

To Chair Jennifer Samuelson and members of the VT State Board of Education,

This letter is probably coming too late because I am out of the country and currently following a different timeline. I entreat you to include this comment with the others, especially since I served on the Act 1 working group for the last four years. I am writing to strongly urge you to reconsider replacing the language that our group, which also included representatives from the VT Agency of Education, sought so hard to nuance as the definition for anti-discrimination. I ask you to reconsider for a couple of reasons. The first is more related to logistics. Why object to the language now when in the months leading up to the completion of this document, which included forums and surveys that adhered to the process, there was ample time to discuss the legality of language. Furthermore, I understood that the attorney overseeing EQS found no issue with it, while the attorney for '2200' expressed concerns about liability. How do we make sense of this discrepancy?

It is honestly disappointing for people on the committee who represented some of the most diverse and historically marginalized communities in the state of Vermont. Backpedaling now just signals to these communities that these processes can get taken over quite easily in the end, and that appearance becomes more important than authentic change. I would love more transparency around whom this language would really impact. Who would object to such language that is meant to be inclusive?

The second reason relates to the amazing position that Vermont has always been in to make changes because of its progressive history. I moved here 20 years ago and have always felt grateful for the opportunity to develop my career in higher education and to meet people/teachers/administrators who have aspired to be equity-centered. It's important to me as a second generation Filipinx American who grew up in the U.S. never seeing myself reflected in U.S. history (except as it pertained to colonial history) in the schools until graduate school. Even to this day, very few people really know about Filipinos in the U.S. or that many Filipinos align themselves historically, socially, and culturally with Latinx communities - the "Latinos of Asia" (Ocampo, 2023). My parents assimilated when they came to the U.S. stripping themselves from their Filipino accents. They told me I had to speak perfect English, and I did manage to do all that and I was rewarded, but at such a high cost that it was hard for me to relate to any Filipino communities that I came across. Fortunately, as I came to learn about ethnic studies, I began to find more affiliation with others and community. But this didn't happen until I was an older adult. Why must it take so long to support students who do not see themselves in the school curriculum? The nuanced definition for anti-discrimination would be symbolic for students and families, because they would feel they are being heard and protected, thus feeling like they belong in Vermont.

I understand that language is such a complicated thing and I appreciate the State Board's concern about making sure that people are protected. If maintaining the language that the Act 1 committee developed seems a liability, could the board through Attorney Sarah Buxton please provide us with the legal analysis and substantive reasons for liability, other than what Buxton was quoted saying in the VTDigger article. Buxton is quoted as saying the following: "The addition of more protected classes "would exceed what current state and federal law provide and, if that is the case, could be potential sources of litigation," Buxton said, according to the minutes. She said the language could also be interpreted to "exclude" school programs "such as French Club, Girls on the Run, etc," the minutes showed." These examples do not seem to hold up for me. In reality, these examples reflect enrichment programs supported by the most affluent communities. It is difficult for me to see how such programs could be threatened by the new anti-discrimination language. I would ask us to consider: How are we using this language in the first place, and who does it protect if not the communities we have been trying to represent in our work through the Act 1 working group?

It is such a challenging world that we continue to live in where equity and socially just initiatives are being targeted, and unfair expectations are being placed on schools and teachers who are finding it harder and harder to welcome students especially with intersectional identities across disability, income level, race, ethnicity, language, religion, gender, and indigeneity. All the work of the Act 1 working group was anchored to the hope of making these protections more explicit. Isn't that what we all want for our Vermont children and youth. I really hope the Board will reconsider its decision, or, at least, be open to discussing this issue further and coming together on a resolution that would satisfy both groups?

Thank you in advance for reading my letter.

Sincerely yours,
Cynthia Reyes