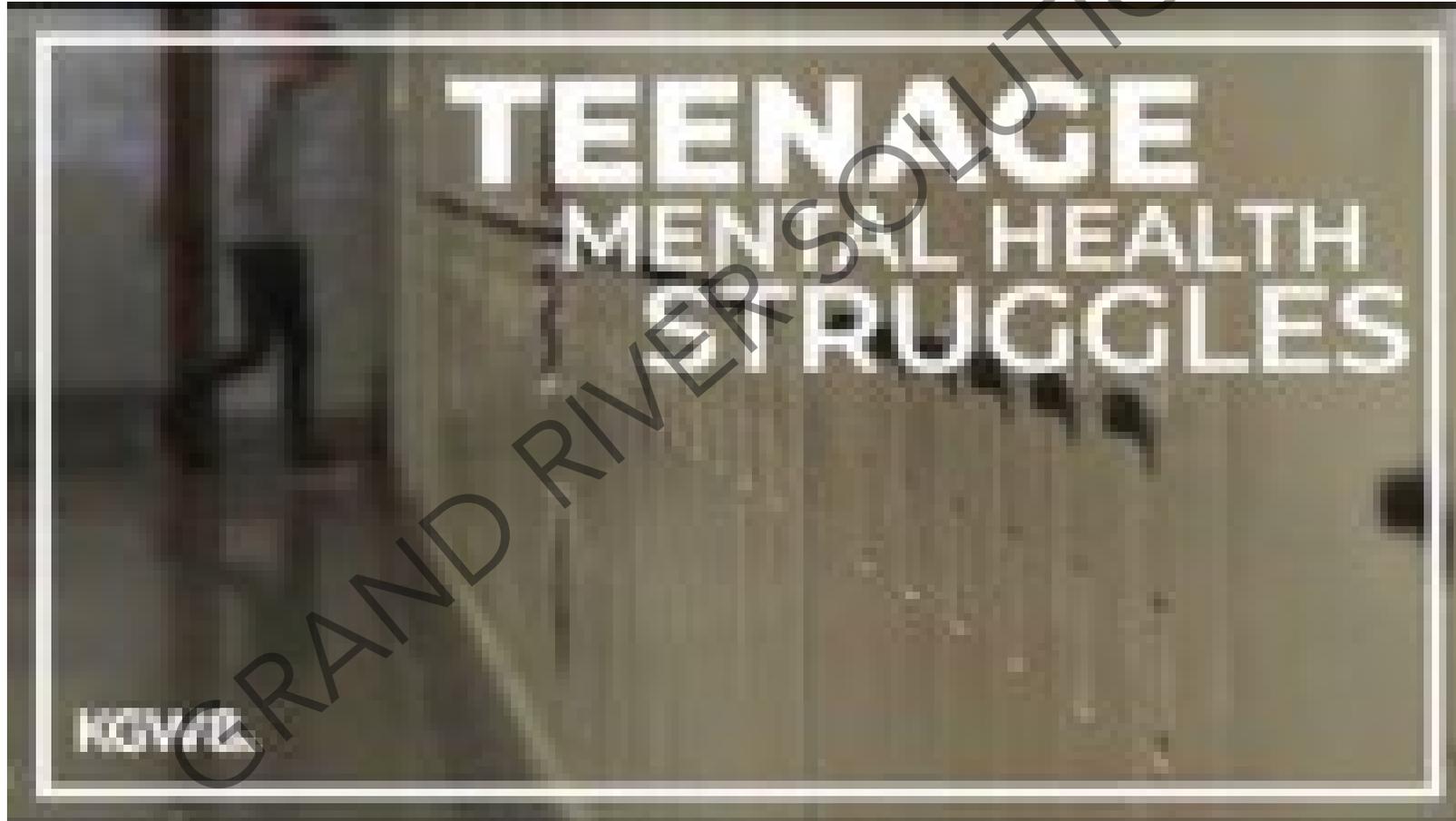
"New old  
fashioned"  
2010- 2025

Narratives and Attitude to Authority

# Societal Challenges and Trauma



# Effects of the Pandemic



# Trauma is Defined as:

An experience in which a person's internal resources are not adequate to cope with external stressors

Trauma can be experienced as physical or emotional harm or threat, and can stem from a single event, or a series of events or circumstances

Reactions to a traumatic event can be short term, or can result in prolonged and complex reactions

# The Unspoken Presentation of Trauma

- Lack of hopefulness
- Perceived helplessness
- Negative self-image
- Avoidance
- Lack of trust/security in relationships
- Skepticism or suspicion of kindness
- Isolation or withdrawal
- Guilt and shame
- Pervasive fear
- Suicidality and self-harming behaviors



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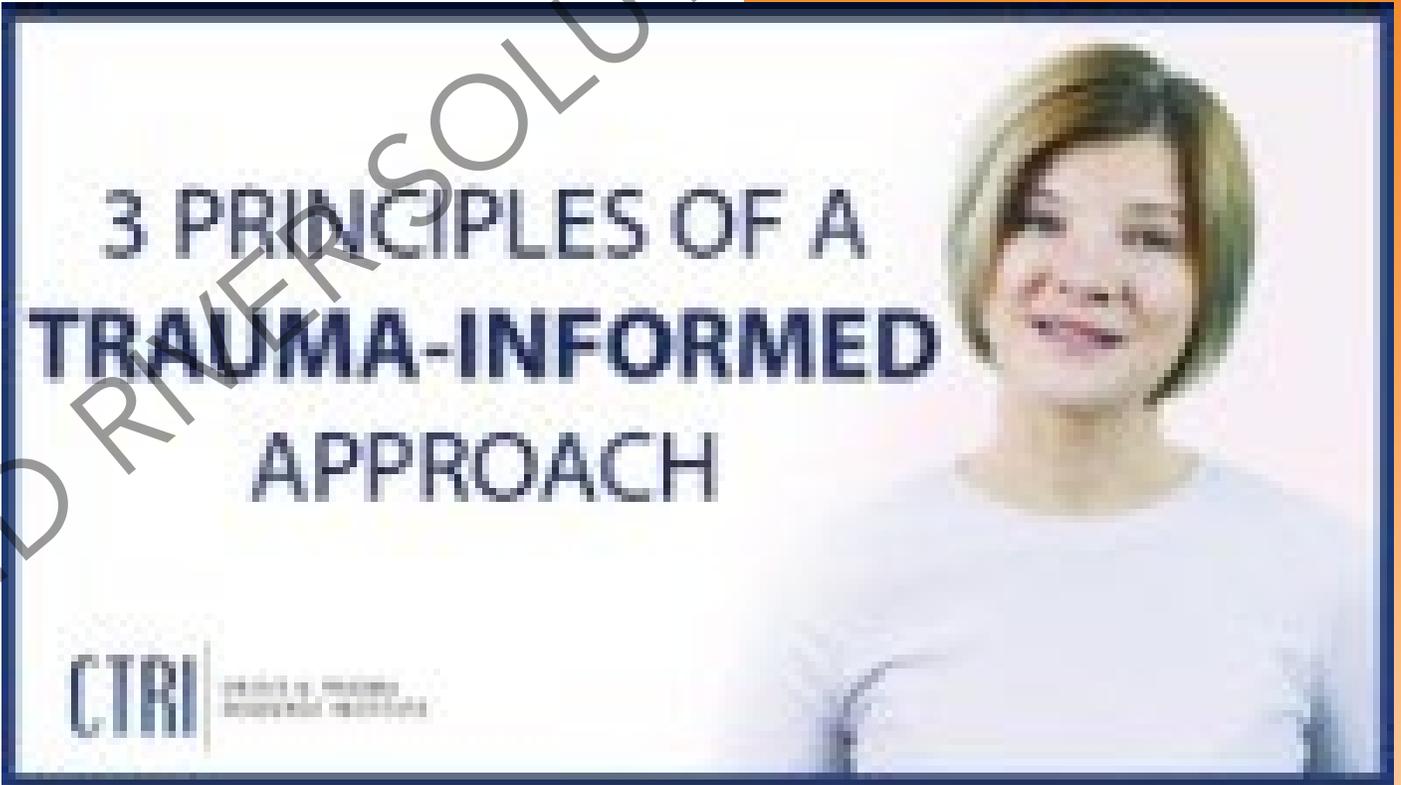


NEW  
PARADIGM  
AHEAD

# Trauma-Informed Education Shifting our Paradigm

- ✧ To be trauma-informed is to understand the ways in which violence, victimization, and other traumatic experiences have affected the lives of the individuals involved
- ✧ That understanding informs the design of systems and services in order to accommodate survivors' needs and to remove barriers to learning
- ✧ A TI approach is strengths base, person-centered and solution-focused

# 3 Principles of a Trauma-Informed Approach



# Trauma Informed Professionals

1. Resist making assumptions and are curious about student's behavior
2. Views behaviors as regulated/dysregulated rather than good/bad
3. Are mindful that trauma can drive suspicion and mistrust of authority figures
4. Uses relationship to build rapport and communicate empathy
5. Are careful to engage a student in collaborative problem solving
6. Are sensitive to language or behavior that embarrasses, confronts, demeans or shames a student
7. Balances empathy with healthy emotional boundaries

# Six Core Values of a Trauma-Informed Approach

Safety

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Trustworthiness and Transparency

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Choice and Control

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Collaboration

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Empowerment

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Cultural, Historical and Gender Sensitivity

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# Safety

- The physical setting provided is safe, and the interpersonal interactions further promote that sense of safety
  - How is this communicated in your classroom or service area?
  - How is safety demonstrated for students?

# Trustworthiness and Transparency

- The organization's operations and decisions are made based on trust and transparency. The trust of individuals served is built and consistently maintained.
  - Are specific goals and objectives made clear?
  - How can you solicit feedback to ensure clarity?

# Peer Support

- Peer support is a key vehicle for establishing safety, building trust, enhancing collaboration, and utilizing lived experience to promote recovery and healing.
  - How can you model positive peer engagement?
  - What are some things that you can do to encourage positive peer engagement among students?

# Collaboration and Mutuality

- The effectiveness of mutual decision making and sharing of power is harnessed. This concept highlights the role everyone in an organization plays in providing trauma-informed care.
  - How can you teach/model this concept to students?
  - What are some things you can do right away?

# Empowerment and Choice

- A focus on recognizing, empowering, and building upon the strengths and experiences of trauma-impacted individual
  - Imagine a student that has been impacted by trauma. What will you do to make them feel empowered?
  - What strengths have you identified?
  - What experiences will you build upon?

# Cultural, Historical, and Gender Issues

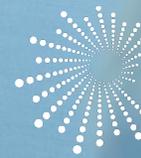
- The organization makes an effort to move past cultural stereotypes and biases; utilizing policies, protocols, and processes that respond to the racial, ethnic, and cultural needs of their community.
  - Have you looked at your data?
  - Have you disaggregated the data?
  - What identities are represented in your data?
  - Engage your community, allow the community to identify their needs and desired support.

# Intersectionality and Why it Matters



# Break-Out Groups

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# Case Study # 1

Frieda and Wilma attended the same high school and have known each other since eighth grade. They met in Mrs. North's class just after Frieda and her family moved from Honduras. Frieda and Wilma have been inseparable ever since. Frieda and Wilma would play tag and hide-and-seek on the playground during recess, always being on the same team! In eleventh grade, Frieda and Wilma began to have feelings for each other that extended beyond friendship. Frieda really liked Wilma and Wilma really liked Frieda. They shared their first kiss at the prom and were excited to attend the same college in the fall. From that moment, they casually "dated". The whole school knew Frieda and Wilma liked each other and considered them #RelationshipGoals. That is, until they broke up after Frieda shared a long hug and their lunch with Betty. Wilma noticed Betty had been eyeing Frieda at Freshman Orientation. One day, Betty gave her backpack to Frieda to hold as she tied her shoe. The next day, Frieda was caught looking at Betty when Wilma was talking to them. Wilma knew it was over.

Wilma was incredibly hurt. In the hallway outside of the art class, Wilma told Frieda, "We are done. You will get what you deserve." and left to eat lunch with her friends. No more than 15 minutes later, the dining hall was abuzz as students held their cell phones. The room filled with gasps and laughter. It looked as if someone sent a photo of Frieda's naked body to the class text thread.

Frieda looked at their phone and ran out of the cafeteria, and into the bathroom. They were shocked. They had no idea who did it but could only assume Wilma since they sent this photo to her a month prior. They texted Wilma saying, "Why??" and she stated, "Why what?" Wilma then added, "How do you know it was me? I'm sure you sent that to Betty as well." Frieda never reports the incident, due to all the commotion in the dining hall, the Dean of Students learned about the text message from other students.

# Reminder Title IX Requires the Schools to:

1. Stop the harassment
2. Prevent the reoccurrence of the harassment
3. Remedy the effects of the harassment



# Questions:

- How will you stop the reported Harassment?
- What will you do to prevent this from happening again?
- What actions will be taken to remedy the effects of this harassment?
- What is the potential policy violation(s)?
- How would your school address these concerns?
- What are some DEI Considerations ?
- What intersecting identities might these parties hold?
- Any bias or knowledge gaps come up for you?
- What procedural considerations (if any) should be made?

# DEI Considerations for Case Study #1

## For the Facilitator:

- Create a safe neutral space to balance the power imbalance that may exist for the student and/or family
- Confer with appropriate offices to identify Individuals with Disabilities Education Act (IDEA), Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation
- Act Be mindful of your own bias and any privilege you may hold in the space.
- When speaking with both parties, share your preferred pronouns and ask each of them how they would like to be addressed.
- Don't ask either party to share intimate details about her relationship unless it's relevant to the reported incident.
- Remember to use a trauma informed approach when addressing the reported incident
- Don't make any assumptions. Allow the parties to tell their own stories

## For the Parties:

- Honor both parties privacy (as much as possible) and follow their lead regarding disclosures to others.
- Ensure appropriate accommodations are provided to parties prior to any meeting(s)
- Ask each party how's they would like to receive information about the formal administrative process?
  - Information must be provided in an accessible format for students with disabilities
  - Consider English may be a second language for either party or their family.
  - Consider providing an interpreter for students or their family
  - Consider that student's may be "out" at school and not in their community outside of school

# Examining your Title IX process through a Diverse and Intentionally Inclusive (DII) Lens

## Final Reminders



# DEI Common Missteps and Omissions

- Gendering parties in written language
- Failing to provide policy and resource information in accessible formats
- Providing equitable supportive measures for complainant and not the respondent
- Not defining discrimination with consideration for protected classes
- Not defining protected classes
- Not providing support when language is a barrier
- Not considering any imbalance of legal representation – note what the school does or does not do.
- Not considering language barriers for the most prominent two languages spoken
- Campus and community resources for support
- Do not provide sanctions prescribed to avoid bias for vulnerable populations
- Assign sanctions that are primarily punitive and not educational
- Do not conduct annual program assessments needed to determine
  - Parties with Identities that may be over or underrepresented in your Title IX process
  - Identify intersectionality of representation in your process
  - Accessibility process, resources, and services
  - Survey climate and identify themes for primary prevention and risk reduction education



# Diverse Equitable Intentionally Inclusive Policies

- Draft policies and procedures that are explicit regarding DEI support for vulnerable student populations including but not limited to LGBTQIA+, pregnant, parenting, immigrant, refugee, students with disabilities, etc. (Statements, websites (keywords/tags on websites, links to DEI resources at school and in community)
- Remove all gender specific language
- Specifically address students with disabilities as a demographic in their sexual violence prevention policy
- Provide crisis policies and procedures on how to provide sexual assault/IPV related services to students with sensory disabilities especially deaf or hard of hearing students so that students receive services within 24 hours
- Define what is meant by protected classes
- Define discrimination with consideration for protected classes
- Consider and address imbalances of legal representation for both parties

# Diverse Equitable Intentionally Inclusive Programs

- Create and foster a culture of reporting within your community
- Provides age-appropriate primary prevention education that addresses risk and protective factors
- Regularly assess what identities might be overwhelmingly represented in your process?
- Statements, websites (keywords/tags on websites, links to DEI resources at school and in community)
- Assessment of reports after to identify gaps in the administrative process
- IPEDS data for complainants, respondents, years in school, Socio Economic Status, etc to determine annual focused communications, education, and training
- Ensure that sexual assault information (i.e., Flyers, posters, websites) are accessible to students with visual disabilities, learning disabilities, and cognitive deficits
- Provide training and education for staff regarding explicit DEI support for vulnerable student populations including but not limited to LGBTQIA+, pregnant, parenting, immigrant, refugee, students with disabilities, etc.
- Conduct regular climate surveys, disaggregate data, believe the data, and provide culturally relevant primary prevention education and training for the whole community

# Diverse Equitable Intentionally Inclusive Procedures

- Provide access to emergency interpreter services or other communication methods (i.e., Communication Access Real Time Translation) so that students can immediately communicate with staff
- Ensure that students can access sexual assault reporting or connecting with crisis counseling or other support through various modes of communication (i.e., online, text messages, or phone).
- Provides policies offered in multiple languages
- Ensures transparent and accessible policy information for your process to students and families
- Provide multiple modalities for reading and understanding your policies and administrative procedures
- Provide explicit DEI support and resources for vulnerable student populations including but not limited to LGBTQIA+, pregnant, parenting, immigrant, refugee, students with disabilities, etc.

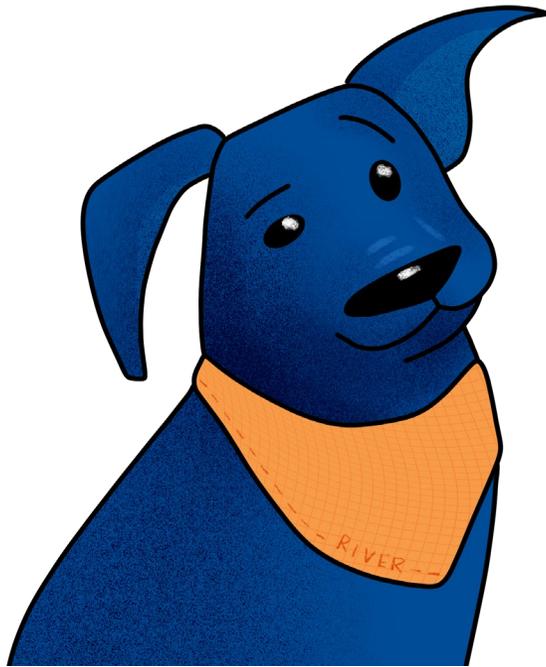
# Final Thoughts...



**Diversity**  
**Inclusion**  
**Equity**  
**Belonging**  
**Justice**

***Representation***  
***Behavior***  
***Systems***  
***Feelings***  
***Results***

# Questions?



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