

Black Girls and Womyn Matter: Using Black Feminist Thought to Examine Violence and Erasure in Education

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As students, Black girls and womyn share a collective history of marginalization and discrimination within the P-20 education system. They disproportionately experience violence in educational settings; however, they continue to be understudied. This theoretical essay presents support for using Black Feminist Thought as an analytical framework for examining legal and policy discourses that shape and inform institutional responses to campus violence towards Black undergraduate womyn at Historically White Institutions and disproportionality in disciplinary measures for Black girls. We use this framework to explore how disciplinary and legal practices disregard intersectional identities, which results in the privileging of whiteness while rendering Black girls and womyn invisible. Implications are shared based on theoretical strategies, which promote the advancement and success of girls and collegiate Black womyn.

Keywords: urban education, African American Womyn, Black Womyn, higher education, violence, intersectionality

*“We pledge ourselves to continue to speak out in defense of one another, in defense of the African American community and against those who are hostile to social justice no matter what color they are. **No one will speak for us but ourselves.**”- African American Women In Defense of Ourselves (Brown, Ransby, & King, 1999)*

Black girls and womyn as students share a collective history of discrimination and marginalization within the P-20 educational pipeline (Hines-Datiri & Andrews, 2017; Turner, 2008). Unlike their Black men and white womyn counterparts, Black girls and womyn share a unique social location in their racially gendered identity where they experience multiple types of oppression from both dominant groups and the target groups in which they are socially assigned (Collins, 2000; Harris-Perry, 2011). In recent years, Black boys have been the focal point within education discourse around disproportionate representation in school discipline as a result of zero tolerance policies within the school system (Bell, 2015), and Black men regarding issues around engagement, retention, and support at the college level (Fries-Britt & Turner, 2001; Harper, 2013). Patton, Crenshaw, Haynes, and Watson (2016) discuss the current surge of research and programs designed to support collegiate Black men. Such efforts have even garnered national attention as evidenced by the Obama administration initiating *My Brother's Keeper*, a gender-focused initiative designed to address the crisis facing male youth of color (Office of the Press Secretary, 2014).

While some researchers have exclusively focused on the educational outcomes and experiences of boys of color (Noguera, 2008), others highlight that by not focusing on the

experiences of Black boys *and* girls, we are creating an either–or binary that dehumanizes the lived experiences of Black girls and renders them vulnerable (Hines-Datiri & Andrews, 2017). This discourse around Black boys and men is often juxtaposed with the lack of discourse around Black girls and womyn. While seminal works on collegian Black womyn (Cuthbert, 1942; Fleming, 1983; Noble, 1956; Patton & Croom, 2017) and Black girls (Morris, 2017; Pratt-Clarke, 2010; Watson, 2016) have been written, more scholarship is warranted. Much of the extant literature on Black girls and womyn presents a mythologized discourse, which suggests they are “okay because they fare better than Black boys” (Patton et al., 2016, p. 194). Support for this essentialized belief about Black girls and womyn is scholarship that acknowledges that Black womyn were entering higher education in greater numbers than their Black men counterparts (McFarland et al., 2018) and positioning them as the *new model minority* (Kaba, 2008). However, in a more nuanced way to analyze such a phenomenon, Rosales & Person (2003) contend that “the myth that Black women have achieved high levels of educational and career attainment over the past twenty years may contribute to the lack of attention by colleges and universities” (p. 53). American Black womyn earned 66% of all bachelor degrees received by Black Americans in 2010 (Jones-DeWeever, 2014). Despite this statistic, Black womyn are not keeping pace with white, Latina, and Asian American womyn in baccalaureate degree attainment (Guerra, 2013). Such a disparity suggests that Black womyn’s experiences remain marginally invisible in unacknowledged ways. Recent scholarship seeks to unearth the complexities of collegiate Black womyn’s experiences given their intersecting identities. For example, Patton & Hayes (2018) highlight Black womyn’s experiences as *possibility models* in which institutions of higher education can engage in an understanding of the ways in which minoritized people of color are implicated by overlapping forms of oppression.

The dearth of research which specifically addresses the physical safety and violence enacted against Black womyn in college settings exacerbates myths associated with their success. Research studies show that Black womyn who occupy hostile campus climates experience isolation and alienation, especially at Historically White Institutions (HWIs) (Griffin, Cunningham, & Mwangi, 2016). Yet, educational scholarship exploring violence against Black womyn in college settings is inchoate and often only comparative to their white peers without nuanced recognition of relevant cultural and intersectional realities of Black womyn (Harris & Linder, 2017). Serving as an integral component of rendering visible Black girls and womyn, recent social movements such as #SayHerName and #BlackGirlsMatter have garnered national attention in light of the recurring instances of Black girls and womyn being disproportionately pushed out of school, dying at the hands of police officers, and populating the school-to-prison pipeline (Hines-Datiri & Andrews, 2017; Willingham, 2017). Research which centers the diversity of Black womyn’s experiences of violence both inside and outside of the criminal justice system is essential to understanding Black womyn’s needs (DuMonthier, Childers, & Milli, 2017). Furthermore, an analysis of the ways in which discriminatory violent practices is enacted within our criminal justice system are needed to highlight the barriers that impact the well-being of Black collegian womyn. Violence enacted on Black girls and womyn in educational contexts is not only a detriment to their physical, emotional, and psychological wellbeing but (mis)perceptions of these demographics have significant implications for the punitive treatment within educational and legal contexts. Recognizing the need to implicate not only educational systems but also law, this study serves to address a gap, which focuses on the correlation of violence between Black girls and womyn in the P-20 system.

We agree with Black womyn scholars who have noted, “Although no work is comprehensive enough to capture the entirety of Black women’s experiences as students in higher education” (Patton, Haynes, & Croom, 2017, p. 143) and girls in P-12, we seek to

illuminate systematic educational issues that remain problematic and have the potential to impact all Black girls and womyn. Of crucial importance is that our writing is not intended to essentialize Black girls and womyn's experiences since we know that these groups do not experience power and marginalization the same in educational settings. Through our theoretical analyses, we aim to expand the understanding of educational precarity for Black girls and womyn, highlight the need for policy interventions that support survivors of violence, and address institutionalized racially sexist practices endemic in educational settings. This article draws from the burgeoning body of qualitative research across disciplines on legal practices, school discipline, and violence enacted against Black girls and womyn in P-20 education. We encourage policymakers and scholars in all fields to consider transformative theoretical and conceptual lenses. By adopting these frameworks, stakeholders concerned about the educational trajectories of Black girls and womyn can serve all students holistically when they begin to imagine Black womyn as possibility models (Patton & Haynes, 2018), and draft policies needed to create inclusive educational environments. The next section will describe the theoretical frameworks employed for our analyses.

Black Feminist Thought

Black Feminist legal scholar, Kimberlé Crenshaw (1995), maintains that womyn of color experience inextricable levels of racially gendered violence because of policies that neglect to take their intersectional identities into account. For P-20 administrators and educators to support, retain, and improve the unique experiences of Black girls and womyn, understanding the racially gendered realities of their experiences are imperative. To address this necessity, Black Feminist Thought (BFT), namely one of its core tenets, Intersectionality, along with Jurisprudence of Resistance, are the theoretical frameworks in which our work is grounded (Alexander-Floyd, 2010; Collins, 1990).

Black Feminist Theory, Intersectionality, and Jurisprudence of Resistance

BFT provides a critical theoretical lens through which to effectively examine the experiences of Black girls and womyn in various educational settings. BFT scholar Patricia Hill Collins' (1990, 2002) discussion of the framework suggests that Black womyn have occupied marginal positions in academic settings for an extended period. This type of marginality is viewed as the *outsider within* status, which describes social locations or border spaces occupied by groups of unequal power. Furthermore, BFT offers a way of transcending group-specific politics that is based in Black womyn epistemology. In one of her seminal conceptions, Crenshaw (1991) identifies three aspects of intersectionality that contribute to the oppression of womyn of color, and more specifically, violence enacted against them: structural intersectionality, political intersectionality, and representational intersectionality. Structural intersectionality refers to how multiple social systems (such as class, race and gender) intersect to shape the experiences of, and sometimes oppress, individuals (Crenshaw, 1991). With respect to violence against womyn, structural intersectionality provides a frame for understanding challenges marginalized groups face while accessing resources within social service agencies, and in dealing with the criminal justice system. Political intersectionality refers to those individuals who are situated within at least two subordinated groups that frequently pursue conflicting political agendas (Crenshaw, 1991). Specifically, in the context of violence against womyn, shortcomings within the legal system, policy development for survivors of violence, and biases associated with penalties for perpetrators of violence can all be examined through political intersectionality. Finally, representational intersectionality delves into the cultural construction of Black womyn (Crenshaw, 1991). Specifically, this aspect deals with how

societal portrayals of womyn of color can obscure their actual, real life experiences. An analysis of representational intersectionality “would include both the ways in which these images are produced through a confluence of prevalent narratives of race and gender, as well as a recognition of how contemporary critiques of racist and sexist representation marginalize women of color” (p. 1283). For example, Collins (1986) highlights this notion of controlling images for Black womyn. She describes these stereotypes as “the sexually promiscuous black woman, the over-sexed-black-Jezebel, the mammy, the welfare cheat, and the overachieving black woman who emasculates the black males in her life” (p. 106). Such (mis)perceptions of Black womyn can negatively influence their racially gendered experiences in P-20 educational settings. In the context of violence against Black womyn, controlling images through representational intersectionality “lead to the assumption that violence is cultural, gender oppression is normal or acceptable in particular communities, or that violence is acceptable in communities that deviate from the heterosexual norm” (Mason, 2010, p. 11). For the purposes of these analyses, BFT and Intersectionality both operate well as frameworks to address issues with Black girls and undergraduate college womyn by highlighting the power structures that exist within educational institutions.

In intellectual and activist solidarity with BFT legal scholars, the authors agree and also advance the argument that Black womyn legal thinkers have created approaches and solutions to problems that extend the traditional canon of law to address historically marginalized and minoritized citizens’ societal ills (Alexander-Floyd, 2010; Harris, 1992). This transformative legal approach is described as a “jurisprudence of resistance” (Alexander-Floyd, 2010) which in action, provides a nuanced way to analyze legal issues and develop intersectionalized inclusive policies. For our analyses, a jurisprudence of resistance is a centering project of Black womyn and other womyn of color. It is also a liberatory one that commands intellectual space to problematize the ways in which higher education institutions and legal actors frame and make (non)sense of collegiate Black womyn’s realities. Adopting these lenses further supports the argument that Black girls and womyn are systematically erased within educational contexts. The next section provides an overview of the most recent literature examining discipline, violence, and controlling images of Black girls and womyn in educational settings.

School Discipline and Violence against Black Girls in Education

Research outlining the varying types of violence against Black womyn is demonstrative of the persisting historical legacies of harm and inhumane treatment of them. Against the backdrop of violence on womyn in college settings is an interrelated and extensive body of research on the disciplining of Black girls in P-12 education. The ways in which Black girls have experienced violence, arrest, suspension and expulsion have been well documented within the literature (Hines-Datiri & Andrews, 2017; Morris, 2016). Examples are noted by Crenshaw, Ocen, and Nanda (2015):

In 2006, a 6-year-old was taken away from school to juvenile jail in a police car after kicking a teacher’s aide in the ankle. In 2013, a 16-year-old girl in Alabama suffering from diabetes, asthma, and sleep apnea was hit with a book by her teacher after she fell asleep in class. Also in 2013, a 12-year-old girl was threatened with expulsion from an Orlando private school unless she changed the look of her natural hair. (p. 4)

These horrendous acts of violence against Black girls in educational settings are reflective of the problematic ways in which their humanity and adolescence escape the white imagination. Black girls are constructed as angry adult Black womyn in need of harsh correction. Their behavior is

not viewed as requiring patience and non-violent recourse that is an automatic reaction to their white peers' emotional outbursts.

Hines-Datiri and Andrews (2017) argue that while this mistreatment of Black girls is occurring throughout the U.S., Black womyn are more vulnerable and their cases are more prominent in urban communities. Data suggests that issues of poverty found in urban communities exacerbate stereotypes about Black femininity, and oppressive living conditions, which inevitably have negative consequences on the educational experiences of Black girls and womyn. Statistics support these arguments in alarming ways. For example, between 2009 and 2010, Black girls represented 17 percent of female students, but were 31 percent of girls referred to law enforcement and 43 percent of girls subjected to a school-related arrest (DuMonthier, Childers, & Milli, 2017). Additionally, in the policy brief entitled, *Black Girls Matter: Pushed Out, Overpoliced, and Underprotected*, Black girls face greater risks of suspension and expulsion than Black boys and their non-Black peers (Crenshaw, Ocen, & Nanda, 2015). Similarly, while 12 percent of Black girls were subjected to exclusionary suspensions, only 2 percent of white females received the same consequence. Furthermore, research conducted by Smith and Harper (2015) reveal that between 2011 and 2012, Black girls represented 45 percent of girls suspended across southern states and 42 percent of girls expelled from K-12 public schools nationally. Racial disparities in school discipline are prevalent throughout the education system and such disproportion in expulsions have long-term negative effects on these girls' educational outcomes (Crenshaw, Ocen, & Nanda, 2015; Smith & Harper, 2015). The statistics outlined above depict structural intersectionality in that multiple social systems for these young Black girls within educational institutions continue to shape their experiences. Higher education does not provide much solace. In fact, with respect to collegiate admittance among Black womyn who do enter, they continue to face barriers to success due to widespread systematic racist sexism on college campuses (Hughes & Howard-Hamilton, 2003). By centering racially gendered disparities through punitive policies in P-16 education for Black girls, we are able to more accurately assess the challenges to equitable and fair opportunities for Black womyn in college settings. In the next section, we will operationalize BFT and provide examples of representational intersectionality through controlling images of Black girls and womyn in education.

Controlling Images of Black Girls and Womyn in Education

Research suggests that more severe punishments for Black girls can be attributed to stereotypes and racially gendered biases of school administrators. According to Smith-Evans et al (2014), Black girls are perceived to be louder or more disruptive compared with their peers and subsequently are more likely to be reprimanded for talking back to teachers than other groups of girls. Such practices also contribute to their criminalization. In their study of 196 Black womyn, Shorter-Gooden (2004) explored how participants managed stress resulting from racialized sexism. Findings from this study revealed that Black womyn encounter various forms of interrelated sexism and racism such as receiving racial insults, sexual harassment, and stereotypes. Scholars have attributed gendered racial stereotypes as challenges for Black womyn based on preconceived notions (Collins, 2000; Howard-Vital, 1989). One compelling study, which confirms the detrimental impact of stereotyping, was conveyed through Donovan's (2011) study of 109 white college students. The findings in this study revealed that participants viewed Black womyn as tough, loud, angry, and domineering. Black womyn were also described as insensitive, talkative and less educated as compared with white womyn. These sentiments about Black womyn have historical ties specifically the ways in which Black womynhood was

denigrated through enslavement and has yet to be altered (hooks, 1981). The stereotypical belief that Black womyn are mean and angry derives from Sapphire images:

As Sapphire, black women were [are] depicted as evil, treacherous, bitchy, stubborn, and hateful...The Sapphire image had as its base one of the oldest negative stereotypes of woman—the image of the female as inherently evil. Christian mythology depicted woman as the source of sin and evil; racist-sexist mythology simply designated black women the epitome of female evil and sinfulness. White men could justify their dehumanization and sexual exploitation of black women by arguing that they possessed inherent evil demonic qualities. Black men could claim that they could not get along with black women because they were so evil. And white women could use the image of the evil sinful black woman to emphasize their own innocence and purity. (p. 85)

The implicit biases against Black girls have also been well documented through attempts to *adultify* them erroneously. For example, according to research conducted by the Georgetown Law Center on Poverty and Inequality, Black girls are perceived as less innocent and more adult-like in comparison to their white peers between the ages of five to fourteen (Epstein, Blake, & González, 2017). The authors use the term *adultification* to generally describe a phenomenon which, despite established foundational moral and legal principles that protect children, effectively removes and reduces the consideration of childhood as a mediating factor in Black youths' behavior. Furthermore, the report references *adultification* as “a possible causal connection with negative outcomes across a diverse range of public systems, including education, juvenile justice, and child welfare” (Epstein, Blake, & González, 2017, p. 1). Participants in this study, who were predominantly white womyn, also viewed Black girls as more knowledgeable about adult and sexual topics, needing less protection and nurturing, and more independent. Data from the report highlight the ways in which stereotypes undergirding the interpretation of Black girls' behavior align with controlling images of Black womyn. For example, the (mis)interpretation of Black girls' outspokenness could be attributed to the Sapphire stereotype of Black womyn being dominating and aggressive. Additionally, the authors highlight differences with respect to the physical development of Black and white girls through puberty, in which Black girls can be (mis)perceived as older. Epstein, Blake, & González (2017) argue that this “aspect of adultification for Black girls lies in culturally rooted fantasies of Black girls' sexualization...[in which] society's attribution of sex as part of the 'natural' role of Black women and girls” results in a hypersexualized stereotype of Black girls” (p. 5). Perceptions of young Black girls' behavior as described by the abovementioned controlling images are challenged by traditional views of white femininity and make them a threat; robbing them of their innocence and contributing to their erasure.

Beyond the P-12 educational context, enduring stereotypes about Black womyn's sexuality and controlling images, such as the Jezebel, are also prevalent in college settings. Collins (1990) maintains that the image of Jezebel originated under slavery through elite white male images of Black womynhood. Such an image maintains that Black womyn are sexually promiscuous and further complicates collegiate Black womyn's educational experiences by adding challenges of dealing with sexual assault and harassment. For example, on-campus sexual assault incidents continue to be a pervasive issue for Black womyn. While college womyn between the ages of 18-24 are three times as likely as all womyn to experience sexual violence, Black womyn experience relationship violence at a rate 35% higher than their white womyn peers (Acker, 2017). Alarming and stymying to sexual violence reporting, the Jezebel stereotype has been found to influence perceptions of rape survivors (West, 2008). Additionally, researchers

on campus rape of Black womyn have contended that “racial history and rape myths thus make African American women more vulnerable to forced sexual encounters while simultaneously making accusations of rape more difficult for them” (Foley, Evanic, Karnik, King, & Parks, 1995, p. 15). As noted by West (2008), Black womyn survivors reported having internalized beliefs consistent with the Jezebel image, which led to their own victim blaming. If educational stakeholders begin to acknowledge the impermeable influence of such images on the physical and mental health of Black womyn survivors, only then can we begin to address barriers to reporting the sexual violence exacted against them. The next section contextualizes the framework we employ regarding the role law has served with respect to Black collegiate womyn’s erasure.

Law’s Role in the Disposability and Invisibility of Collegiate Black Womyn

“...if there is an ambitious girl with pluck and brain to take the higher education, encourage her to make the most of it”.- Anna J. Cooper, Black woman scholar activist, (1892)

In her seminal work, *A Voice from the South*, Anna J. Cooper, one of the first three Black womyn in the U.S. to earn a doctorate degree, urged Black womyn to pursue education as a tool for combating the hegemonic racialized sexism of society. Cooper’s scholarship, deemed “a revelatory work of intersectional analysis” (Neary, 2016, p. iii), continues to inform the identification of challenges that persistently plague undergraduate Black womyn in their pursuit of baccalaureate degrees. Upon entry into an institution of higher education in the 21st century, Black womyn are not immune to the racially gendered discrimination experienced by their foremothers. Specifically, unsolved missing persons reports and racially gendered hate acts have not received adequate legal or institutional analysis. Inspired by the work of Hull, Scott, and Smith (1982), Crenshaw (1989) explored the ways in which a single-axis framework of analysis predicated on either race or gender “erases Black women in the conceptualization, identification and remediation of race and sex discrimination by limiting inquiry to the experiences of otherwise-privileged members of the group” (p. 57). In the next section, we couple BFT with a jurisprudence of resistance to illuminate the ways in which legal analyses disconnected from historical, social, and political realities of collegiate Black womyn perpetuates their erasure and expendability within post-secondary education communities.

Invisible and Disposable: Missing Undergraduate Black Womyn

A jurisprudence of resistance approach was demonstrated by Patton and Ward (2017) in their Critical Race Feminist (CRF) exploration of the ways in which the politics of disposability is demonstrated when undergraduate Black womyn are reported missing on college campuses. Similar to BFT, CRF centers the “roles, experiences, and narratives of women of color” (Pratt-Clarke, 2010, p. 24) when analyzing societal systems and institutions, including law. Narrowly focused legal procedures coupled with limited to no media coverage and negative narratives around Black womyn give credence to the dominance of the Missing White Woman syndrome (MWWS) (Liebler, 2010). Patton and Ward (2017) discovered during a Google search of “missing college women” numerous photos and major publication articles of white, attractive womyn only and limited content with “missing Black college women” as the prompt. This stark, contrasting revelation along with analyzing the framing of the stories around missing collegiate white and Black womyn highlighted the ways in which Black womyn are disposable. Ultimately, Black womyn’s discarded status can be traced back to “historical, political, educational, cultural, and social systems and structures that regardless of circumstances either locate Black women at the bottom, position them on the margins, or dispose of them altogether” (p. 334). In the next

section, we use a BFT jurisprudence of resistance to analyze two undergraduate Black womyn's experiences with law and higher education policies. Through our analyses, we illustrate how the absence of an intersectional perspective resulted in a lack of understanding of Black womyns' racially gendered identities. While centering Black womyn's experiences in relation to the hegemony of white life value and white privilege in these cases, we call attention to law's continuous role of relegating Black womyn to second-class citizen status and flawed institutional policies.

Tyler's Tribulations

On December 3, 2010 Tyler Thomas, an undergraduate Black woman attending Peru State College (PSC) disappeared. A security camera captured the last sighting of Thomas at 1:30 am leaving an off-campus party headed towards her residence hall. Joshua Keadle, a 29 year-old white man and PSC student, was questioned by the police regarding Thomas. He initially denied being alone with her on December 3rd and avoided answering additional questions until several days later when he admitted to picking Thomas up and driving her to a remote area (Hammel, 2017). Three years after Thomas went missing, she was declared deceased without a conclusive determination of her status. In the interim, two complaints were lodged against Keadle, one in 2010 and the other in 2012. In 2010, an 18-year-old white woman enrolled at PSC reported that Keadle took her to the same remote area as Thomas where he threatened to throw her in the Missouri River if she did not perform a sex act. Keadle was charged with several felonies that were eventually dropped. In 2012, while Keadle was a student at Midland College, he was arrested for first-degree sexual assault of a 15-year-old white woman and sentenced to 15-20 years. On October 17, 2017 the Omaha Attorney General filed first-degree murder charges against Keadle for the death of Tyler Thomas. Thomas's family suffered from grief and lack of justice for almost seven years. The allegations involving white womyn accusers resulted in timely charges against Keadle while his arrest for Thomas's death lingered far too long especially when early in the investigation, local authorities held suspicions of his involvement in Thomas's demise.

LaTanya Thomas, Tyler's mother, filed two lawsuits, *Thomas v. Nebraska State Colleges* (2016) and *Thomas v. Nebraska Colleges* (2017). For the purposes of this analysis, only the 2016 case will be discussed. The 2016 claim was for a violation of Title IX, a federal law that has been interpreted by the courts to apply to sexual assault on college campuses. The U.S. Supreme Court established a two-prong approach in *Davis v. Monroe County Board of Education* (1999) for determining if an educational entity is responsible for the incident in question. Rarely is the harmed accuser in *Davis*, a fifth-grade Black girl named LaShonda, mentioned, however, because the authors are guided by a BFT jurisprudence of resistance, we intentionally choose to acknowledge LaShonda as a Black girl who experienced unwanted sexual advances by a peer, Black boy, with no substantive intervention by her teacher or school administrators. As we have previously stated, Black girls experience trauma, invisibility, and marginalization in academic needs (Pratt-Clarke, 2010). Like Black girls before and after her, LaShonda's pleas were ignored. Unfortunately, Black girls who become collegians can continue to experience harassment from peers in various forms in higher education. Unfortunately, Black girls' trauma is not only inflicted by white educational leaders, but also Black boys socialized to treat Black girls as sexual objects. A BFT jurisprudence of resistance sensibility "make[s] it clear that patriarchy is a critical issue that negatively impacts the lives of not only African-American women, but men as well" (Crenshaw, 1993, p. 132). This same clarity about patriarchy extends to misogynistic behaviors which Black boys are socialized to adopt and enact as men. BFT jurisprudence of resistance demands that Black girls, womyn, and men are not silenced about sexual violence

within our community for the sake of racial solidarity (White, 2001). Ruling in favor of LaShonda, the Supreme Court determined that peer-to-peer sexual harassment can be addressed as a private cause under Title IX if “the funding recipient is *deliberately indifferent* [emphasis added] to sexual harassment, of which the recipient has actual knowledge, and that harassment is so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school” (Davis, 1999, p. 629). To obtain success with the Title IX claim, Thomas’s mother had to demonstrate:

that the Board had actual knowledge that Keadle posed a substantial risk of harm to Tyler, and that the Board, through deliberate indifference, exposed Tyler to that harm. It is not enough for Thomas to show that the Board could, or should, have done more to discipline Keadle or to protect Tyler and other young women at PSC. Rather, the law requires Thomas to show that the Board disregarded a known or obvious risk. (*Thomas*, 2016)

Despite evidence that PSC officials knew of other instances of Keadle being accused of sexual assault prior to Tyler’s abduction and presumed death, and Keadle’s failure to initially complete his sanction of ten hours of community service and an online education module after he admitted to one of the instances, a Nebraska federal district court reasoned there was inadequate evidence presented to connect Keadle to Tyler’s death. Therefore, the Taylor suit was dismissed. A BFT jurisprudence of resistance critically questions the court’s analysis for not finding the evidence presented sufficient as well as not viewing substantial risk established based on Keadle’s egregious sexually violent history, and blatant disregard for institutional sanctions. The court’s ahistorical and acontextual assessment of harm to Tyler leaves her and other undergraduate Black womyn vulnerable to a cisgender, white, heteronormative legal framework (Moore, 2008) that determines institutional liability. This approach will more times than not yield a decision that renders Black womyn’s realities silenced in lieu of an unequal privileging of white accounts of malfeasance and no justice for mourning Black families.

No Justice for Jazzy

In November 2017, news outlets reported that Chennel “Jazzy” Rowe, an undergraduate Black woman at the University of Hartford was the target of hateful actions by her white woman roommate, Brienne Rae Brochu, who desired to force Rowe out of the shared living space. Brochu, in her private Instagram account, bragged about numerous inhumane activities towards Rowe including rubbing soiled feminine products on Rowe’s backpack, licking Rowe’s food utensils, placing mold in her lotions, and inserting Rowe’s toothbrush into Brochu’s vaginal area (Moye, 2017). Local Connecticut authorities charged Brochu with criminal mischief, breach of the peace, and a hate crime, intimidation based on bigotry or bias (Moye, 2017). The university expelled Brochu the same day of her arrest. On March 12, 2018, a Black man, Judge Omar Williams decided Brochu was not guilty of a hate crime and granted her accelerated rehabilitation request which is the equivalent of probation. Accelerated rehabilitation results in minimal sanctions for Brochu’s assaultive actions.. Brochu is required to complete 200 hours of community services, stay away from Rowe, and obtain a mental health evaluation. If she complies with the court order, the criminal mischief and breach of peace charges will be removed from her record in two years. Brochu’s assaultive behavior will be erased and no criminal activity related to racially gendered violence to report to a new institution of higher education. A Black woman charged with egregious actions towards a white woman would not likely be afforded an opportunity to have an expunged record, let alone not serve time in jail or

prison. A BFT jurisprudence of resistance sensibility rejects the ways in which white womyn's behavior against Black womyn's is reframed as not being racially gendered motivated when the historical realities of both groups of womyn explain Brochu's actions as racialized sexism towards Rowe.

Outrage and harsh criticism from the NAACP and community members for the Hartford State's Attorney General Office did not yield a hate crime charge against Brochu. The white woman attorney general claimed an investigation was conducted that did not yield evidence of racialized motivation for Brochu's Instagram posts (Owens, 2018). A BFT jurisprudence of resistance illuminates the flawed perspective of the attorney general in this case of not acknowledging the societal realities of gendered racism embedded in Brochu's decision making process and comfort level to abuse Rowe. The same racially gendered psychological abuse experienced by Rowe has historical roots that can be traced back to experiences of undergraduate Black womyn in the 19th century enrolled at HWIs (Evans, 2008). Making use of white legal sensemaking, Brochu and her attorney both asserted that her behavior was not racist but a justified reaction to Rowe's rude behavior (Hamlin, 2017). The decision issued by Judge Williams that does not reflect his understanding of how these types of cases are hate crimes coupled with Brochu's non-racially gendered defense, deprives Black womyn a legal recourse to address their tumultuous realities. Ultimately, the erroneous denial of gendered racism, and the hegemony of white cis-heteronormative privilege supported by white legal sensemaking, results in the failure to address educational precarity for undergraduate Black womyn.

Discussion and Implications for Policy

Theory without practice is just as incomplete as practice without theory. The two have to go together. ~ Assata Shakur (1987)

The legal system neglected to address the campus community experiences of Tyler Thomas and Chennel "Jazzy" Rowe. Their racialized sexist experiences were not acknowledged or adequately considered in the judges' analyses. Because "racism, sexism, class, and homophobia become hegemonic when they become uncritically embedded in the rules and regulations of normal society" (Collins, 2017, p. 1464), we aim to engage in intellectual activism (Sule', 2014), by combining theory and social action, as a form of transformative advocacy. A BFT jurisprudence of resistance informs our policy suggestions that institutions can implement to ensure justice, racially gendered equity, and the safety of collegiate Black womyn. Rejecting the hegemonic narratives about campus sexual violence devoid of socio-historical context as an intersectional approach, we advocate for a social justice paradigm (Hong, 2017). By promoting this framework, we challenge P-20 educators and administrators and higher education leadership to move beyond the rhetoric of prevention towards a more comprehensive approach that fully acknowledges the root causes of sexual violence. Therefore, we make the following recommendations, specifically from a BFT jurisprudence of resistance sensibility with the goal of enriching P-20 educational scholarship and encouraging an intersectional approach to researching Black girls and womyn's experiences.

Consistent with what other scholars dedicated to this work have suggested, we too recommend an expansion of existing opportunities to ensure the inclusion of Black girls within policy research and programmatic interventions (Crenshaw, Ocen, & Nanda, 2015). We agree that in order to address the erasure of Black girls' and womyn's concerns, educational stakeholders must adopt resources which take into account their intersectional identities. Additionally, engaging students in educational programs that center gender-role socialization and cultural training serve to recondition them to understand how they can positively influence peer

indoctrinations about how to address and avoid precarious sexual violence situations. Perhaps Tyler and Chennel’s situations may have turned out differently with inclusive campus communities devoid of hegemonic racialized sexist perspectives of Black womyn. Most importantly, dominant stories about Black womyn’s bodies (Black girls’ bodies as well) need to be problematized and resisted (Calafell, 2014), so that violence against their bodies are believed, valued and seen as their truth. Furthermore, institutions should empower a centralized division that handles all sexual assault cases to revamp campus violence prevention measures towards building and sustaining communities of respect and moral courage (Kidder & Bracy, 2001). Moral courage in addressing violence in campus communities reflects an understanding that naming systemic issues may not be popular but necessary to create inclusive environments. By adopting the BFT jurisprudence of resistance model, there is the potential to limit police interference, and institutional prejudice towards protecting whiteness, white students, and institutional reputation. Lastly, we call attention to the implications this research has on institutional leaders to engage in more transformational change, which advances racially gendered equity. *Black womyn scholars*, Patton & Haynes (2018) offer the *Black Women’s Blueprint* for higher education, which admonishes institutional leaders to not only adopt intersectional approaches to campus issues but to develop policies with an understanding that invisibility and erasure are inextricably informed by racialized sexist hegemonic practices. Building upon their work through our analyses, we also encourage institutional leaders to “imagine Black women as possibility models” by moving from “*single-axis identity politics to promote diversity, equity, and inclusion [to taking] up intersectionality as a method of engaging in lasting transformational change that promises to advance racial equity in higher education*” (p. 1).

Conclusion

In conclusion, our BFT jurisprudence of resistance analyses aimed to continue bridging the gap in educational literature around the nexus of violence between Black girls and womyn within the P-20 system. By centering the inequitable practices that result in violence against Black girls and womyn within all hegemonic white educational contexts, our analyses demonstrates the need for critical policies designed to account for intersectional experiences. By imagining Black girls and womyn as possibility models for institutional change, may we then begin to eradicate violence against them, disrupt their erasure, and affirm that Black girls and womyn matter too.

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