



CITY OF SIGNAL HILL

2175 Cherry Avenue • Signal Hill, California 90755-3799

THE CITY OF SIGNAL HILL
WELCOMES YOU TO A REGULAR
DIVERSITY COALITION COMMITTEE MEETING
March 03, 2025

The City of Signal Hill appreciates your attendance. Citizen interest provides the Diversity Coalition Committee with valuable information regarding issues of the community. Meetings are held the first Monday of each month. Meetings will commence at 6:00 p.m. There is a public comment period at the beginning of the regular meeting, as well as the opportunity to comment on each agenda item as it arises. Any meeting may be adjourned to a time and place stated in the order of adjournment.

The agenda is posted 72 hours prior to each meeting on the City's website and outside of City Hall and is available at each meeting. The agenda and related reports are available for review online at www.cityofsignalhill.org.

During the meeting, City staff presents agenda items for Committee consideration. The public is allowed to address the Committee on all agenda items. The agenda items may be taken out of order; staff will announce when the period for public comment is open on each agenda item. The public may speak to the Committee on items that are not listed on the agenda. This public comment period will be held at the beginning of the public portion of the meeting. Please direct your comments or questions to City staff.

To participate:

- In-person Participation: Signal Hill Public Library, 1800 E. Hill Street, Signal Hill, California.
- To make a general public comment or comment on a specific agenda item, you may also submit your comment, limited to 250 words or less, to cityclerk@cityofsignalhill.org no later than 4:00 p.m. on Monday, March 3, 2025. Written comments will be provided electronically to the Diversity Coalition Committee and attached to the meeting minutes. Written comments will not be read into the record.

Diversity Coalition Committee Members receive no compensation.

(1) **CALL TO ORDER – 6:00 P.M.**

(2) **ROLL CALL**

Committee Members:

Jennifer Arzate
Samona Caldwell
Kerry Castillo
Pam Dutch-Hughes
Mary Gonzales
Richard Harris
Harshan Jeyakumar
Charsima Justis
Gege Lopez
Diana Phillips
Lupe Reyes
Todd Sahara
Lisa Wong

(3) PLEDGE OF ALLEGIANCE**(4) PUBLIC BUSINESS FROM THE FLOOR ON ITEMS NOT LISTED ON THIS AGENDA****(5) CITY UPDATE**

Staff update on items addressed during the previous meeting.

(6) DISCUSSION ITEM(S)

a. DCC SUBCOMMITTEES UPDATES

Summary:

In August 2020, the City initiated a recruitment process for members of the Diversity Coalition Committee (DCC). The DCC was established with three primary objectives, which were recently reviewed and approved by its members: (1) Educate and Celebrate; (2) Engage with Underserved and Underrepresented Communities; and (3) Advise the City Council and Staff on Opportunities for Continuous Improvement. The subcommittees will now provide updates on their progress:

Subcommittees:Educate and Celebrate

1. Jennifer Arzate
2. Gege Lopez
3. Charisma Justis
4. Lisa Wong

Outreach to Underserved and Unrepresented Groups

1. Kerry Castillo
2. Mary Gonzales
3. Diana Phillips
4. Lisa Wong

Advise City Council and Staff on Opportunities for Continuous Improvement

1. Samona Caldwell
2. Pam Dutch Hughes
3. Mary Gonzales
4. Richard Harris
5. Harshan Jeyakumar
6. Lupe Reyes

With the newly formed subcommittees and revised work plan, the DCC will continue discussion of the work plan items. One of the main goals for the DCC is to begin creating a priority list of work items through June 30, 2024.

Recommendation:

Staff recommends the DCC:

- 1.) Discuss the next planned subcommittee meetings.
- 2.) Regularly update the work plan progress.

b. **DCC STRATEGIC FRAMEWORK AND WORK PLAN DISCUSSIONS**

Summary:

The DCC approved the initial work plan on October 7, 2024 (Attachment A). The key proposed changes are highlighted in the attached. With the newly formed subcommittees, the DCC will continue discussion of the work plan items. One of the goals for the DCC is to begin creating a priority list of work items through June 30, 2024, and to discuss a date to present the progress status of the Work Plan to City Council.

Recommendation:

Staff recommends the DCC:

- 1.) Discuss next steps for the work plan Implementation.
- 2.) Discuss a proposed date to present the DCC's progress on the work plan to the City Council.

Attachments:

- A. Final Work Plan

(7) **CONSENT CALENDAR**

The following Consent Calendar items are expected to be routine and non-controversial. Items will be acted upon by the Committee at one time without discussion. Any item may be removed by a Committee or member of the audience for discussion.

a. **APPROVAL OF MEETING MINUTES**

Summary:

Review the Regular Meeting minutes of February 3, 2025.

Strategic Plan Goal(s):

Goal No. 5. High-Functioning Government: Strengthen internal communication, recruitment, retention, systems, and processes to increase the effectiveness and efficiency of City services.

Recommendation:

Approve the meeting minutes.

Attachments:

- A. February 3, 2025 Minutes
- b. IN THE NEWS

Summary:

Articles compiled by staff that may be of interest to the Diversity Coalition Committee (Attachment A).

Recommendation:

Receive and file.

(8) COMMITTEE NEW BUSINESS

(9) ADJOURNMENT

Tonight’s meeting will be adjourned to the next regular meeting of the Diversity Coalition Committee to be held on Monday, April 7, 2025 at 6:00 p.m., in the Signal Hill Public Library, 1800 E. Hill Street, Signal Hill, CA 90755.

CITIZEN PARTICIPATION

If you need special assistance beyond what is normally provided to participate in meetings, the City will attempt to accommodate you in every reasonable manner. Please call the City Clerk’s office at (562) 989-7305 at least 48 hours prior to the meeting to inform us of your particular needs to determine if accommodation is feasible.

AFFIDAVIT OF POSTING

I, Alfa Lopez, Assistant to the City Manager/Economic Development Manager, do hereby certify that the foregoing agenda was posted at City Hall, at the Library, at Discovery Well Park, and at Reservoir Park 72 hours in advance of this meeting.



STAFF REPORT

3/3/2025

AGENDA ITEM

TO:
DIVERSITY COALITION COMMITTEE

FROM:
YVETTE AGUILAR/ DEPUTY CITY MANAGER
DIRECTOR OF PARKS, RECREATION AND LIBRARY SERVICES

ALFA LOPEZ
ASSISTANT TO THE CITY MANAGER/ECONOMIC DEVELOPMENT MANAGER

SUBJECT:
DCC SUBCOMMITTEES UPDATES

Summary:

In August 2020, the City initiated a recruitment process for members of the Diversity Coalition Committee (DCC). The DCC was established with three primary objectives, which were recently reviewed and approved by its members: (1) Educate and Celebrate; (2) Engage with Underserved and Underrepresented Communities; and (3) Advise the City Council and Staff on Opportunities for Continuous Improvement. The subcommittees will now provide updates on their progress:

Subcommittees:

Educate and Celebrate

1. Jennifer Arzate
2. Gege Lopez
3. Charisma Justis
4. Lisa Wong

Outreach to Underserved and Unrepresented Groups

1. Kerry Castillo
2. Mary Gonzales
3. Diana Phillips
4. Lisa Wong

Advise City Council and Staff on Opportunities for Continuous Improvement

1. Samona Caldwell
2. Pam Dutch Hughes
3. Mary Gonzales
4. Richard Harris

3/3/2025

5. Harshan Jeyakumar
6. Lupe Reyes

With the newly formed subcommittees and revised work plan, the DCC will continue discussion of the work plan items. One of the main goals for the DCC is to begin creating a priority list of work items through June 30, 2024.

Recommendation:

Staff recommends the DCC:

- 1.) Discuss the next planned subcommittee meetings.
- 2.) Regularly update the work plan progress.



STAFF REPORT

3/3/2025

AGENDA ITEM

TO:
DIVERSITY COALITION COMMITTEE

FROM:
YVETTE AGUILAR/ DEPUTY CITY MANAGER
DIRECTOR OF PARKS, RECREATION AND LIBRARY SERVICES

ALFA LOPEZ
ASSISTANT TO THE CITY MANAGER/ECONOMIC DEVELOPMENT MANAGER

SUBJECT:
DCC STRATEGIC FRAMEWORK AND WORK PLAN DISCUSSIONS

Summary:

The DCC approved the initial work plan on October 7, 2024 (Attachment A). The key proposed changes are highlighted in the attached. With the newly formed subcommittees, the DCC will continue discussion of the work plan items. One of the goals for the DCC is to begin creating a priority list of work items through June 30, 2024, and to discuss a date to present the progress status of the Work Plan to City Council.

Recommendation:

Staff recommends the DCC:

- 1.) Discuss next steps for the work plan Implementation.
- 2.) Discuss a proposed date to present the DCC's progress on the work plan to the City Council.

Attachments:

- A. Final Work Plan

Work Plan 2024-2025

Diversity Coalition Committee

DCC Overview

The Diversity Coalition Committee (DCC) is excited to present a collective work plan for fiscal year 2024-2025 that focuses on fostering inclusivity, engagement, and education within our community. This comprehensive plan outlines strategic objectives designed to enhance our outreach efforts, strengthen collaboration with other diversity groups, and increase awareness of diversity-related issues. Key initiatives will include hosting a Speaker Series featuring influential voices in the realm of diversity, conducting training workshops to equip our members with essential knowledge and skills, and organizing community listening sessions to gather valuable feedback. By actively engaging with citizens through various communication channels, the DCC aims to create a more inclusive environment where all voices are heard and valued. This collective effort will not only promote cultural understanding but also empower our members to be effective resources in the community, paving the way for meaningful change and connection throughout the year.

The key proposed changes are highlighted in the attached outline. Notably, the abbreviated mission statement has been refined, and adjustments have been made to the goals. The former goal of "Education" has been revised to "To Educate and Celebrate," emphasizing both learning and recognition. The goal of "Facilitate" has been updated to "To Reach Out to Marginalized Groups," focusing on outreach and inclusion. Lastly, "Continuous Improvement" has been redefined as "To Advise Council and Staff on Opportunities for Continuous Improvement," aligning the goal with actionable advisory roles.

The proposed goals of the DCC are focused on three specific areas: Educate and Celebrate, Reach out to Marginalized Groups, and Advise City Council and Staff on Opportunities for Continuous Improvement.

1. Advise City Council and Staff on Opportunities for Continuous Improvement
2. Reach out to Marginalized Groups
3. Educate and Celebrate

2024- 2025 Work Plan

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
1. ADVISE CITY COUNCIL AND STAFF ON OPPORTUNITIES FOR CONTINUOUS IMPROVEMENT					
Advise City Council and Staff on Opportunities for Continuous Improvement	Enhance Community Relations and increase public awareness. Action Item : Host an annual Police Department Open House	Coordinate an Open House at SHPD to welcome and educate the public about general police operations.	Advise City Council and Staff on Opportunities for Continuous Improvement Sub-Committee & Staff	Annually	
Advise City Council and Staff on Opportunities for Continuous Improvement	Foster inclusivity and cultural understanding. Action Item : Plan DCC Specific Special Events	1. Host events that help promote DEI efforts, such as the Diversity Breakfast, Cultural Festival and/or Juneteenth event.	Advise City Council and Staff on Opportunities for Continuous Improvement Sub-		

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
		<ol style="list-style-type: none"> 2. Host an event, such as a mixer, that focuses on attracting business interest. 3. Identify existing opportunities for the DCC to host a booth at Parks, Recreation, and Library Services Department events. 4. Facilitate a college fair. 5. Develop a Disability Awareness Event. 	Committee & Staff		
<p>Advise City Council and Staff on Opportunities for Continuous Improvement</p>	<p>Encourage excellence and foster a culture of appreciation:</p> <p>Action Item : Develop recognition programs</p>	<ol style="list-style-type: none"> 1. Establish a program identifying businesses and individuals that are promoting diversity. 2. Establish criteria for a “Diversity Champion” 	<p>Advise City Council and Staff on Opportunities for Continuous Improvement Sub-</p>		

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
		award to recognize annual at the Diversity Breakfast.	Committee & Staff		
Advise City Council and Staff on Opportunities for Continuous Improvement	Promote open dialogue and mutual understanding: Action Item: Plan for opportunities that facilitate discussions, and sharing of similar experiences around diversity and create a safe space	Internally, discuss top 3 priorities in DEI efforts, and work to secure speakers with that background to lead those “table talks” that will be open to the public.	Advise City Council and Staff on Opportunities for Continuous Improvement Sub-Committee & Staff		
Advise City Council and Staff on Opportunities for Continuous Improvement	Enhance transparency: Action Item: Review SHPD policies and procedures to make sure they are compliant.	Bring in SHPD representative to explain policies and procedures, statutory regulations, and discuss how SHPD is held accountable for compliancy through local, state, and federal mandates.	Advise City Council and Staff on Opportunities for Continuous Improvement Sub-		Make this an internal DCC training topic.

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
			Committee & Staff		
2. REACH OUT TO MARGINALIZED GROUPS					
Reach out to Marginalized Groups	<p>Increase community engagement and participation.</p> <p>Action Item: Work with City liaisons to acquire information about upcoming events, programs, and activities to help promote and expand participation.</p>	<ol style="list-style-type: none"> 1. Promote Signal Hill Leadership Program. 2. Promote upcoming events and activities. 3. Work with City liaison to help make programs and activities more inclusive and include DCC outreach. 4. Promote scholarship and internship opportunities in the City and provide information to populations that may not have ready access 			

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
		to information and resources.			
Reach out to Marginalized Groups	Enhance community outreach and visibility. Action Item: Create stand-alone outreach opportunities and a marketing/communication plan, for the DCC to engage with the community/public.	<ol style="list-style-type: none"> 1. Reimagined park pop-ups to get more community feedback. 2. Develop a survey that allows feedback from the community to be submitted (include a QR code). 3. Develop regular communication via social media channels. 			
Reach out to Marginalized Groups	Enhance Community Relations and increase public awareness. Action Item: Host community listening session to continue police	<ol style="list-style-type: none"> 1. Listening sessions can be with PD to help reestablish trust. 			

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
	engagement with the community.				
Reach out to Marginalized Groups	Enhance representation and communication. Action Item: Identify a DCC member, to attend public meetings hosted by the City to bring report back on current projects and priorities.	Discuss ways that the DCC may be able to collaboratively work with the City liaisons to move forward new ideas for outreach.			

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
3. EDUCATE AND CELEBRATE					
Educate and Celebrate	Enhance training and educational opportunities: Action Item: Identify topics for internal DCC training to help members become a resource in the community.	1. Collaborate with local organizations and institutions to provide training programs and workshops that enhance members' understanding of community resources.			
Educate and Celebrate	Foster Collaboration: Action Item: Engage with other diversity groups/coalitions/city governments and brainstorm, discuss current matters, share information	1. Identify the groups that DCC would like to coordinate with, and specific topics. 2. Work with schools to provide DEI resources. 3. Provide educational workshops for the community to help educate them about	Sub-Committee		

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
	and practices across other communities.	available resources (paying bills, affordable housing, etc.)			
Educate and Celebrate	Promote awareness and dialogue around diversity issues. Action Item : Develop a Speaker Series for 2024-2025.	Identify topics for Speaker Series, and frequency.			
Educate and Celebrate	Enhance community engagement and information dissemination Action Item : Improve communication with citizens via various communication channels	1. Community photo collage showing diversity of SH through and “I am Signal Hill” message (library corridors, Cherry Ave.)			

Strategic Plan Goal	Strategic Plan Objective/Action	Activity Description	Assigned to:	Expected Completion Date	Status of Progress
	to ensure timely and effective outreach to all residents.	2. Update information on the City's DCC webpage.			



STAFF REPORT

3/3/2025

AGENDA ITEM

TO: DIVERSITY COALITION COMMITTEE

FROM: ALFA LOPEZ
ASSISTANT TO THE CITY MANAGER/ECONOMIC DEVELOPMENT MANAGER

SUBJECT: **APPROVAL OF MEETING MINUTES**

Summary:

Review the Regular Meeting minutes of February 3, 2025.

Strategic Plan Goal(s):

Goal No. 5. High-Functioning Government: Strengthen internal communication, recruitment, retention, systems, and processes to increase the effectiveness and efficiency of City services.

Recommendation:

Approve the meeting minutes.

Attachments:

A. February 3, 2025 Minutes

**A REGULAR MEETING OF THE CITY OF SIGNAL HILL
DIVERSITY COALITION COMMITTEE
February 3, 2025
6:00 P.M.**

A Regular Meeting of the Diversity Coalition Committee (DCC) was held in-person in the Signal Hill Public Library on January 6, 2025.

(1) CALL TO ORDER

The chair called the meeting to order at 6:00 p.m.

(2) ROLL CALL

Present:

JENNIFER ARZATE
SAMONA MICHELLE CALDWELL
KERRY CASTILLO
MARY GONZALES
RICHARD HARRIS
PAM DUTCH HUGHES
HARSHAN JEYAKUMAR
DIANA PHILLIPS
LUPE REYES
LISA WONG

Absent:

CHARISMA JUSTIS
GEGE LOPEZ
TODD SAHARA

City Representatives:

YVETTE AGUILAR, DEPUTY CITY MANAGER

ALFA LOPEZ, ASSISTANT TO THE CITY MANAGER/ECONOMIC DEVELOPMENT
MANAGER

There were no members of the public in attendance.

(3) PLEDGE OF ALLEGIANCE

(4) PUBLIC BUSINESS FROM THE FLOOR NOT LISTED ON THE AGENDA

Member Dutch Hughes introduced the idea of sharing books and other information about Ruby Bridges to commemorate Black History Month and confirming a future speaker about the topic.

Motioned - add discussion item about presenters at the next meeting. Passed

Member Gonzales introduced a discussion for a land proclamation and requested the item be added to the next agenda.

Motioned- add discussion item to discuss a land proclamation. Passed.

(5) DISCUSSION ITEMS

5a. DIVERSITY COALITION COMMITTEE MEETINGS: MEETING END TIME POLICY ADHERING TO THE SIGNAL HILL PUBLIC LIBRARY HOURS

Summary:

The Signal Hill Public Library regular operating hours for Mondays are 12:00 P.M. to 8:00 P.M. Staff recommend the Diversity Coalition Committee meetings adhere to a meeting end time policy to conclude meetings no later than 8:00 P.M. for efficiency and to align with the closing of the Library. This allows the library staff adequate time to shut down operations, secure the building, and allow the DCC to plan meetings in accordance with the two-hour window.

The DCC's cooperation is greatly appreciated to ensure that we support the Signal Hill Public Library staff in their end-of-day responsibilities. This adjustment will help maintain smooth operations and ensure compliance with the established closing procedures, as well as create an efficient use of meeting time.

Recommendation:

Approve the meeting hard-stop at 7:45 p.m.

DCC Members vote results:

Diana - Motion
Lupe – Second
All in favor

5b. DCC STRATEGIC FRAMEWORK AND WORK PLAN DISCUSSIONS

Summary:

With the newly formed subcommittees and revised work plan, the DCC will continue discussion of the work plan items. One of the priorities for the DCC is to begin creating a priority list of work items through June 30, 2024.

Recommendations:

- 1.) Determine final subcommittee assignments and revised work plan language.
 - a. Education Goal was revised to: Educate and Celebrate
 - b. Facilitate was revised to: Outreach to Underserved and Underrepresented Communities.
 - c. Continuous Improvement was revised to: Advise the City Council and Staff on Opportunities for Continuous Improvement
- 2.) Discuss, review, and adopt the DCC subcommittees.
 - a. Subcommittee meeting are open to all members, with a lead from the subcommittee.
 - b. The Subcommittee assignments are as follows:

Educate and Celebrate

1. Jennifer Arzate
2. Charisma Justis
3. Gege Lopez
4. Lisa Wong

Outreach to Underserved and Unrepresented Groups

1. Kerry Castillo
2. Mary Gonzales
3. Diana Phillips
4. Lisa Wong

Advise City Council and Staff on Opportunities for Continuous Improvement

1. Samona Caldwell
2. Pam Dutch Hughes
3. Mary Gonzales
4. Richard Harris
5. Harshan Jeyakumar
6. Lupe Reyes

- 3.) Discuss next steps for the work plan Implementation. DCC members approved the newly formed subcommittees, and the new descriptions for the DCC work plan.

Goals.

5c. REVISED DIVERSITY COALITION COMMITTEE (DCC) MEMBER PARTICIPATION GUIDELINES

Summary:

In 2021, the Diversity Coalition Committee (DCC) approved the Rules and Member Participation Guidelines. The Committee will review and consider edits to the DCC Member Participation Guidelines as proposed. Additionally, the Committee will review the introduction of a Commitment Letter for members to submit, affirming their dedication to the Committee's mission and goals.

Recommendation:

1. Add language for a record keeping process to record interest in the DCC.
2. Separate the Member Rules and Member Participation Guidelines into two documents.
3. Members approved the Commitment Letter
 - a. Approved (6)
 - b. Abstained (1)

5d. EXPLORE OPPORTUNITIES FOR THE DCC TO RESEARCH AND INTEGRATE DEI PRINCIPLES

Summary:

During the November 4, 2024 DCC meeting, the committee voted to include a New Business item to explore Diversity Equity and Inclusion (DEI) topics and identify the potential to integrate additional action items into the approved DCC Work Plan items.

Recommendations:

1. Add a new item for DEI news articles
2. Lisa Wong to prepare a draft DEI proposal for the subcommittee's review.

(6) CONSENT CALENDAR

6a. APPROVAL OF MEETING MINUTES

Review the Regular Meeting minutes of November 4, 2024, and January 6, 2025.

Recommendation: Approved

(7) COMMITTEE NEW BUSINESS

7a. **SPEAKER SERIES DISCUSSION**

Summary:

During the January 6, 2025 Diversity Coalition Committee meeting, the committee voted to include a New Business item to discuss a plan for future speaker series.

Recommendations:

1. Speaker suggested: Victoria Christopher Murray, 1990 Harlem, zoom meeting interviewing the author on March 25, 2025 at 4 P.M.
 - a) Staff to reserve room and promote listening party.
2. Member Castillo to prepare a database of speakers for future needs.
3. Member Perkins suggested we distribute certificates of appreciation for the Black History Month speakers and performers.

7b. **LAND PROCLAMATION DISCUSSION**

Summary:

During the January 6, 2025 Diversity Committee meeting, the committee voted to include a New Business item to discuss a land proclamation idea.

Recommendation:

1. This item will be presented through the subcommittee first; subcommittee to research what other cities have done,

(8) ADJOURNMENT

Staff adjourned the meeting at 7:46 P.M. to the next regular meeting of the DCC to be held on Monday, March 3, 2025, at 6:00 P.M., at the Signal Hill Public Library, Signal Hill.

APPROVED: _____
Assistant to the City Manager/Economic Development Manager



CITY OF SIGNAL HILL

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STAFF REPORT

3/3/2025

AGENDA ITEM

TO: DIVERSITY COALITION COMMITTEE

FROM: YVETTE AGUILAR/ DEPUTY CITY MANAGER
DIRECTOR OF PARKS, RECREATION AND LIBRARY SERVICES

ALFA LOPEZ ASSISTANT TO THE CITY MANAGER/ECONOMIC DEVELOPMENT
MANAGER

SUBJECT: **IN THE NEWS**

Summary:

Articles compiled by staff that may be of interest to the Diversity Coalition Committee (Attachment A).

Recommendation:

Receive and file.

In the case of *Shaw v. Town of Garner*, Plaintiff brought a wrongful termination action against Defendant Town and town officials.

First Amendment Protection for DEI Advocacy?

By James C. Kozlowski, J.D., Ph.D.

In recent years, NRPA has surveyed park and recreation leaders to gain a better understanding of their agencies' efforts surrounding diversity, equity and inclusion (DEI) practices. In the *Diversity, Equity and Inclusion in Parks and Recreation* report (tinyurl.com/yc5j6s8v), NRPA noted the following:

One challenge — and strength — within most communities is difference: in race, ethnicity, gender identity, religion, socioeconomic status, age, language, or physical or mental abilities and skills. Differences “meet” on the playground; park and recreation professionals operate at the intersection of those differences.

To address this challenge, the *Diversity, Equity and Inclusion in Parks and Recreation* report developed an inventory of park and recreation

agency DEI activities, including professional development opportunities provided to staff, and the challenges organizations face in their efforts to promote DEI practices. In addition, the report highlighted the following findings from the national survey of park and recreation leaders:

- Nearly 2 in 3 park and recreation agencies have established formal DEI activities or plan to establish them in the immediate future.
- Ninety-two percent of park

and recreation agencies offer DEI education and resources to their staff.

- Six in 7 park and recreation leaders agree that park and recreation inequity is a problem nationally.
- Agencies' DEI staff leaders include directors, senior leadership, dedicated staff, human resources employees and program staff.
- More than 9 in 10 park and recreation leaders agree that it is important to address park and recreation inequities.

Diversity and Equity Training

In the case of *Shaw v. Town of Garner*, 2024 U.S. Dist. LEXIS 164646

(W.Dist. N.C. 9/12/2024), Plaintiff brought a wrongful termination action against Defendant Town and town officials (the Town). In her lawsuit, Plaintiff claimed her advocacy for DEI training prompted her employment termination and constituted retaliation by the Town in violation of the First Amendment, as well as race and sex discrimination.

In about July 2020, to encourage a safe working environment for all of her employees, Plaintiff asked for department volunteers to help develop a Parks, Recreation and Cultural Resources (PRCR) diversity and equity training committee. The committee was comprised of department volunteers who developed the activities and materials to share with the entire department. The training sessions occurred during the time of racial unrest in the United States and during the coronavirus (COVID-19) pandemic.

Plaintiff felt the importance of preparing her department for the changing needs of serving a diverse community, particularly since the Town offered no training or opportunities for employees to discuss the changing racial dynamics taking place across the country.

At that time, protests were occurring across the country for racial equity after George Floyd's death, and new COVID-19 protocols and practices were being established, altering service delivery for park and recreation agencies across the country. Diversity and equity trainings began occurring instantly across the country in public, private and educational settings.

Plaintiff, a national leader in the park and recreation field, attended

such training sessions and believed it was important enough to share this information with department staff responsible for delivering in-person and virtual services to the general public. Plaintiff met with managers in the PRCR department to discuss their interest in conducting an equity session with department staff.

Plaintiff knew that social equity was a major pillar and focus within the park and recreation profession nationally and statewide. Plaintiff shared this with her entire department and subsequently formed a team of diverse department staff to coordinate the project. The group continued to meet to develop a session, which was sent out to staff when finalized.

Plaintiff communicated the following concern about equity in parks and recreation, which was not limited to intradepartmental matters:

Per the Diversity, Equity and Inclusion (DEI) in Parks and Recreation publication by the National Recreation and Park Association, virtually every park and recreation agency across the nation had activities and policies that promote DEI outcomes, and agencies also have established DEI practices that shape how they interact with their communities.

Accordingly, Plaintiff communicated to her employees that DEI is not only relevant to employment, but also to the community that the PRCR serves. Plaintiff was concerned for DEI on all of these levels and sought to communicate this to her staff and management.

On August 4, 2020, Plaintiff emailed information about the training to her department. The

next day, Plaintiff learned from her assistant director that discussions within PRCR had indicated some staff were uncomfortable with the equity session because "they did not want to talk about race at work."

Plaintiff then met with the assistant town manager, who indicated complaints had been received from staff of all races about the equity training session. Plaintiff was interrupted when she began to explain the equity training session and was told to "cancel the meeting." Plaintiff expressed her disappointment with the lack of trust in her and the confusion that would be created by the last-minute cancellation.

On August 6, 2020, Plaintiff shared her concern with town officials regarding the cancellation of the equity training session. In particular, Plaintiff was concerned that she "had not been notified or given an opportunity to address specific staff concerns prior to the decision being made to cancel the session." In addition, Plaintiff requested a meeting with the assistant town manager, the planning committee and staff to "discuss concerns about the training." No one responded to Plaintiff's request nor did anyone "provide any opportunity for follow-up between management or staff."

On August 18, 2020, town officials did agree to "support using a State association's training." Six days later, Plaintiff was called to a meeting with the town manager who shared that "he had received complaints from staff about PRCR department leadership." In response, the town manager told



Plaintiff he had “hired a consultant to conduct an investigation with department staff about workplace environment, policies and procedures.” Plaintiff and the town manager then “discussed the need for building staff back up and providing training on improving communication, building trust, diversity and equity.”

On October 28, 2020, the town manager met with Plaintiff and a newly hired attorney for the Town. At the meeting, the town manager terminated Plaintiff’s employment with the Town, effective immediately, on the basis of the following:

- a. Inappropriate personal conduct, demonstrated inefficiency or incompetence in the performance of her duties;
- b. Inappropriate personal conduct, discourteous treatment of the public or other employees;
- c. Inappropriate personal conduct, failure to carry out supervisory responsibilities including failure to enforce Town policies concerning cash handling and use of credit cards;
- d. Detrimental personal conduct, the functioning of the Town may be or has been impaired;
- e. Detrimental personal conduct, public confidence in government is likely to be undermined; and
- f. Detrimental personal conduct, falsification of records to grant special privilege

Plaintiff’s “proposed amended allegations state a claim” under the First Amendment, in the opinion of the federal district court.

through manipulation of performance evaluation scores.

In her lawsuit, Plaintiff sought back pay, reinstatement or front pay, liquidated and compensatory damages, as well as interest, fees and costs. On April 23, 2024, the federal district court dismissed Plaintiff’s claims for “failure to state a claim upon which relief can be granted.” In response, Plaintiff petitioned the court to allow her to amend her complaint and reconsider her claims.

First Amendment Retaliation

In the opinion of the federal district court, Plaintiff’s “proposed amended allegations state a claim” under the First Amendment. In so doing, the court referenced the following legal standards bearing on Plaintiff’s First Amendment retaliation claim:

[A] plaintiff must show that (1) she spoke as a citizen on a matter of public concern, rather than as an employee on a matter of personal interest; (2) the employee’s interest in her expression outweighed the employer’s interest in providing effective and efficient services to the public; and (3) the employee’s speech was a substantial factor in the adverse employment action.

In the proposed amended complaint, the court found Plaintiff had indeed alleged new facts “sufficient to give rise of an inference that she spoke on a matter of public concern, rather than

as an employee on a matter of personal interest.” As described by the court, Plaintiff had alleged she was “preparing her department for the changing needs of serving a diverse community, particularly since the town offered no training or opportunities for employees to discuss the changing racial dynamics taking place across the country.”

Citing “protests, occurring across the country for racial equity,” Plaintiff had further alleged that “diversity and equity trainings began occurring instantly across the country in public, private and educational settings.” Having “personally attended such training sessions,” Plaintiff had suggested sharing “this information with department staff responsible for delivering in-person and virtual services to the general public”:

She allegedly communicated to them her concerns about equity in the town and nationwide, and “that social equity was a major pillar and focus in the parks and recreation profession nationally and statewide.” She identified national publications promoting Diversity, Equity and Inclusion best practices in how agencies interact with their communities, and plaintiff allegedly communicated this to her staff and management.

The federal district court found these facts were “not alleged in the original complaint,” but gave rise in the requested amended complaint to an inference that her “speech involved a matter of public concern” that affected “the social, political, or general well-being of the community.”

As characterized by the court, Plaintiff’s allegations in the amended complaint established the plausibility that “the public or the community is likely to be truly concerned with or interested in the particular expression” by Plaintiff. Accordingly, in the opinion of the court, Plaintiff’s allegations were “not essentially a private matter between employer and employee.” In making this determination, the federal district court cited precedent from the U.S. Supreme Court which had recognized the “right to protest racial discrimination, a matter inherently of public concern, is not forfeited by an employee’s choice of a private forum.”

Having found that Plaintiff was speaking “as a citizen on a matter of public concern, rather than as an employee on a matter of personal interest,” the federal district court held Plaintiff had established the first element in her First Amendment claim in her amended complaint.

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Employee Interest in Expression

Proceeding to address the required “second element” in Plaintiff’s First Amendment claim, the federal district court then considered whether “the employee’s interest in her expression outweighed the employer’s interest in providing effective and efficient services to the public.” In so doing, the court noted “the government’s burden in justifying a particular discharge varies depending upon the nature of the employee’s expression.”

In this particular instance, the court found Plaintiff had asserted “the town terminated her” for “attempting to provide her staff with diversity and equity train-

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ing which was a matter of public concern.” In the opinion of the federal district court, Plaintiff’s complaint permitted “an inference that her interests outweighed the town’s alleged interest in terminating Plaintiff allegedly for her expressions about such diversity and equity training.”

Adverse Employment Factor

Having found that Plaintiff’s amended complaint satisfied the required second element of her First Amendment claim, the federal district court determined “the same allegations support the third element, that her speech was a substantial factor in the adverse employment action”:

Further, this third element is supported by the timing between plaintiff’s alleged communications regarding her “concerns about equity” in July 2020, her emails to the department about training in August 2020, and...cancellation of the training and commencement of an investigation into plaintiff that same month, culminating in plaintiff’s termination in October 2020.

The federal district court, therefore, held Plaintiff had “alleged facts in her proposed amended complaint” to state her First Amendment claim.

Race and Sex Discrimination

Plaintiff’s proposed amended

Plaintiff’s proposed amended complaint included new allegations to remedy the deficiencies in her race and sex discrimination claims.

complaint also included new allegations to remedy the deficiencies in her race and sex discrimination claims. In particular, in her original complaint, the federal district court noted Plaintiff had not alleged a “plausible basis for believing others were actually similarly situated and that any impropriety was comparable to the acts the plaintiff was alleged to have committed.”

In the opinion of the court, in her amended complaint, Plaintiff had alleged a reasonable basis for believing she was “similarly situated to other supervisory and management personnel” for “specific acts of impropriety” in violation of town policies allegedly violated by Plaintiff but resulted in “less severe disciplinary action.” In addition, Plaintiff alleged “other women in supervisory positions have left their employment with the town due to similar unfair treatment.”

Moreover, Plaintiff alleged “the town retained white, male and/or female employees despite allegations of similar misbehavior.”

Plaintiff’s amended complaint also included new allegations concerning retention of one white employee, despite “her ‘rude, disrespectful, inconsiderate, dismissive, and unprofessional’ interactions within Plaintiff’s department.” Similarly, Plaintiff alleged “one white male supervisory town employee used derogatory language towards black male employees,” and two other employees had

“problems with management of black male employees” while “another white male employee was confrontational” toward Plaintiff.

In addition to being “allegedly rebuffed” for her “expressions of concern regarding diversity and equity training,” Plaintiff had also claimed she felt “pressured to sign” an “affidavit to address public concerns about the Sons of Confederate Veterans and the Town’s Christmas parade.”

Based upon these new allegations in the amended complaint, the federal district court found Plaintiff had plausibly shown she “was treated differently from others who were similarly situated and that the unequal treatment was the result of discriminatory animus.”

Accordingly, the federal district court held “Plaintiff’s proposed amended complaint states a claim for race and sex discrimination under federal civil rights law.” 42 U.S.C. §§ 1981 and 1983.2.

Conclusion

The federal district court, therefore, granted Plaintiff’s request to file an amended complaint to continue to pursue her claims against Defendant Town. In so doing, the court held the allegations in the amended complaint were sufficient, if proven in further trial proceedings, to establish Plaintiff’s claims that the Town’s decision to terminate her employment was in retaliation for her advocacy of DEI training in violation of the

First Amendment as well as race and sex discrimination.

SEE ALSO: “Director Fired After Critical E-Mail,” James C. Kozlowski, Parks & Recreation, February 2008, Vol. 43, Iss. 2, tinyurl.com/yc26juad (Author’s Note: Judgment in favor of the city affirmed on appeal; see appellate opinion attached to article); “Unconstitutional Retaliation Against Employee’s Free Speech?,” James C. Kozlowski, Parks & Recreation, March 2001, Vol. 36, Iss. 3, tinyurl.com/eza8xs35.

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