

TO: Members of the Senate Education Committees
FROM: Amanda Garces – Founder of the Vermont Coalition for Ethnic Studies and Social Equity in Schools.
SUBJECT: In reference to H.2
DATE: February, 6, 2019

Senators,

My name is Amanda Lucia Garces, I am originally from Colombia and I am the founder of the Vermont Coalition for Ethnic and Social Equity in Schools, I am also a mother of two multiracial and multi-ethnic children ages 3 and 5 who have entered the public school system this year.

Thank you for the opportunity to speak to you today regarding House Bill H. 3

I moved to Vermont from Arizona where there was a ban on Ethnic studies, I got there after all the protests and heart brakes but I lived the ramifications which were imprinted on my soul. I had read the reports of the pervasive racism in Vermont schools, I heard of the sadness of friends whose kid came home from kinder with drawing of little white people because they did not have the color crayons of their kid's skin color, and I was nervous about my kid's education. I went through a public school that had similar racial and ethnic makeup as that of many of Vermont's schools and I tell you that it was not fun to be an immigrant who did not speak the language. Kids can be ruthless but also I never saw myself reflected in any of the books or classes. I am thankful to gain back my confidence when I entered college and read authors like Gloria Anzaldua, Cesar Chavez, Gioconda Belli and many more who were finally speaking to me about me.

I saw light when I read the news that Oregon had passed House Bill 2845, directing the Oregon Department of Education to convene advisory groups to develop ethnic-studies standards into existing statewide social-studies standards. I began the work of meeting with many of the individuals and organization working on racial justice issues. The Oregon bill also included the LGBTIQ and Disability lens so I also started to reach out to those groups.

In December 2017, a Federal Judge in Arizona found that the Ethnic Studies Ban was motivated by racism and discriminatory intent. It was the same month that our coalition solidified with a strong steering committee connected across Vermont, members who range in age, race, ethnicity,

professions, abilities, and gender. We worked to build trust among each other and began the legislative work in January of 2018. We are here today, a year later, stronger, bigger and with more resources.

I tell you my story because it is the story of all of us, all of us have done something to build this coalition. I brought people together who were already doing the work on the ground so the merit goes to all the members of the coalition that have giving this work their heart and soul for all children.

This coalition was the vehicle “many had been waiting for” to consolidate the efforts already underway across sectors and to bring to our children what they need to feel represented and to nurture entire communities. We would like to emphasize that our coalition is strong, rooted in communities, and ready to do the heavy lifting.

This bill is the result of months of negotiation with the Agency of Education, School Board Association and many other stakeholders and that negotiated language was vetted by civil rights attorneys. The bill that you see before you had some additions that have caused concern for our coalition. A few days before the vote members of the Jewish community contacted representatives to raised concerns about being excluded from this bill. This is not the case, because they are automatically included as part of ethnic groups. The focus of this bill has not been about religious affiliation which is why we framed the findings with the reports done about schools.

The reports from 1999, 2003, and Act 54 continue to ground this work. Additionally, data from the Kicked Out Report by VT legal, aid, the 2013 Youth Risk Behavior Survey show that

- “Exclusions were not equally distributed across the student Population. Students of color were 1.5 times more likely to experience exclusionary discipline than their White peers, low income students were 2.8 times more likely than their higher-income peers, and students with IEPs were 2.4 times more likely”.
- Lesbian, Gay, Bisexual, and Transgender (LGBT) students and racial minorities in Vermont report more bullying and harassment at school, and are more likely to miss school because they did not feel safe.
- students of color were more than twice as likely to have been threatened at school and to have missed school because they felt unsafe LGBT students were four times more likely to miss school because they did not feel safe. They also reported experiencing bullying at more than twice the rate of their straight peers and were threatened at school almost three times more than their peers

- Students with disabilities and students of color were two to three times more likely to be suspended or expelled, and were more likely to be restrained and referred to law enforcement by school staff.

Our coalition has worked hard to develop trust among organizations and we do have members who identify as Jewish. In no way are we minimizing the hate symbols nor bias against the Jewish Community and we do have concerns about a few things. We welcomed most of the forced changes.

On January 30, 2019, we put forth a survey to the two dozen members of our coalition on the language changes, and with an 80% response rate. There was broad agreement among coalition members on all proposed changes with exception of two key amendments to both the findings section and the reporting requirements. The survey yielded that only 54% of our members supported adding religion as a category for data collection in incident reporting.

We are concerned about the inclusion of religion as it may place the entire effort in jeopardy through legal challenges or worse, and be manipulated in ways that will allow for further abuses against marginalized people to occur. This work moves forward in its current form without the benefit of clarity and discussion amongst those most impacted by it. It would be devastating to have this effort halted down the road because we were caught unaware of the potential implication.

We also have concerns that we have not gained clarity on any impacts regarding the separation of church and state with the inclusion of religious language in the bill. There are concerns about tracking and inquiring of religious affiliations of students in Vermont schools.

The concern of our members regarding the word anti-Semitism includes reference to redefining anti-Semitism with regards to the criticism of the state of Israel.

On September 2018, The trump administration adopted a new definition of anti-Semitism in schools. Marcus leads the department's Office for Civil Rights and in a letter to the Education Department and "["in its investigations into discrimination, would adopt the "working definition" of anti-Semitism that is "widely used by governmental agencies" including the State Department.](#)"

Twenty-four state legislatures have adopted measures punishing advocacy and activism promoting boycotts of Israel, often foisting the same flawed definition of anti-Semitism on public schools and universities."

There are also free speech issues brought forward by ACLU.

We are working within our coalition to have franks conversations and we need a little more time to find co-moderators to the process. We want to work together for all of our kids.

How are we appointing members: Our members and campaign partners are committed to ensure that we have a transparent process. We have seen firsthand that the system in which appointments are made only by one individual does not work. We are committed to have a community process where we will have open community discussions across sectors, communities, and geographical areas where we can find the best person to represent the ethnic and social groups in Vermont. We know that the most vocal advocate does not necessarily represent entire groups and we will make sure we find the right person to advocate for our children's future.

Is the bill directing this group to write curriculum? The bill does not in a way mandate curriculum but seeks to review standards that have been mandated by the State Board of Education and recommend changes to all content standards to include the histories and contributions of the social and racial/ethnic groups as defined by H.3.