

Dear SBE,
Please include the below for public comment.
Thank you,
Rabbi Tobie Weisman,
Executive Director, Jewish Communities of Vermont

October 13, 2023

Dear Vermont State Board of Education Members,

JCVT would like to bring our concerns below to your attention during this SBE review period for the EQS.

These points were first made in August of 2022.

Over the past several years members of the Jewish community in Vermont have worked to help develop an inclusive definition for Ethnic Groups in the educational standards. In 2019, key Vermont clergy worked with the legislature to add "groups that have been historically subject to persecution or genocide" to Act 1's definition of Ethnic Groups to ensure the inclusion of Jewish Vermonters and other ethnic minorities.

We understand that the EQS' definitions of "Ethnic Studies" and "Ethnic Groups" were revised at your meeting last week (August 25, 2022) so that the EQS will not include Act 1's phrase "groups that have been historically subject to persecution or genocide."

We write to ask you to place these two definitions on your September 1 agenda and, in order to comply with Act 1, agree to either:

1. (i) accept Ms. Gleason's August 11 recommendation to include Act 1's phrase "groups that have been historically subject to persecution or genocide" in the first part of the EQS' "Ethnic Studies" definition, or
2. (ii) place that phrase in the definition of "Ethnic Groups" as Vermont legislators did in Act 1.

The Jewish Communities of Vermont's (JCVT) preference is (ii).

Yoram Samets, board member of JCVT, spoke to this at the SBE EQS Subcommittee's August 11, 2022 meeting* and, according to attendees and the meeting minutes, the subcommittee agreed to (i) above.

Definition of Ethnic Groups and Ethnic Studies: Phrase "Groups that have been Historically Subject to Persecution or Genocide"

The change agreed to on August 11, 2022 complies with Act 1 and would have Vermont's students also studying the history, struggles, and contributions of the "groups" whose histories included these horrific acts.

The SBE Subcommittee's August 25 reversal of that is substantive and conflicts with Act 1:

1. Removing the Act 1's subject "groups" would produce an EQS that does not call for those groups to be studied.
2. Placing Act 1's word "persecution" in a list of harms to be studied would have students learn about the concept but not the people that were the targets.
3. Substituting "other inhuman treatment" for Act 1's "genocide" erases it and inserts something completely different -- genocide is orders of magnitude worse than inhuman (see below).

Definition of Ethnic Studies: "Inhuman" Treatment

We understand that Ms. Garces suggested the phrase "inhuman treatment" replacing the word "genocide" in the EQS' definition of "Ethnic Studies" at the SBE EQS Subcommittee's August 25 meeting.

"Inhuman" means "lacking pity, kindness, or mercy" and is not a synonym for genocide, again the word called out in Act 1's definition of "Ethnic Groups" Merriam-Webster Dictionary and GENOCIDE Synonyms: 11 Synonyms & Antonyms for GENOCIDE | Thesaurus.com.

"Genocide" is harm at a scale and with evil and deliberate design that the word "inhuman" does not come close to capturing.

EQS Working Group leads, Amanda Garces and Mark Hage mentioned ADL's Pyramid of Hate in their written comment and Ms. Garces mentioned it again during the August 25 meeting. The Pyramid of hate differentiates clearly between actions that would be considered "inhuman" and "genocide" - it places "genocide" at the very top of accelerating levels of hate defining it as the act of "deliberately and systematically annihilate an entire people." https://www.adl.org/sites/default/files/pyramid-of-hate-web-english_1.pdf

The Holocaust in Germany 80 years ago was genocide; six million (6,000,000) Jews were deliberately and systematically annihilated by Hitler who labeled them an inferior race. Armenians were historically subject to genocide; in five years ending in 1920 the Turks of the Ottoman Empire deliberately and systematically killed between 600,000 and 1.5 million Armenians with many others forcibly deported in order to "s

<https://encyclopedia.ushmm.org/content/en/article/the-armenian-genocide-1915-16-overview>. In 1994, Hutu extremists murdered 500,000 to 800,000 minority Tutsis in Rwanda, a genocide too.

Observations

Mark Hage is an outspoken anti-Israel and pro-BDS (Boycott, Divestment, Sanctions) advocate. Education Justice Coalition of Vermont (EJCVT) devotes a large percentage of its social media to anti-Israel advocacy. This raises the question of whether the Working Group's leadership's personal bias is playing a role in this process. What assurances can you give the Jewish community in Vermont that bias against Israel is not affecting the recommendations made by the Working Group? We find it concerning that there is such resistance to using the language enacted by the legislature in response to local Jewish clergy's testimony on behalf of many in the Jewish community.

Bias

As State appointees, all members of the EQS Working Group are to leave their personal biases and animus at home:

1. State appointees, working for the people of Vermont, cannot participate in decisions if they have a conflict of interest. See 3 VSA Section 1222 ("conflict of interest" includes "a significant personal" interest).
2. When participating, they are not to discriminate against legally protected groups such as races, national origins, sex/gender, and, in Vermont, Jews. See Titles VI and IX of the United States Civil Rights Act and Governor Scott's 2021 Executive Order adopting the International Holocaust Remembrance Alliance's working definition of antisemitism for the State of Vermont. <https://governor.vermont.gov/sites/scott/files/documents/21-007%20Holocaust%20Remembrance%20Day.pdf>

Note that:

When Act 1 (H3) was before the legislature in 2019, Ms. Garces, as the founder of the Vermont Coalition for Ethnic and Social Equity in Schools (VCESE), objected to the Jewish community's suggestion that the clause "groups that have been historically subject to genocide and persecution" be added to Act 1's definition of "ethnic groups." Her arguments did not prevail:

On February 6, 2019, Ms. Garces submitted VCESE's materials to legislators that heralded her coalition's "groundbreaking work of drafting the Ethnic Studies and Social Equity Working Group bill and finding an ally [Kiah Morris] in the legislature." <https://legislature.vermont.gov/Documents/2020/WorkGroups/Senate%20Education/Bills/H.3/Written%20Testimony/H.3~Amanda%20Garces~VT%20Coalition%20for%20Ethnic%20and%20Social%20Equity%20in%20Schools~2-6-2019.pdf>

Introducing herself as the founder of VCESE, she told legislators that her coalition opposes the Jewish community's addition to VCESE's Act 1 bill -- that could result in students learning about Jewish Americans, Armenians, and Tutis minorities for example - - because that inclusion could "allow...abuses against marginalized people to occur." Including antisemitism should concern legislators too she stated fearing that would "punish advocacy groups and activism promoting boycotts of Israel." <https://legislature.vermont.gov/Documents/2020/WorkGroups/Senate%20Education/Bills/H.3/Written%20Testimony/H.3~Amanda%20Garces~Testimony-VT%20Coalition%20for%20Ethnic%20Studies%20and%20Social%20Equity%20in%20Schools~2-6-2019.pdf>

Soon after Act 1 passed, Ms. Garces' VCESE was renamed the Education Justice Coalition of Vermont (EJCVT). **(Over half of the EQS Working Group are EJCVT leaders or appointees.)**

Bias is evident throughout Ms. Garces' EJCVT's social media posts which promote Islam, Arabic, and Palestinians and are extremely critical of the State of Israel and even the Simon Wiesenthal Center which educates students about the Holocaust. EJCVT posted a warning with its Wiesenthal Center Facebook post. <https://www.facebook.com/EdJCoalitionVT/>

Mr. Hage is very public about and well-known for his support of boycotts of Israel, he is well published on the topic and is a leader of the anti-Israel activist group Vermonters for Justice in Palestine.

This summer, Mr. Hage's most recent Israel boycott campaign lost its court battle. Mr. Hage had organized a ten-year, international boycott call for Ben and Jerry's to not renew its longstanding partnership with a Jewish Israeli licensee who manufactures and distributes its ice cream to Palestinians and Jews in the West Bank. Parent company Unilever issued a sharply worded press release rejecting Mr. Hage's boycott with an unequivocal statement that it stands against both anti-Israel boycotts and antisemitism. <https://www.unilever.com/news/press-and-media/press-releases/2022/unilever-reaches-new-business-arrangement-for-ben-jerrys-in-israel/> ("Unilever rejects completely and repudiates unequivocally any form of discrimination or intolerance. Antisemitism has no place in any society. We have never expressed any support for the Boycott Divestment Sanctions (BDS) movement and have no intention of changing that position.")

Israel has been the indigenous homeland of the Jewish people for 3,000 years and became a sovereign nation in 1948. It is the only country with a majority Jewish population, located in the Middle East with 14 Muslim-majority nations around it.

"Critical/Liberated Ethnic Studies"

We assume that Ms. Garces and Mr. Hage's opinions are also informed by their support for the political movement called "critical" or "liberated ethnic studies" which works to advance a highly controversial form of Ethnic Studies that excludes ethnic groups perceived to be White,

holds disdain for the West including the State of Israel tagging both colonizers and is framed around critical race theory.

The type of ethnic studies EJCVT backs gleaned from its social media posts is "critical/liberated ethnic studies," a critical theory-informed curriculum and pedagogy designed to produce students who will move the social and political landscape of their communities and the nation to align with the ideology of the liberationists leading the movement.

Working Group Chair Amanda Garces appears to personally support liberated ethnic studies too, telling her EQS Working Group subcommittee that their EQS recommendations are a "framework for collective liberation" bearing witness to "systems of oppression" at the start of their March 2022 meeting.

Former California Superintendent of Public Instruction Bill Honig sets out the differences between inclusive and liberated ethnic studies clearly with a warning to educators. <https://edsource.org/2022/california-schools-should-opt-for-inclusive-ethnic-studies/674538>.

Some key features of "critical/liberated ethnic studies:"

(i) exclude specific ethnic and religious groups and the hate directed at them such as Armenians, Jewish Americans, and antisemitism (similar to Ms. Garces' February 2019 asks of the Vermont legislature to exclude from Act 1 groups historically subject to genocide and antisemitism).

The Liberated Ethnic Studies Coalition's co-founder Theresa Montano is clear; those who advocate for "'inclusiveness' and 'balance'...are not experts in [liberated] Ethnic Studies [and] the Armenian genocide and the Holocaust...do not belong in [liberated] Ethnic Studies" either. (Letter from Theresa Montano et al to the State of California (November 17, 2020)).

(ii) include specific ethnic and religious groups and forms of hate such as Muslims, Palestinians, and Islamophobia, and

(iii) contain content that:

(a) negatively frames Whites, the United States, law enforcement, and

(b) supports anti-Israel boycotts (see e.g. the Critical Ethnic Studies Association's resolution call to boycott

Israel <https://usacbi.org/2014/07/critical-ethnic-studies-association-passes-bds-resolution-supporting-academic-boycott/>).

In 2019, the California State Board of Education saw firsthand how these differences in Ethnic Studies content matter to the public when the CA Department of Education released a model

Ethnic Studies curriculum written by an advisory committee stacked with critical/liberated ethnic studies supporters. Their curriculum (i) excluded large CA ethnic groups (such as South Koreans, Jews, and Armenians), (ii) omitted antisemitism from its long list of forms of hate, and (iii) suggested lessons be taught on anti-Israel boycotts. https://drive.google.com/file/d/1_LNvdDqJa0A-ougc9deePJ-XyB7JurNz/view (letter from Jewish legislators to the State).

That 9-month mandated model curriculum project required a full restart and took the State two years to complete. It earned a reprimand from Governor Newsom who issued a public apology to the ethnic groups offended by this curriculum. The State Board of Education's leadership had to intervene to ensure that the curriculum complied with State law and its directives. By the time the curriculum was completed, the public poured in over 100,000 comments and the project garnered media attention from major publications including the *New York Times*, the *Washington Post*, the *Los Angeles Times*, and the *Wall Street Journal*. It ended up costing California taxpayers \$763,000.

In conclusion, we ask that the SBE EQS subcommittee's EQS definition of "Ethnic Groups" include Act 1's phrasing noted above.

Sincerely,

Rabbi Tobie Weisman,
Jewish Communities of Vermont, Executive Director

Ted Molnar,
Jewish Communities of Vermont, Board President