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**Date:** May 11, 2023 at 11:40:45 PM EDT  
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**Cc:** "Samuelson, Jennifer" <[Jennifer.Samuelson@vermont.gov](mailto:Jennifer.Samuelson@vermont.gov)>  
**Subject:** **Materials and suggestions for next EQS Committee Meeting**

In looking through materials to prepare for Monday's committee meeting, I reviewed Act 1 and found the following references in statute, and offer suggestions for consideration by the committee at next EQS Committee meeting. Happy to discuss and reach out to stakeholders for feedback if we feel that is appropriate.

<https://legislature.vermont.gov/Documents/2020/Docs/ACTS/ACT001/ACT001%20As%20Enacted.pdf>

1. Definition of "Civic and community engagement", do we want to include community service (Lyle question)?

8. "Civic and community engagement" means individual and/or collective actions that identify and address issues of public importance, and that provide young people with opportunities that contribute to the current and future development of their communities and a democratic society. Civic and community engagement can take place in a variety of formal and informal settings, including, but not limited to, those in governance and electoral politics, educational, cultural, and recreational activities, **community service** and social justice movements.

2. With respect to **restorative practices**, the following appears in Act 1 of 2019 (pgs. 8 & 9):

*(3) The Working Group shall include in its report to the General Assembly under subdivisions (h)(2) and (3) of this section any statute, State Board rule, or school district or supervisory union policy that it has identified as needing review or amendment in order to:*

*(C) challenge racist, sexist, or ableist bias, or bias based on gender or socioeconomic status, using principles aligned with restorative practice;*

*(E) establish disciplinary responses to racial or ethnic and social group incidents that include the utilization of restorative practices where appropriate; and*

My suggestion for our language would be to edit the definition as follows:

36. “Restorative Justice” or “Restorative Practices” refer to whole-school, relational approaches to building school climate and addressing student behavior that fosters belonging over exclusion, social engagement over control, and meaningful accountability over punishment. It encourages members of the school community to be constantly present, attending to needs as they arise. It exercises their ability to be dynamic rather than static in their responses. Restorative approaches also begin with proactive structures to build positive relationships and communication and create a space for people to express themselves—their strengths, assets, responsibilities, and also their vulnerability. Restorative justice processes and programs shall not remove from a SU/SD or lessen to any degree its mandatory responsibility under Vermont law and policy to investigate, call out, name, and discipline behaviors that violate the Vermont Agency of Education’s “Policy for the Prevention of Harassment, Hazing and Bullying” (HHB) and Federal Title IX.

and 2120.1 m) fostering classroom culture based on the tenets of restorative justice practices: relationships, respect, responsibility, repair, and reintegration.

3. Inclusion of ethnic and social equity studies, suggested language (from Act 1), add the following:

2120.5 h) ethnic and social equity studies

4. Complaint process and reporting requirements as currently in statute:

from Act 1 of 2019:

*(2) The Working Group may review State statutes, State Board rules, and school district and supervisory union policies that concern or impact standards for student performance or curriculum used in schools. The State Board may recommend to the General Assembly proposed statutory changes with the following goals:*

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

Recommendation for language change and placement:

- I think that we need to move the paragraph and bullets regarding local school board responsibilities from the end of the 2120.6 Curriculum Coordination section to the 2121.1 School Leadership section of the document. And I think that is where it is the responsibility of boards to establish a process for ongoing accessible, inclusive feedback from students, families and staff, and district responses to that feedback, clearly

detailing the process for consideration of such feedback. We may want to have subheads under School Leadership for School Board and Superintendent separately. I have suggested language to be added at the end of that existing school board language. (The underlined language is moving over from 2120.6, and the highlighted language would be new.)

Each local school board shall ensure the alignment of existing school policies and create new policies as needed to accomplish the following:

a) promote research, coordination and professional learning that leads to the development of age-appropriate and grade-appropriate programming and resources in Ethnic Studies that are integrated into all Curriculum Content areas in Section 2120.5 of this Manual and that are responsive to the developmental needs of all students, pre-kindergarten through grade 12; and

b) create systems for regularly, systematically, and continuously evaluating a SU/SD's performance in attaining the above goals.

When undertaking this policy work, school boards and school leadership shall engage with the communities they serve and seek input and guidance through a process that includes the diverse voices and experiences of students, parents/legal guardians and other community members who are often underrepresented in this work and in school decision-making.

School Boards and school leadership shall establish an accessible, inclusive process for students, parents/legal guardians, and staff to provide feedback regarding their experiences, district responses to feedback and procedures for how to handle complaints regarding compliance with school policies, practices and these Education Quality Standards, as it bears on race or ethnic or social group identity at school. These documented complaints and responses shall be included in annual reporting to the AOE as required in Sections 2124, 2125 and 2126 of this rule. (I'M NOT SURE WHICH SECTIONS TO CITE).

Then I think that we could have this information included when the CIP is filed with the AOE, and locally they SHALL be responsible for establishing a process and responding to complaints, and we have used language from Act 1, so we have the link to statutory authority and legislative intent.

5. Review to consider whether reporting requirements should include the requirement to report on HHB, as indicated in 16 VSA 164(17) (see below); also check language to ensure that we have said SU/SD each place that we used school in 2124-2126, since the language change in statute added SU/SD. FYI, from Act 1 of 2019, with respect to reporting 2124, 2125, 2126....

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Sec. 2. 16 V.S.A. § 164 is amended to read:

§ 164. STATE BOARD; GENERAL POWERS AND DUTIES

*The State Board shall evaluate education policy proposals, including timely evaluation of policies presented by the Governor and Secretary; engage local school board members and the broader education community; and establish and advance education policy for the State of Vermont. In addition to other specified duties, the Board shall:*

\* \* \*

*(17) Report annually on the condition of education statewide and on a ~~school-by-school~~ supervisory union and school district basis. The report shall include information on attainment of standards for student performance adopted under subdivision (9) of this section, **number and types of complaints of hazing, harassment, or bullying made pursuant to chapter 9, subchapter 5 of this title and responses to the complaints**, financial resources and expenditures, and community social indicators. **The report shall be organized and presented in a way that is easily understandable by the general public and that enables each school, school district, and supervisory union to determine its strengths and weaknesses. To the extent consistent with State and federal privacy laws and regulations, data on hazing, harassment, or bullying incidents shall be disaggregated by incident type, including disaggregation by ethnic groups, racial groups, religious groups, gender, sexual orientation, gender identity, disability status, and English language learner status. The Secretary shall use the information in the report to determine whether students in each school, school district, and supervisory union are provided educational opportunities substantially equal to those provided in other schools, school districts, and supervisory unions pursuant to subsection 165(b) of this title.***

I just thought it might be helpful to have a place to start our conversation and the statutes handy that are relevant for our discussion. I am going to draft an agenda for Monday, 4-6pm and ask Maureen to hold it until we have confirmation from Tammy on the time, but if we don't hear back we will need to warn it by the end of the day Friday, and I am not available during the day Friday.

Best,  
Kim