Introduced by Representatives Mulvaney-Stanak of Burlington, Cina of Burlington, Burke of Brattleboro, Burrows of West Windsor, Colburn of Burlington, Cordes of Lincoln, Sims of Craftsbury, Small of Winooski, Surprenant of Barnard, Vyhovsky of Essex, and White of Bethel

Referred to Committee on

Date:

Subject: Education; public schools; equitable learning; anti-bias professional development

Statement of purpose of bill as introduced: This bill proposes to enhance equitable learning environments for all Vermont public school students and to ensure a safe and affirming workplace environment for all school staff, especially those students and school staff who have been historically underrepresented and underserved due to factors such as their race, ethnicity, sexual orientation, gender identity, or physical or mental ability.

An act relating to enhancing equitable learning and workplace environments in public schools
It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

(a) Vermont schools play a critical role in the education and social-emotional development of young people in Vermont. Many supervisory unions, school leaders, and individual educators began to embark on addressing equity on their own through professional development offerings and hiring of dedicated staff to name and address matters of equity in school policy, classrooms, and school culture.

(b) Educators, staff, school administrators, and school board members directly impact the learning content and experiences of students. The knowledge or lack of knowledge held by these individuals on matters of implicit and explicit bias, oppression, and historically marginalized identities directly impact outcomes for students and their experiences in Vermont schools.

(c) The General Assembly passed 2019 Acts and Resolves No. 1 to create the Ethnic and Social Equity Standards Advisory Working Group. It is charged with reviewing the standards for student performance by the State Board of Education under 16 V.S.A. § 164(9), State statutes, State Board rules, and school district and supervisory union policies and submitting a set of recommendations to the State Board to better prepare all students to participate
effectively in an increasingly racially, culturally, and socially diverse Vermont
and global community. The Working Group’s final report is due July 1, 2022.

(d) In recent years, the country saw a social justice movement expand
within every state of the country to call attention to Black Lives Matter,
LGBTQ rights and safety, and gender equity with the #MeToo and #TimesUp
movements. These movements are in direct response to heightened awareness
and media coverage of explicit and implicit bias within institutions and all
sectors of our community, including in Vermont, as it relates to race, ethnicity,
sexual orientation, gender identity, gender, and physical or mental ability. The
outcome of implicit and explicit bias is the same and disproportionately impacts historically marginalized people.

(e) The Vermont education system can improve its efforts to create equitable, inclusive, and responsive learning environments by aligning with the work of the Working Group through:

(1) supervisory unions’ review of, and updating where appropriate, curriculum and related policy;

(2) supervisory unions offering professional development to educators and school leaders and creating annual equity goals and workplans; and

(3) the Agency of Education’s equity technical and program support of schools.

Sec. 2. 16 V.S.A. § 268 is added to read:

§ 268. EQUITABLE LEARNING AND WORKPLACE ENVIRONMENTS; ANTI-BIAS PROFESSIONAL DEVELOPMENT

(a) Definition. As used in this section, “anti-bias professional development” means a high quality comprehensive education that examine personal biases and systemic injustices that negatively impact historically underrepresented and underserved identities, such as race, ethnicity, sexual orientation, gender, gender identity, and physical or mental ability. The content of the professional development program shall:

(1) include definitions of implicit and explicit bias and oppression;
(2) include content focusing on those most impacted by oppression;

(3) be designed to provide time for participants to apply new knowledge as it relates to their role in the school system;

(4) encourage empathy;

(5) be designed to increase participants’ ability to identify and address bias within schools;

(6) encourage equity conscious restorative practices; and

(7) be responsive to the needs of the participants based on participants’ prior education, experience, and knowledge of these topics.

(b) Annual anti-bias professional development requirement.

(1) Each supervisory union shall provide mandatory annual anti-bias professional development to all supervisory union and member school district:

(A) employees;

(B) coaches;

(C) extracurricular advisors;

(D) regularly contracted employees, including social workers, school bus and transportation employees, and food service workers; and

(E) school board members and officers.

(2) The individuals identified under subdivision (1) of this subsection are referred to in this section as “covered staff.”
(3) The annual anti-bias professional development content shall be
designed to be continuous from prior content and be incorporated within
ongoing supervisory union and member school district equity work to advance
ongoing reflection and situational practice among covered staff.

(c) Annual request for proposal for equity facilitators.

(1) The Agency of Education shall issue an annual request for proposal
from individuals or entities seeking consideration to serve as an equity
facilitator for supervisory unions. An equity facilitator provides the annual
anti-bias professional development required under subsection (b) of this
section. The Agency shall seek applicants who:

(A) have practical or professional experience in anti-bias workplace
or education settings;

(B) have experience in adult learning development and a range of
learning styles that meets the needs of all covered staff, including people
without formal college or graduate level education;

(C) have familiarity with the Vermont education system; and

(D) understand systemic and institutional racism, generational
poverty, and barriers facing underrepresented and underserved groups.

(2) The Agency shall encourage applications by members of the black,
indigenous, person of color, lesbian, gay, bisexual, transgender, questioning, or
intersex communities.
(d) List of equity facilitators. The Agency of Education shall maintain and make available to supervisory unions an annually vetted list of equity facilitators. The equity facilitator list and any new equity facilitator applicants shall be reviewed each year by a selection committee under the direction of the Agency of Education and State Executive Director of Racial Equity. The selection committee shall decide, by majority vote, who shall be included on the vetted list of equity facilitators. The selection committee is encouraged, but not required, to select equity facilitators who are members of the black, indigenous, person of color, lesbian, gay, bisexual, transgender, questioning, or intersex communities. Supervisory unions are strongly encouraged to use an equity facilitator from the vetted list.

(e) Grant funding. The Agency of Education shall provide annual matching grants to supervisory unions to fund up to 50 percent of the costs, up to a maximum of $10,000.00 per supervisory union, of anti-bias professional development.

(f) Paid time for participation in annual anti-bias professional development. Supervisory unions and their member school districts shall provide regular wages and salaried work time, as applicable, for covered staff to participate in annual anti-bias professional development.

(g) Permanent equity coordinator position encouraged. Each supervisory union is encouraged to have at least one full-time equity coordinator employee.
funded through its member school districts’ annual budgets, dedicated to
creating more equitable learning environments for students and supporting the
integration of covered staff learning from annual anti-bias professional
development. The equity coordinator is encouraged to:

(1) spend not less than 50 percent of the equity coordinator’s time in
schools working with those covered staff who directly interface with students
in order to support these staff members’ professional growth on equity issues;

(2) be given access to all covered staff to create consistency in equity
work across the supervisory union and member school districts;

(3) build an equity workplan with school leaders each year using as
reference tools the Agency of Education’s Equity Lens Tool, the State of
Vermont Equity Impact Assessment tool, and the results of the Agency of
Education’s annual reports required under subsection (j) of this section; the
equity workplan shall be included in each school’s continual improvement plan
under section 165 of this title; and

(4) through the supervisory union’s grant of authority to the equity
coordinator as evidenced by the position’s job classification and roles and
responsibilities, impact equity related policy making and have oversight over
the implementation of the equity workplan.

(h) Paid time for work on equity issues encouraged. Supervisory unions
and their member school districts are encouraged to provide regular wages and
salaried work time, as applicable, for covered staff to, within their regular work
schedule, focus on equity issues outside of anti-bias professional development
sessions.

(i) Funding for work on equity issues encouraged. Supervisory unions and
their member school districts are encouraged to dedicate regular funding for
equity work in their budgets.

(j) Reporting. Notwithstanding 2 V.S.A. § 20(d), the Agency of Education
shall include in its Vermont Annual Snapshot report an equity dedicated
section and send the report to the General Assembly. The equity section shall
include:

(1) a list of each supervisory union and school district that completed its
annual anti-bias professional development training as required under
subsection (b) of this section and a list of each supervisory union and school
district that did not complete this annual training;

(2) an analysis of equity-related data points within the Vermont State
Report Card on education and Youth Risk Behavior Survey;

(3) a summary and analysis of the suspension, expulsion, discipline,
graduation, literacy, and truancy rates as it relates to historically marginalized
students; and

(4) a set of policy recommendations to create more equitable schools for
all students.
Sec. 3. AGENCY OF EDUCATION; STAFFING

The following position is created in the Agency of Education: one full-time classified position to support education equity in Vermont public schools, including:

(1) supporting existing equity coordinators and other relevant staff in school districts and supervisory unions;

(2) supporting school districts that seek to implement equity staff structures for the first time;

(3) creating standard anti-bias professional development for covered staff as defined in Sec. 2 of this act; and

(4) implementing this act.

Sec. 4. APPROPRIATIONS

(a) There is appropriated to the Agency of Education from the General Fund for fiscal year 2022 the amount of $100,000.00 for salary, benefits, and operating expenses for the new position created under Sec. 3 of this act.

(b) The sum of $540,000.00 is appropriated for fiscal year 2022 from the General Fund to the Agency of Education to provide funding for grants under Sec. 2 of this act. The Agency shall include in its annual budget request to the General Assembly the amount of $540,000.00 to provide funding for grants under Sec. 2 of this act.
Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.