

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred House Bill No. 794  
3 entitled “An act relating to the adoption of ethnic studies standards into  
4 statewide educational standards and a policy on ethnic and social equity in  
5 schools by public schools and approved independent schools” respectfully  
6 reports that it has considered the same and recommends that the bill be  
7 amended by striking out all after the enacting clause and inserting in lieu  
8 thereof the following:

9 Sec. 1. ETHNIC AND SOCIAL EQUITY STANDARDS ADVISORY  
10 WORKING GROUP

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

12 (1) “Bias” refers to actions, beliefs, or attitudes that discriminate against  
13 any individual or group of people on the basis of their membership or  
14 perceived membership in an ethnic group or social group.

15 (2) “Ethnic group” refers to a group composed of individuals who self-  
16 identify with racial, ethnic, or identity-based groups in the United States,  
17 including people who identify as native or indigenous and people of African,  
18 Asian, Pacific Island, Latin American, Middle Eastern, or European descent.

19 (3) “Ethnic studies” means the instruction of students in prekindergarten  
20 through grade 12 in the historical contributions and perspectives of ethnic  
21 groups and social groups.

1           (4) “Social group” refers to a group composed of individuals who:

2           (A) self-identify with a specific sex, male, female, or non-binary;

3           (B) have a disability;,

4           (C) are immigrants, refugees, or seeking asylum;

5           (D) are living in poverty; or

6           (E) are lesbian, gay, bisexual, transgender, queer, questioning,

7 intersex, or asexual.

8           (b) Creation and composition. The Ethnic and Social Equity Standards  
9 Advisory Working Group is established. The Working Group shall comprise  
10 the following 17 members:

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

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

13           (3) a representative from the Latinx community;

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

15           (5) a representative from the lesbian, gay, bisexual, transgender, queer,

16 questioning, intersex, or asexual community;

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

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

19           (8) a representative from Vermont families living in poverty;

20           (9) a Vermont-based, college-level faculty expert in ethnic studies;

21           (10) the Secretary of Education or designee;

1           (11) the Executive Director of the Vermont-National Education  
2 Association or designee;

3           (12) an Assistant Attorney General in the Office of the Vermont  
4 Attorney General with experience working with the Agency of Education on  
5 racial and social justice issues in schools;

6           (13) the Executive Director of the Vermont School Boards Association  
7 or designee;

8           (14) a representative for the Vermont Principals' Association with  
9 expertise in the development of school curriculum;

10           (15) a representative for the Vermont Curriculum Leaders Association;

11           (16) the Executive Director of the Vermont Council of Special  
12 Education Administrators or designee; and

13           (17) the Executive Director of the Vermont Superintendents'  
14 Association or designee.

15           (c) Appointment and operation.

16           (1) The Agency of Education shall appoint the Working Group members  
17 identified under subdivisions (b)(1)-(9) of this section in consultation with the  
18 Vermont Coalition for Ethnic and Social Equity in Schools (Coalition).  
19 Appointments of members to fill vacancies to these positions shall be made by  
20 the Agency of Education, in consultation with the Coalition, and the member

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

3 (2) A minimum of 50 percent of the members on the Working Group  
4 identified under subdivisions (b)(1)-(7) of this section shall be people from  
5 ethnic groups or social groups who have a background in advocacy for the  
6 group they represent.

7 (3) 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 school curriculum standards, ethnic standards or studies, social justice, and  
10 inclusivity.

11 (4)(A) The Secretary of Education shall call the first meeting of the  
12 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) Members of the Working Group who are not State employees or  
17 whose participation is not supported through their employment or association  
18 shall receive per diem compensation and reimbursement of expenses pursuant  
19 to 32 V.S.A. § 1010. The Working Group may meet up to ten times per year.

20 (E) The Working Group shall cease to exist on July 1, 2020.

21 (d) Duties of the Working Group.

1           (1) The Working Group shall review statewide curriculum standards  
2 adopted by the State Board of Education and, on or before June 30, 2020,  
3 recommend to the State Board additional standards to fully recognize the  
4 history, contribution, and perspectives of ethnic groups and social groups.  
5 These recommended additional standards shall be designed to increase:

6           (A) cultural competency of students in prekindergarten through grade  
7 12; and

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

10           (2) The Working Group shall review all existing State statutes regarding  
11 school policies and recommend to the General Assembly proposed statutory  
12 changes with the following goals:

13           (A) Ensuring that the school curriculum:

14           (i) promotes critical thinking regarding the history, contribution,  
15 and perspectives of ethnic groups and social groups;

16           (ii) includes content and related instructional materials and  
17 methods that enable students to explore safely questions of identity and  
18 membership in ethnic groups and social groups, race equality, and racism; and

19           (iii) facilitates a welcoming environment for all students while  
20 taking into account parental concerns about bias or exclusion of ethnic groups  
21 or social groups.

1           (B) Ensuring engagement opportunities that provide families a  
2 welcoming means of raising any concern about their child’s experience as it  
3 bears on race or ethnic or social group identity at school.

4           (C) Ensuring that school climate policies:

5           (i) promote an overarching focus on preparing all students to  
6 participate effectively in an increasingly racially, culturally, and socially  
7 diverse Vermont and in global communities;

8           (ii) ensure every student is in a safe, secure, and welcoming  
9 learning and social environment in which bias, whether implicit or explicit,  
10 towards others based on their membership in ethnic or social groups is  
11 acknowledged and addressed appropriately;

12           (iii) challenge racist, sexist, gender, or ability-based bias or bias  
13 based on socioeconomic status when they occur, using principles aligned with  
14 restorative practice;

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

19           (v) establish disciplinary responses to racial or ethnic and social  
20 group incidents that include the utilization of restorative practices where  
21 appropriate; and

1                    (vi) ensure that the school provides all its personnel training in  
2 how best to address bias incidents.

3                    (e) Reports.

4                    (1) The Working Group shall, on or before December 15, 2018, submit a  
5 report to the General Assembly that includes:

6                    (A) the membership of the Working Group and its meeting schedule;

7                    (B) its plan to accomplish the work described in subdivision (d)(1) of  
8 this section, including the timeline for reviewing all statewide curriculum  
9 standards and for its recommendation to the State Board of additional  
10 standards to fully recognize the history, contribution, and perspectives of  
11 ethnic groups and social groups; and

12                    (C) its plan to accomplish the work described in subdivision (d)(2) of  
13 this section, including the timeline for reviewing all existing State statutes  
14 regarding school policies and drafting proposed legislation.

15                    (2) The Working Group shall, on or before December 15, 2019, submit a  
16 report to the General Assembly including:

17                    (A) the membership of the Working Group and its meeting schedule;

18                    (B) recommended statutory changes under subdivision (d)(2) of this  
19 section; and

20                    (C) recommendations for training and appropriations to support  
21 implementation of the recommended statutory changes.





1 and community social indicators. The report shall be organized and presented  
2 in a way that is easily understandable by the general public and that enables  
3 each school, school district, and supervisory union to determine its strengths  
4 and weaknesses. To the extent consistent with and State and Federal privacy  
5 laws and regulations, data on student performance and hazing, harassment, or  
6 bullying incidents shall be disaggregated by student groups including ethnic  
7 and racial groups, poverty status, disability status, English language learner  
8 status, and gender. The Secretary shall use the information in the report to  
9 determine whether students in each school, school district, and supervisory  
10 union are provided educational opportunities substantially equal to those  
11 provided in other schools, school districts, and supervisory unions pursuant to  
12 subsection 165(b) of this title.

13 Sec. 4. APPROPRIATION

14 The sum of \$6,000.00 is appropriated to the Agency of Education from the  
15 General Fund for fiscal year 2019 for the per diem compensation and expense  
16 reimbursements authorized by this Act to be paid to the members of the Ethnic  
17 and Social Equity Standards Advisory Working Group. The Agency shall  
18 include in its budget request to the General Assembly for fiscal years 2020 the  
19 amount of \$6,000.00 for the per diem compensation and expense  
20 reimbursements authorized by this Act to be paid to the members of the  
21 Working Group.

**Comment [FA2]:** This is insufficient to cover the expenses related to the panel. There are 17 members- 11 of whom are likely to require stipends and expenses. With 10 meetings, generally \$50 plus expenses for real and actual costs Given a requirement for geographic diversity, we need to have sufficient funds for covering this. Assuming an average mileage of 50 miles round trip, this adds \$28 to each possible set of stipends. This would be \$8,500. When we requested \$10,000 it was because we assumed some individuals would not need payment and that there would be ancillary costs for supporting the meetings including materials and resources. We respectfully request a \$8500 be appropriated.

1       Sec. 5. EFFECTIVE DATE

2           This act shall take effect on passage.

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6           (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE