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H.794

Introduced by Representatives Morris of Bennington, Christie of Hartford,
Colburn of Burlington, and Rachelson of Burlington

Referred to Committee on

Date:

Subject: Education; ethnic and social education in schools; Ethnic and Social
Equity Standards Advisory Board

Statement of purpose of bill as introduced: This bill proposes to require the
Agency of Education to adopt ethnic studies standards into statewide
educational standards, and the Vermont School Board Association to develop a
model policy on ethnic and social equity in schools for public schools and
approved independent schools. This bill proposes to establish the Ethnic and
Social Equity Standards Advisory Board to assist the Agency of Education in
developing the ethnic studies standards and the Vermont School Board
Association in developing the model policy. This bill also proposes to require
the Secretary of Education to publish, to the extent permitted by applicable
confidentiality laws, statewide educational assessment results showing the
results for certain categories of students.

19 An act relating to the adoption of ethnic studies standards into statewide
20 educational standards and a policy on ethnic and social equity in schools by
21 public schools and approved independent schools

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

2 Sec. 1. ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY

3 BOARD

4 (a) Definitions. As used in this act:

5 (1) “Ethnic groups” means nondominant racial and ethnic groups in the
6 United States, including people who are indigenous and people of African,
7 Asian, Pacific Island, Chicanx, Latinx, or Middle Eastern descent.

8 (2) “Ethnic studies” means the instruction of students in kindergarten
9 through grade 12 in the historical contributions and perspectives of ethnic
10 groups and social groups.

11 (3) “Social groups” means females, people with disabilities, immigrants,
12 refugees, and individuals who are lesbian, gay, bisexual, transgender, queer,
13 questioning, intersex, or asexual.

14 (b) Creation and composition. The Ethnic and Social Equity Standards
15 Advisory Board is established. The Board shall comprise the following 13
16 members:

17 (1) a representative from the Native American community;

18 (2) a representative from the Black and African American community;

19 (3) a representative from the Latinx community;

20 (4) a representative from the disability rights community;

1 (5) a representative from the lesbian, gay, bisexual, transgender,
2 intersex, and queer community;

3 (6) a representative from the Asian and Pacific Islander community;

4 (7) a representative from the Middle Eastern community;

5 (8) a Vermont-based, college-level faculty expert in ethnic studies;

6 (9) the Secretary of Education or designee;

7 (10) the Executive Director of the Vermont-National Education
8 Association or designee;

9 (11) an Assistant Attorney General in the Office of the Vermont
10 Attorney General with experience working with the Agency of Education on
11 racial and social justice issues in schools;

12 (12) the Executive Director of the Vermont School Boards Association
13 or designee; and

14 (13) a representative for the Vermont Principals' Association with
15 expertise in the development of school curriculum.

16 (c) Appointment and operation.

17 (1) The Vermont Coalition for Ethnic and Social Equity in Schools
18 (Coalition) shall appoint the Board members identified under subdivisions
19 (b)(1)-(8) of this section in consultation with the Vermont School Boards
20 Association. Appointments of members to fill vacancies to these positions
21 shall be made by the Coalition, in consultation with the Vermont School

1 Boards Association, and the member filling a vacancy shall represent the same
2 community or area that was represented by the vacated member.

3 (2) A minimum of 80 percent of the members on the Board identified
4 under subdivisions (b)(1)-(7) of this section shall:

5 (A) be people from ethnic minority groups who have a background in
6 advocacy for the group they represent; and

7 (B) as a group, represent the breadth of geographic areas within the
8 State.

9 (3)(A) The Coalition shall call the first meeting of the Board to occur on
10 or before January 1, 2019.

11 (B) The Board shall select a chair from among its members at the
12 first meeting.

13 (C) A majority of the membership shall constitute a quorum.

14 (D) Members of the Board who are not State employees or whose
15 participation is not supported through their employment or association shall
16 receive per diem compensation and reimbursement of expenses pursuant to
17 32 V.S.A. § 1010, to be provided by the Agency of Education. The Board may
18 meet up to ten times per year.

19 (E) The Board shall cease to exist on June 30, 2022.

20 (d) Duties of the Board.

1 (1) The Board shall identify current statewide standards that fail to
2 recognize the history, contribution, and perspectives of ethnic groups and
3 social groups and shall develop ethnic studies standards for adoption into
4 existing statewide educational standards for public school students and
5 approved independent school students in kindergarten through grade 12 that:

6 (A) increase cultural competency of public school students in
7 kindergarten through grade 12;

8 (B) increase attention to the history, contribution, and perspectives of
9 ethnic groups and social groups;

10 (C) promote critical thinking regarding the history, contribution, and
11 perspectives of ethnic groups and social groups;

12 (D) commit the school to eradicating any racial bias in its curriculum;

13 (E) provide, across its curriculum, content and methods that enable
14 students to explore safely questions of identity, race equality, and racism; and

15 (F) ensure the basic curriculum and extracurricular programs are
16 welcoming to all students and take into account parental concerns about
17 religion or culture.

18 (2) The Board shall propose a model policy on ethnic and social equity
19 in schools for adoption by public schools and approved independent schools
20 that includes minimum standards for a school environment that:

1 (A) promotes an overarching focus and participation in the racially,
2 culturally, and socially diverse global community;

3 (B) ensures every student a safe, secure, and welcoming learning and
4 social environment in which every act or attitude of implicit or explicit racial,
5 sexual orientation, gender, cultural, or ability bias is acknowledged and
6 addressed appropriately;

7 (C) challenges any racist, sexist, gender, or ability assumptions,
8 attitudes, and behaviors when they occur using principles and practices of
9 restorative justice methods;

10 (D) provides parents a welcoming means of raising any concern
11 about their child's experience as it bears on race or social identity at school;

12 (E) ensures that the school provides all its personnel training in how
13 best to address racial incidents;

14 (F) specifies prohibited conduct as it relates to racism, sexism,
15 ableism, and other social biases, and refers to the process through which
16 alleged misconduct will be addressed, including disciplinary action as
17 appropriate; and

18 (G) establishes disciplinary responses to racial incidents that include
19 the increased utilization of restorative practices where appropriate.

20 (3) The Board shall, on or before June 30, 2020, submit:

1 (A) a report that, at a minimum, proposes the ethnic studies standards
2 developed under subdivision (1) of this subsection (d), to the Agency of
3 Education; and

4 (B) the model policy developed under subdivision (2) of this
5 subsection (d) to the Vermont School Boards Association.

6 (e) Duties of the Agency of Education. The Agency of Education shall, on
7 or before June 30, 2021, adopt ethnic studies standards into existing statewide
8 educational standards for public school students and approved independent
9 school students in kindergarten through grade 12. The Agency shall consider
10 the report submitted by the Board under subdivision (d)(3)(A) of this section
11 when determining the standards to adopt.

12 (f) Duties of the Vermont School Boards Association. The Vermont
13 School Boards Association shall, on or before June 30, 2021, develop a model
14 policy on ethnic and social equity in schools for public school students and
15 approved independent school students in kindergarten through grade 12. The
16 Vermont School Boards Association shall consider the model policy submitted
17 by the Board under subdivision (d)(3)(B) of this section when developing the
18 model policy.

19 (g) Duties of school districts. School districts and approved independent
20 schools shall, for the 2021-2022 school year, implement the ethnic studies
21 standards adopted by the Agency under subsection (e) of this section and adopt

1 a policy on ethnic and social equity in schools that takes into consideration the
2 model policy developed by the Vermont School Boards Association under
3 subsection (f) of this section.

4 (h) Report to General Assembly. On or before December 15, 2021, the
5 Agency of Education shall submit a report to the General Assembly on the
6 status of implementation by school districts and approved independent schools
7 of the ethnic studies standards and the policy required under subsection (g) of
8 this section.

9 Sec. 2. 16 V.S.A. § 212 is amended to read:

10 § 212. SECRETARY'S DUTIES GENERALLY

11 The Secretary shall execute those policies adopted by the State Board in the
12 legal exercise of its powers and shall:

13 * * *

14 (23) Publish, to the extent permitted by applicable confidentiality laws,
15 statewide educational assessment results showing the results for the following
16 categories of students:

17 (A) female students;

18 (B) male students;

19 (C) students with disabilities;

20 (D) students from economically deprived backgrounds;

21 (E) students for whom English is not the primary language;

1 (F) students who are from ethnic minority groups.

2 Sec. 3. EFFECTIVE DATE

3 This act shall take effect on passage.