

## 11//20/23 - Definition of Discrimination 2200 Alignment considerations for EQS Committee

**Red text is from 2200; highlighted text notes a difference between the 2000 and 2200 current language**

### 2110 Statement of Purpose

The purpose of these rules is to ensure that all Vermont students are afforded educational opportunities that are substantially equal in quality and are equitable, antiracist, culturally responsive, anti-discriminatory, and inclusive, thus enabling each student to achieve or exceed the standards approved by the State Board of Education.

These rules are designed to ensure continuous improvement in student performance, instruction, and leadership to enable students to attain rigorous standards in high-quality programs, both in traditional school-based settings and in extended learning opportunities, with the latter including, but not necessarily limited to, virtual, work-based, co-curricular community-based and service-learning opportunities, community research and civic and community engagement projects, dual enrollment and early college, career technical education (CTE) and adult education and learning (AEL).

The Board believes that any distinction, exclusion, classification, restriction or preference based on any ground, such as race, ethnicity, skin color, sex, sexual orientation, gender identification, language, religion, political or other opinion, disability, national, social or geographic origin, citizenship or immigration status, income or property, birth or other status, which has the purpose or effect of denying or impairing the recognition, enjoyment, or exercise of fundamental rights and freedoms in the political, economic, social, cultural, civil or any other field should be carefully considered and rejected if it results in unlawful discrimination or interferes with the delivery of effective, available, and equitable educational opportunities. The Board recognizes that discrimination is practiced by individuals and groups, and it is expressed systemically through the structures, laws, practices, and policies of public and private institutions, employers, and organizations.

In addition to the non-discriminatory protections in Section 2113, these rules prohibit discrimination against any student pursuing an education or participating in the general life or activities of a school as a result of or based upon, ethnicity, caste, language and linguistic diversity, socio-economic status, religion, housing status, and non-citizenship or immigration status. does not embody the intent of the Board to promote welcoming, inclusive, bias-free environments for learning in Vermont's schools.

These rules further require all schools to strive for a culturally responsive pedagogy that critically examines and imparts a comprehensive historical and socially conscious understanding of:

a) the causes and effects of bias and discrimination as a result of, or based upon, the reasons set forth in Section 2113 of this Manual and in this Statement of Purpose;

b) why all persons should have equitable access to social and economic opportunity;

c) why persons and institutions must identify and prevent individual, group, and systemic racism, discrimination, and all forms of unfair treatment; and

d) the positive and multi-faceted contributions of different social, cultural, racial, linguistic ethnic and indigenous groups to the historical and ongoing project of building and strengthening democracy in the United States and globally.

Nothing herein shall be construed to entitle any student to educational programs or services identical to those received by other students in the same or different Supervisory Union/Supervisory District (SU/SD) or school. Further, nothing herein shall create a private right of action. These rules are in addition to and, unless otherwise specifically stated, do not supersede other rules adopted by the Agency of Education or contained in the Vermont State Board of Education Manual of Rules and Practices. This manual adopts a definition of Discrimination that is broader than its legal definition. Nothing herein shall create a private right of action.

## From Rules Series 2000 EQS:

### **2114 Definitions:**

14. "Discrimination" means any distinction, exclusion, classification, restriction or preference based on any ground, such as race, ethnicity, skin color, sex, sexual orientation, gender identification, language, religion, political or other opinion, disability, national, social or geographic origin, citizenship or immigration status, income or property, birth or other status, which has the purpose or effect of denying or impairing the recognition, enjoyment or exercise of fundamental rights and freedoms in the political, economic, social, cultural, civil or any other field. Discrimination is practiced by individuals and groups, and it is expressed systemically through the structures, laws, practices, and policies of public and private institutions, employers, and organizations.

## From 2200 - Independent School Rules:

### **2222 Definitions:**

"Discrimination" is intended to describe any exclusion, restriction, or preference based on any protected class consistent with state and federal law that has the purpose or effect of denying or impairing the recognition, enjoyment or exercise of an individual's fundamental rights. Discrimination is practiced by individuals and groups, and it is expressed systemically through the structures, laws, practices, and policies of public and private institutions, employers, and organizations.