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H.163

Introduced by Representatives Mulvaney-Stanak of Burlington, Cina of
Burlington, Burke of Brattleboro, Burrows of West Windsor,
Colburn of Burlington, Cordes of Lincoln, Sims of Craftsbury,
Small of Winooski, Surprenant of Barnard, Vyhovsky of Essex,
and White of Bethel

Referred to Committee on

Date:

Subject: Education; public schools; equitable learning; anti-bias professional
development

Statement of purpose of bill as introduced: This bill proposes to enhance
equitable learning environments for all Vermont public school students and to
ensure a safe and affirming workplace environment for all school staff,
especially those students and school staff who have been historically
underrepresented and underserved due to factors such as their race, ethnicity,
sexual orientation, gender identity, or physical or mental ability.

An act relating to enhancing equitable learning and workplace environments
in public schools

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. FINDINGS

3 (a) Vermont schools play a critical role in the education and social-
4 emotional development of young people in Vermont. Many supervisory
5 unions, school leaders, and individual educators began to embark on
6 addressing equity on their own through professional development offerings and
7 hiring of dedicated staff to name and address matters of equity in school
8 policy, classrooms, and school culture.

9 (b) Educators, staff, school administrators, and school board members
10 directly impact the learning content and experiences of students. The
11 knowledge or lack of knowledge held by these individuals on matters of
12 implicit and explicit bias, oppression, and historically marginalized identities
13 directly impact outcomes for students and their experiences in Vermont
14 schools.

15 (c) The General Assembly passed 2019 Acts and Resolves No. 1 to create
16 the Ethnic and Social Equity Standards Advisory Working Group. It is
17 charged with reviewing the standards for student performance by the State
18 Board of Education under 16 V.S.A. § 164(9), State statutes, State Board rules,
19 and school district and supervisory union policies and submitting a set of
20 recommendations to the State Board to better prepare all students to participate

1 effectively in an increasingly racially, culturally, and socially diverse Vermont
2 and global community. The Working Group's final report is due July 1, 2022.

3 (d) In recent years, the country saw a social justice movement expand
4 within every state of the country to call attention to Black Lives Matter,
5 LGBTQ rights and safety, and gender equity with the #MeToo and #TimesUp
6 movements. These movements are in direct response to heightened awareness
7 and media coverage of explicit and implicit bias within institutions and all
8 sectors of our community, including in Vermont, as it relates to race, ethnicity,
9 sexual orientation, gender identity, gender, and physical or mental ability. The

1 outcome of implicit and explicit bias is the same and disproportionately
2 impacts historically marginalized people.

3 (e) The Vermont education system can improve its efforts to create
4 equitable, inclusive, and responsive learning environments by aligning with the
5 work of the Working Group through:

6 (1) supervisory unions' review of, and updating where appropriate,
7 curriculum and related policy;

8 (2) supervisory unions offering professional development to educators
9 and school leaders and creating annual equity goals and workplans; and

10 (3) the Agency of Education's equity technical and program support of
11 schools.

12 Sec. 2. 16 V.S.A. § 268 is added to read:

13 § 268. EQUITABLE LEARNING AND WORKPLACE ENVIRONMENTS;

14 ANTI-BIAS PROFESSIONAL DEVELOPMENT

15 (a) Definition. As used in this section, "anti-bias professional
16 development" means a high quality comprehensive education that examine
17 personal biases and systemic injustices that negatively impact historically
18 underrepresented and underserved identities, such as race, ethnicity, sexual
19 orientation, gender, gender identity, and physical or mental ability. The
20 content of the professional development program shall:

21 (1) include definitions of implicit and explicit bias and oppression;

1 (2) include content focusing on those most impacted by oppression;

2 (3) be designed to provide time for participants to apply new knowledge
3 as it relates to their role in the school system;

4 (4) encourage empathy;

5 (5) be designed to increase participants' ability to identify and address
6 bias within schools;

7 (6) encourage equity conscious restorative practices; and

8 (7) be responsive to the needs of the participants based on participants'
9 prior education, experience, and knowledge of these topics.

10 (b) Annual anti-bias professional development requirement.

11 (1) Each supervisory union shall provide mandatory annual anti-bias
12 professional development to all supervisory union and member school district:

13 (A) employees;

14 (B) coaches;

15 (C) extracurricular advisors;

16 (D) regularly contracted employees, including social workers, school
17 bus and transportation employees, and food service workers; and

18 (E) school board members and officers.

19 (2) The individuals identified under subdivision (1) of this subsection
20 are referred to in this section as "covered staff."

1 (3) The annual anti-bias professional development content shall be
2 designed to be continuous from prior content and be incorporated within
3 ongoing supervisory union and member school district equity work to advance
4 ongoing reflection and situational practice among covered staff.

5 (c) Annual request for proposal for equity facilitators.

6 (1) The Agency of Education shall issue an annual request for proposal
7 from individuals or entities seeking consideration to serve as an equity
8 facilitator for supervisory unions. An equity facilitator provides the annual
9 anti-bias professional development required under subsection (b) of this
10 section. The Agency shall seek applicants who:

11 (A) have practical or professional experience in anti-bias workplace
12 or education settings;

13 (B) have experience in adult learning development and a range of
14 learning styles that meets the needs of all covered staff, including people
15 without formal college or graduate level education;

16 (C) have familiarity with the Vermont education system; and

17 (D) understand systemic and institutional racism, generational
18 poverty, and barriers facing underrepresented and underserved groups.

19 (2) The Agency shall encourage applications by members of the black,
20 indigenous, person of color, lesbian, gay, bisexual, transgender, questioning, or
21 intersex communities.

1 (d) List of equity facilitators. The Agency of Education shall maintain and
2 make available to supervisory unions an annually vetted list of equity
3 facilitators. The equity facilitator list and any new equity facilitator applicants
4 shall be reviewed each year by a selection committee under the direction of the
5 Agency of Education and State Executive Director of Racial Equity. The
6 selection committee shall decide, by majority vote, who shall be included on
7 the vetted list of equity facilitators. The selection committee is encouraged,
8 but not required, to select equity facilitators who are members of the black,
9 indigenous, person of color, lesbian, gay, bisexual, transgender, questioning, or
10 intersex communities. Supervisory unions are strongly encouraged to use an
11 equity facilitator from the vetted list.

12 (e) Grant funding. The Agency of Education shall provide annual
13 matching grants to supervisory unions to fund up to 50 percent of the costs, up
14 to a maximum of \$10,000.00 per supervisory union, of anti-bias professional
15 development.

16 (f) Paid time for participation in annual anti-bias professional development.
17 Supervisory unions and their member school districts shall provide regular
18 wages and salaried work time, as applicable, for covered staff to participate in
19 annual anti-bias professional development.

20 (g) Permanent equity coordinator position encouraged. Each supervisory
21 union is encouraged to have at least one full-time equity coordinator employee,

1 funded through its member school districts' annual budgets, dedicated to
2 creating more equitable learning environments for students and supporting the
3 integration of covered staff learning from annual anti-bias professional
4 development. The equity coordinator is encouraged to:

5 (1) spend not less than 50 percent of the equity coordinator's time in
6 schools working with those covered staff who directly interface with students
7 in order to support these staff members' professional growth on equity issues;

8 (2) be given access to all covered staff to create consistency in equity
9 work across the supervisory union and member school districts;

10 (3) build an equity workplan with school leaders each year using as
11 reference tools the Agency of Education's Equity Lens Tool, the State of
12 Vermont Equity Impact Assessment tool, and the results of the Agency of
13 Education's annual reports required under subsection (j) of this section; the
14 equity workplan shall be included in each school's continual improvement plan
15 under section 165 of this title; and

16 (4) through the supervisory union's grant of authority to the equity
17 coordinator as evidenced by the position's job classification and roles and
18 responsibilities, impact equity related policy making and have oversight over
19 the implementation of the equity workplan.

20 (h) Paid time for work on equity issues encouraged. Supervisory unions
21 and their member school districts are encouraged to provide regular wages and

1 salaried work time, as applicable, for covered staff to, within their regular work
2 schedule, focus on equity issues outside of anti-bias professional development
3 sessions.

4 (i) Funding for work on equity issues encouraged. Supervisory unions and
5 their member school districts are encouraged to dedicate regular funding for
6 equity work in their budgets.

7 (j) Reporting. Notwithstanding 2 V.S.A. § 20(d), the Agency of Education
8 shall include in its Vermont Annual Snapshot report an equity dedicated
9 section and send the report to the General Assembly. The equity section shall
10 include:

11 (1) a list of each supervisory union and school district that completed its
12 annual anti-bias professional development training as required under
13 subsection (b) of this section and a list of each supervisory union and school
14 district that did not complete this annual training;

15 (2) an analysis of equity-related data points within the Vermont State
16 Report Card on education and Youth Risk Behavior Survey;

17 (3) a summary and analysis of the suspension, expulsion, discipline,
18 graduation, literacy, and truancy rates as it relates to historically marginalized
19 students; and

20 (4) a set of policy recommendations to create more equitable schools for
21 all students.

1 Sec. 3. AGENCY OF EDUCATION; STAFFING

2 The following position is created in the Agency of Education: one full-time
3 classified position to support education equity in Vermont public schools,
4 including:

5 (1) supporting existing equity coordinators and other relevant staff in
6 school districts and supervisory unions;

7 (2) supporting school districts that seek to implement equity staff
8 structures for the first time;

9 (3) creating standard anti-bias professional development for covered
10 staff as defined in Sec. 2 of this act; and

11 (4) implementing this act.

12 Sec. 4. APPROPRIATIONS

13 (a) There is appropriated to the Agency of Education from the General
14 Fund for fiscal year 2022 the amount of \$100,000.00 for salary, benefits, and
15 operating expenses for the new position created under Sec. 3 of this act.

16 (b) The sum of \$540,000.00 is appropriated for fiscal year 2022 from the
17 General Fund to the Agency of Education to provide funding for grants under
18 Sec. 2 of this act. The Agency shall include in its annual budget request to the
19 General Assembly the amount of \$540,000.00 to provide funding for grants
20 under Sec. 2 of this act.

1 Sec. 5. EFFECTIVE DATE

2 This act shall take effect on passage.