

Policy Sub-committee 7/28/2023

Section of Education Quality Standards	Policy Constructs/Potential Changes
Statement of Purpose	<p>VSBA Model Policy currently exists under Recommended Policies (holds no legislative authority); other school district examples = Windsor Central Supervisory Union Equity, Inclusion and Diversity in Education Policy, Essex Westford Equity Policy</p> <p>Potential suggestion: Required Equity Policy</p>
Statement of Purpose	<p>Does not currently exist in VSBA model polices nor in state law; Some school districts have adopted their own and some have incorporated anti-racism into their equity policy E.g. Hartford School District</p> <p>Potential Recommendation: Add Anti-Racism Language to a Required Equity Policy</p>
Statement of Purpose	<p>“Continuing Best Practices for Schools Regarding Transgender and Gender Nonconforming Students”</p> <p>No requirement in state law to update the guidance; last updated in 2017</p>
2113 Discrimination	<p>Policy Constructs at the State and Federal Level for Anti-Discrimination: 9 V.S.A. §4502 (Public accommodations) 21 V.S.A. §§495 et seq. (Employment practices) 21 V.S.A. §1726 (Unfair labor practices) 20 U.S.C. §§1400 et seq. (IDEA) 20 U.S.C. §§1681 et seq. (Title IX, Education Amendments of 1972)) 29 U.S.C. §206(d) (Equal Pay Act of 1963) 29 U.S.C. §§621 et seq. (Age Discrimination in Employment Act)</p>

29 U.S.C. §794 (Section 504, Rehabilitation Act of 1973)

42 U.S.C. §§2000d et seq. (Title VI of the Civil Rights Act of 1964)

42 U.S.C. §§12101 et seq. (Americans with Disabilities Act of 1990)

[1] Federal regulations implementing Title VI (race, color, national origin), Title IX (sex), Section 504 (disability), the *Age Discrimination Act*, and the *Boy Scouts Act* contain requirements for recipients of federal funds to issue notices of non-discrimination. These regulations require that recipients notify students, parents and others that they do not discriminate on the basis of race, color, national origin, sex, disability and age, and, if applicable, that they provide equal access to the Boy Scouts of America and other designated youth groups.

[2] See 34 C.F.R. § 104.12(a).

[3] See 34 C.F.R. § 104.12(b) &(c) for requirements related to reasonable accommodations and factors to be considered when determining when a requested accommodation would create an undue hardship. The inclusion of this provision in this model policy is based on a finding by the federal Office of Civil Rights that a Vermont school district's policy on non-discrimination was not in compliance with Section 504 of the Rehabilitation Act of 1973 because it did not include these provisions.

[4] Discrimination against an employee on the basis of political affiliation is prohibited by the Vermont Municipal Labor Relations Act. 21 V.S.A. § 1726(a)(7).

[Recommended School Board Policy A22](#)

Potential Recommendation: [Require Notice of Non-Discrimination Policy](#) with clear reference to federal and state anti-discrimination laws

2114 Definitions	Align equity policy (see above) with definitions from EQS
2120.1 Instructional Strategies; 2121.3 Needs-Based Professional Learning	Recommended School Board Association Policy B21 Professional Development ; Updating and Requiring this policy would be significantly impacted by local CBAs
2121.1 Leadership	A23 Community Engagement and Vision VSBA Recommended Policy Potential Recommendation: Required Community Engagement Policy; for e.g. Great Schools Partnership Sample Policy
2122.2. Access to Instructional Materials	Recommended VSBA D22 Selection of Library Materials Potential Recommendation: Require Selection of Library Materials Policy from VSBA
Other	Require State Board to be made up of a diverse set of stakeholders, reflective and representative of the broader Vermont education community