

1 SPECIAL SESSION

2 H.14

3 Introduced by Representatives Sharpe of Bristol, Cupoli of Rutland City, and
4 Long of Newfane

5 Referred to Committee on

6 Date:

7 Subject: Education; ethnic and social education in schools; Ethnic and Social
8 Equity Standards Advisory Working Group

9 Statement of purpose of bill as introduced: This bill proposes to establish the
10 Ethnic and Social Equity Standards Advisory Working Group to assist the
11 State Board of Education in considering the adoption of ethnic and social
12 equity studies standards into existing statewide curriculum standards for
13 students in prekindergarten through grade 12. This bill also proposes to
14 require the State Board of Education to publish, to the extent permitted by
15 applicable privacy laws, data on student performance and on hazing,
16 harassment, and bullying incidents for certain categories of students.

17 An act relating to the adoption of ethnic and social equity studies standards
18 into existing statewide curriculum standards

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

2 Sec. 1. ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY

3 WORKING GROUP

4 (a) Findings.

5 (1) In 1999, the Vermont Advisory Committee to the U.S. Commission
6 on Civil Rights published a report titled Racial Harassment in Vermont Public
7 Schools and described the state of racism in public schools. The Committee
8 held various hearings and received reports from stakeholders and concluded
9 that “racial harassment” appeared “pervasive in and around the State’s public
10 schools,” and observed that “the elimination of this harassment” was “not a
11 priority among school administrators, school boards, elected officials, and
12 State agencies charged with civil rights enforcement.”

13 (2) In 2003, the Commission released a follow-up report concluding
14 that, although some positive efforts had been made since the original report
15 was published, the problem persisted. One of the many problems highlighted
16 was “curriculum issues in the State’s public schools. In some instances,
17 teachers employ curriculum materials and lesson plans that promote racial
18 stereotypes.” One of the conclusions was that there was a need for a bias-free
19 curriculum.

20 (3) In December 2017, the Act 54 report on Racial Disparities in State
21 Systems, issued by the Attorney General and Human Rights Commission Task

1 Force, was released. According to the report, education is one of the five State
2 systems in which racial disparities persist and need to be addressed. The
3 Attorney General and Human Rights Commission held three stakeholder
4 meetings and found “a surprising amount of coalescence around the most
5 important issues” and “the primary over-arching theme was that we will be
6 able to reduce racial disparities by changing the underlying culture of our state
7 with regard to race.” One of the main suggestions for accomplishing this was
8 to “teach children from an integrated curriculum that fairly represents both the
9 contributions of People of Color (as well as indigenous people, women, people
10 with disabilities, etc.), while fairly and accurately representing our history of
11 oppression of these groups.”

12 (b) Definitions. As used in this act:

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

16 (2) “Ethnic studies” means the instruction of students in prekindergarten
17 through grade 12 in the historical contributions and perspectives of ethnic
18 groups and social groups.

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

- 1 (c) Creation and composition. The Ethnic and Social Equity Standards
2 Advisory Working Group is established. The Working Group shall comprise
3 the following 17 members:
- 4 (1) eight members who are members of and represent the interests of
5 ethnic groups and social groups;
- 6 (2) a Vermont-based, college-level faculty expert in ethnic studies;
7 (3) the Secretary of Education or designee;
- 8 (4) the Executive Director of the Vermont-National Education
9 Association or designee;
- 10 (5) an Assistant Attorney General in the Office of the Vermont Attorney
11 General with experience working with the Agency of Education on racial and
12 social justice issues in schools;
- 13 (6) the Executive Director of the Vermont School Boards Association or
14 designee;
- 15 (7) a representative for the Vermont Principals' Association with
16 expertise in the development of school curriculum;
- 17 (8) a representative for the Vermont Curriculum Leaders Association;
- 18 (9) the Executive Director of the Vermont Superintendents Association
19 or designee; and
- 20 (10) the Executive Director of the Vermont Independent Schools'
21 Association or designee.

1 (d) Appointment and operation.

2 (1) The Vermont Coalition for Ethnic and Social Equity in Schools
3 (Coalition) shall appoint the eight members who represent ethnic groups and
4 social groups and the member identified under subdivision (c)(2) of this
5 section. Appointments of members to fill vacancies to these positions shall be
6 made by the Coalition.

7 (2) As a group, the Working Group shall represent the breadth of
8 geographic areas within the State and shall have experience in the areas of
9 ethnic standards or studies, social justice, inclusivity, and advocacy for the
10 groups it represents.

11 (3)(A) The Secretary of Education or designee shall call the first
12 meeting of the Working Group to occur on or before September 1, 2018.

13 (B) The Working Group shall select a chair from among its members
14 at the first meeting.

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

16 (D) The Working Group shall cease to exist on July 1, 2020.

17 (e) Compensation and reimbursement. Members of the Committee who are
18 not employees of the State of Vermont and who are not otherwise compensated
19 or reimbursed for their attendance shall be entitled to per diem compensation
20 and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than

1 ten meetings per year. These payments shall be made from monies
2 appropriated to the Agency of Education.

3 (f) Appropriation. The sum of \$13,420.00 is appropriated to the Agency of
4 Education from the General Fund for fiscal year 2019 for the per diem
5 compensation and expense reimbursements authorized by this section to be
6 paid to the members of the Ethnic and Social Equity Standards Advisory
7 Working Group. The Agency shall include in its budget request to the General
8 Assembly for fiscal year 2020 the amount of \$13,420.00 for the per diem
9 compensation and expense reimbursements authorized by this section to be
10 paid to members of the Working Group.

11 (g) Duties of the Working Group. The Working Group shall review
12 statewide curriculum standards adopted by the State Board of Education and,
13 on or before June 30, 2020, recommend to the State Board and the General
14 Assembly updates and additional standards to recognize fully the history,
15 contribution, and perspectives of ethnic groups and social groups. These
16 recommended additional standards shall be designed to:

17 (1) increase cultural competency of students in prekindergarten through
18 grade 12;

19 (2) increase attention to the history, contributions, and perspectives of
20 ethnic groups and social groups;

1 (3) promote critical thinking regarding the history, contributions, and
2 perspectives of ethnic groups and social groups;

3 (4) commit schools to eradicating any racial bias in their curricula;

4 (5) provide, across the curriculum, content and methods that enable
5 students to explore safely questions of identity, race equality, and racism; and

6 (6) ensure that the basic curriculum and extracurricular programs are
7 welcoming to all students and take into account parental concerns about
8 religion or culture.

9 (h) Duties of the State Board of Education. The Board of Education shall,
10 on or before June 30, 2021, consider adopting ethnic and social equity studies
11 standards into existing statewide curriculum standards for students in
12 prekindergarten through grade 12. The State Board shall consider the report
13 submitted by the Working Group under subdivision (g)(1) of this section when
14 determining the standards to adopt.

15 Sec. 2. 16 V.S.A. § 164 is amended to read:

16 § 164. STATE BOARD; GENERAL POWERS AND DUTIES

17 The State Board shall evaluate education policy proposals, including timely
18 evaluation of policies presented by the Governor and Secretary; engage local
19 school board members and the broader education community; and establish
20 and advance education policy for the State of Vermont. In addition to other
21 specified duties, the Board shall:

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(17) Report annually on the condition of education statewide and on a ~~school by school~~ supervisory union and school district basis. The report shall include information on attainment of standards for student performance adopted under subdivision (9) of this section, number and types of complaints of harassment, hazing, or bullying made pursuant to chapter 9, subchapter 5 of this title, and responses to the complaints, financial resources and expenditures, and community social indicators. The report shall be organized and presented in a way that is easily understandable by the general public and that enables each school, school district, and supervisory union to determine its strengths and weaknesses. To the extent consistent with State and federal privacy laws and regulations, data on student performance and hazing, harassment, or bullying incidents shall be disaggregated by student groups, including ethnic and racial groups, poverty status, disability status, English language learner status, and gender. The Secretary shall use the information in the report to determine whether students in each school, school district, and supervisory union are provided educational opportunities substantially equal to those provided in other schools, school districts, and supervisory unions pursuant to subsection 165(b) of this title.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.