

# H. 714

**An act relating to implicit bias training for  
public and approved independent school employees**

# Bill Intent

1. Many instances of implicit bias in our schools- Based on gender, race, ethnicity, religion and disabilities
2. Bad programs lead to defensiveness and increased instances of bias
3. Schools do not fully understand it, and are ill-equipped to run their own programs

# Attempted lynching of 8 year old boy Claremont, NH

“...one attacker used a dangling rope that had held a tire swing. “The older boys had put the ropes around their necks,” she said, adding that they then told her son it was his turn. She said her son “got up on the table and put the rope around his neck, and another kid came up from behind him and pushed him off of the picnic table. And they walked away and left him there hanging.”

Ms. Merlin said the boy’s sister screamed for help and described her brother kicking his feet, grabbing at his neck and turning purple before dropping to the ground.” NY Times Article September 13, 2017

- Montpelier High School, sexist graffiti on Women empowerment posters
- Other examples in Windsor County



# Bad Programs can have Unintended Consequences

- Hartford- “all white people are socialized to be racist.” -Frewyni Lapierre
  - "The idea of structural racism, or implicit bias, and white supremacy, have had to be explained over and over again. And that examination includes using the word 'racism.' And that scares people. That word." — John Hall, committee chairman
- Hartland teacher brings up implicit bias and receives negative comments from parents.
- Implicit bias training done incorrectly can lead to more cases of explicit bias, leads people to become defensive, lack of understanding of what it is in general makes some districts unwilling to take it on.



# Unconscious mind and decision making

- "students of color were more likely to be sent to the office and face other disciplinary measures for offenses such as disrespect or excessive noise, which are subjective, while white students were more likely to be sent to the office for objective infractions, such as smoking or vandalism."
- extensive research has documented pervasive implicit associations that link African Americans, particularly males, to stereotypes such as aggression, criminality, or danger, even when explicit beliefs contradict these views.
- Results indicated that from the first infraction to the second, teachers were more likely to escalate the disciplinary response to the second infraction when the student was perceived to be black as opposed to white.
  - Confirmation Bias i.e. Grading: "we see more errors when we expect to see errors, and we see fewer errors when we do not expect to see errors."
- "Vermont's students with disabilities and students of color were two to three times more likely to be excluded from school through suspension and expulsion." - *Kicked Out*

# Kicked Out

Discipline in schools can have many negative impacts for students in their future such as on their grades, drop out rates, criminal activity etc.

*“In sum, too often getting “kicked out” of school is a recipe for being locked out of the American Dream.”*

**Finding 2: Students with Disabilities Were Nearly Three Times More Likely than Students without Disabilities to be Suspended.**

**Finding 3: Black/African-American and Native American Students Were Two to Three Times More Likely than White Students to be Suspended.**

# School discipline and federal guidances

<https://www.aft.org/ae/winter2015-2016/legislation>

Speaking not only to the importance of identifying implicit bias but also to mitigating its effects, the federal guidance asserts that this training can "enhance staff awareness of their implicit or unconscious biases and the harms associated with using or failing to counter racial and ethnic stereotypes."<sup>27</sup>

# H. 714 Overview

- All permanent public and approved independent school employees shall receive periodic implicit bias training.
- New hires not less than 4 hours of training, existing teachers not less than 2 hours of training
- Training developed by Sec. of Ed., and applied in coordination with the Human Rights Commission
- The Commissioner of Human Resources may seek and accept gifts, 17 donations, and grants from any source, public or private, to be used to provide 18 the training

# Necessary Considerations

- Trainings should be researched based
- The program should start as a pilot with results based accountability built into the legislation to sure we are achieving our goals
- Considerations for schools that currently offer implicit bias training programs.