

With the rise of antisemitism in the U.S. it is imperative to include that factor along with other racial bigotries on the rise in the U.S.

The history of genocide and hate in any form, in any part of the world, the ignorance of history will lead to increased and uninformed opinions and actions and intolerance based on no factual information, but only on misinformation and unfounded prejudice. Future generations **MUST** learn from past history in order to create the future guaranteed by our Constitution and the promise of a true democracy.

Sent from my iPhone

Selma

As a retired teacher and proud Jewish Vermonter, I'm glad to hear the agency is considering adopting new rules regarding inclusivity. I must say that I am very disappointed, and to be honest, baffled as to why the group drafting the rules has sought to eliminate Jewish people from definition of Ethnic Groups. I urge you to include Jewish people in this definition. Antisemitism is not new, and it is not gone. My granddaughter who graduated from high school in June 2023 was a victim of two instances of harassment and bullying based on her religion. Having someone ask her about gas chambers, as if it's just a casual conversation is not acceptable and should never happen. When you're the only Jewish person in your class, it's even more important that people stand up, not only to protect you, but to educate people, so there will be less likelihood of ignorant, hurtful comments being made. Clearly, there is some knowledge about historical events but there is an obvious lack of understanding and critical thinking about these events. Additionally, education should be not just about tragic events in history, but also about the wonderful contributions made by Jews that have benefited and continue to benefit all humankind.

Another point of concern is that services particularly the High Holidays at Jewish places need to have armed guards there. There aren't even words to describe how wrong it is that this is necessary.

Lastly, a concern that I had as a teacher here in Vermont stemmed from the lack of diversity, both in terms of students and staff. I worry that our students would be behind others when they left Vermont for college or jobs because of their lack of exposure to other cultures and ethnicities and ideas. Vermont students deserve the best.

Sincerely,  
Susan LeDrew  
Springfield, VT

Thank you for inviting comments regarding The Educational Quality Standards  
My name is Susan Leff and I am a Jewish resident of Burlington. I am the immediate past president of Temple Sinai in South Burlington where I remain on the board. I spent 10 years as the Executive Director of Hillel at the University of Vermont, and I have been a school teacher in the public schools earlier in my career.

I am here tonight to ask you to please include for the **Standards'** definition of Ethnic Groups **in the Standards** to be exactly as it appears in the ACT 1 law, including section B.

In ACT 1, Ethnic Groups intentionally includes part B, “groups that have been historically subject to persecution or genocide”.

Vermont legislators included part (B) because **they want** Vermont K-12 students to learn about the cultures, contributions and struggles of groups, including Jews, who have been historically subjected to persecution and genocide. This aligns with the White House's **recent, first in US history**, National Strategy to Counter Antisemitism.

This is consistent with the “U.S. National Strategy to Counter Antisemitism “ roadmap

A key focus is President Biden’s "whole-of-society" call to action which includes K-12 Departments of Education, County Offices of Education, and school districts providing "readily available quality educational resources:"

QUOTE: “We call on state and local governments to include Jewish studies in ethnic studies and history curricula. Lessons should include Jewish history, as well as curricula on positive Jewish contributions to America, Jewish diversity, and manifestations of contemporary antisemitism.

More education [is needed] on Jewish American history and the valuable role that Jews have played in our national story. “

Antisemitism is alive and well in Vermont. I’ve experienced it as a member of the community and in my roles in the Jewish Community.

I am not here to ask that Jews be specifically included in the definition of Ethnic groups, only that the definition is broad enough, by including section B ,that we not be excluded. I took part in some of the working group discussions and there was sometimes an anti-Jewish bias in those discussions. Advocating for inclusion of Jewish history, culture and understanding resulted, sometimes, in equating Judaism and Zionism on the part of some participants. That worries me.

When my daughter as a 6<sup>th</sup> grader at Edmund’s Middle School in Burlington, she was beat up by another student you screamed “You kike” while she did it. The school responded to the physical aggression but declined to treat it as antisemitism, saying that they thought that the other girl had no idea what that word meant. We also had a swastika carved into our door on South Willard St.

At Temple Sinai, under my tenure as President, we installed bullet proof film, new locks and a beefed up security system as well as steel and concrete barriers in front of the doors that go 8 feet into the ground. We did that at the urging of the Vermont State Police, among other advisors, as they worried about the safety of those inside the building.

At UVM, swastikas on doors and white boards were a common occurrence and comments and verbal micro-aggressions came from faculty and staff as well as other students. It's against the policy of the University to schedule exams or essential activities or field trips that can't be made up on the Jewish holidays of Rosh Hashanah and Yom Kippur. Every year, it was an issue, and I advocated for our students.

Vermont has the oldest Jewish community in New England. Jewish people often came as refugees, a precursor to our newer refugee populations. The early Lithuanian population settled in Vermont as merchants and businessmen and the descendants of that population are still an important component of our business community. Our Jewish population are proud Vermonters who have enriched the state with culture and heritage that should be taught in our schools as a part of our curriculum along with the contributions of other ethnic groups who also bring a rich heritage to our state.

As a resident of the Upper Valley, I'm writing to ask that section B of the definition of Ethnic Groups be upheld i.e. inclusion of the Jewish experience. Vermont children excluded from learning about who Jewish Americans are will only feed into more exclusion, antisemitism, racism, and hate.

Consider the events of the last two-three years in the Upper Valley: antisemitic acts committed against Jewish students at UVM, and at Dartmouth, the desecration of the outdoor menorah.

Children need to have this important curriculum!

My name is Seth Riemer; I'm the rabbi at Congregation Beth El in Bennington. One incident from my childhood illustrates succinctly the persistent fact that educational systems in this nation treat with disrespect Jewish students' religion and ethnicity. Shortly before Christmas vacation, my 8th grade teacher decided, for a treat, to have everyone in the class draw a picture of Santa Claus. Being a dutiful student but also a religiously observant Jew, I felt uncomfortable; to say that I felt marginalized and was, in fact, invisible would be understatement. On the one hand, I saw all the other students, without missing a beat, get out their crayons and paper and begin drawing. I glanced over to the two or three other Jewish students and noticed that they were going along with the exercise and showing no concern at all about complying with the teacher's instruction. So, fumblingly, awkwardly, nervously, I began to sketch, figuring that I had better go along or look like a fool in everybody's eyes and maybe get in trouble too. Then, one of my classmates (I can't remember if this was a Jewish or non-Jewish person), noticing my extreme discomfort, called it to the attention of the teacher, who immediately came over and, speaking with me quietly, his tone soothing, his manner sensitive, invited me to do something Hanukah-related. Perhaps he suggested I make a picture of a menorah - the candelabrum central to Hanukah tradition. So I did as my teacher proposed. While his condescending gesture relieved me and calmed me down slightly, it did not dispel my sense of unease. Having been temporarily rescued from having to violate my religious convictions, I was sinking into a deeper sense of malaise. I felt, but was not yet mature enough to understand, that something was wrong with this picture. Only years later did I come to realize just how egregious - how insulting and utterly unacceptable - that entire situation had been. Instead of completely erasing my cultural identity, the system in place then - and still in place now - had thrown me a bone, allowing my Jewishness to be conveniently tagged onto an existing norm that basically does not recognize my history, values and practices. The tokenism of the teacher's gesture - absurdly equating a minor Jewish festival with a preeminent Christian holy day (which is also an official national holiday!) - thus, to inflate the importance of Hanukah, not out of respect for Jews and Judaism but to assuage Christians' guilty consciences about their dominant social status in this society - was due not only to his ignorance but to the careless disregard that entire educational system showed for Jewish students. We, here in this time and place, have to do better. Thank you.

To: State Board of Education

From: Susan Schoenfeld

Date: 10/24/23

Re: Educational Quality Standards

I am a resident of South Burlington. While I have no children currently in the school system, I strongly believe in the importance of education in supporting our community's children so that they can thrive and become good citizens. Learning to recognize and address all forms of discrimination, including racism, antisemitism, attacks on our LGBTQ+ community, etc, is essential I have followed the important work of Vermont's Act 1 working group. Here are my current concerns:

1. I support the original anti-discrimination wording. There appears to be no legal agreement about the need to weaken this language. This should not be a area of compromise.
2. I am concerned about allowing independent schools to get a waiver rather than follow the statewide guidelines. Assuming that taxpayer money goes to these schools, why should there be compromise on this important point? Also, in looking at the space I saw for requesting a waiver didn't see any guidelines as to what would be mandatory in a waiver. Perhaps I missed this, but again- I don't think this should be allowed.

Thanks to the Working Group for the work done on creating the guidelines, and thanks for the opportunity to provide feedback.

Hello,

It's great that you're working on new inclusive rules for Vermont's education quality standards.

It is essential that Jews and antisemitism be included in these rules.

My children, currently in Woodstock Union High School, have experienced first hand the kind of ignorance that happens if this is not taught sufficiently. Kids have done Hail Hitler salutes to them which although in itself is not the worst possible thing, it shows a level of ignorance that leads to hatred and opens the doors to history repeating itself.

The standards must include groups “that have been historically subject to persecution or genocide” and that the curriculum must address “antisemitism.” How else can it be inclusive? This is not a marginal group to which nothing bad has ever happened, or stands no risk of it happening again. I don't see how anyone can justify NOT including anti semitism in this curriculum.

Thank you,

Susanna Stein  
67 Grassy Lane  
Woodstock VT 05091



Windsor Southeast Supervisory Union  
105 Main St, Suite 200  
Windsor, VT 05089



Vermont Board of Education  
Education Quality Standards Committee  
Agency of Education  
1 National Life Drive, Davis 5  
Montpelier, VT 05620-2501

Re: Public comment on the Education Quality Standards (Rule Series 2000)

October 24, 2023

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

Dear Chair Samuelson and VT State Board of Education,

Please accept these comments on behalf of the Windsor Southeast Supervisory Union (WSESU). At WSESU, we strive to be an educational system where students want to learn, staff want to work, and families want to live. We are invested in creating an equitable, anti-racist school culture where every student feels a sense of belonging, especially those furthest from justice. We are committed to graduating students with the essential skills of empathy, perseverance, integrity, communication and critical thinking.

We have been watching and supporting the development of the Educational Quality Standards (EQS). We have submitted public comments in favor of the focus on equity and inclusion. With four years of dedicated work that has gone into crafting these standards for the benefit of our students, we were surprised to read about a move to dilute language in the EQS in a [VT Digger article](#) from October 17th where, "Buxton told members that the original language proposed by the working group could have "potential unintended consequences.""

Although Buxton appears to have an impressive track-record of launching and engaging in many civic and community based groups, it is curious how the perspective of one white woman outweighs four years of dedicated community effort. What does this communicate about equity & inclusion when heeding Buxton's advice could be construed as action perpetuating patterns of holding power "over," with a lack of transparency in decision-making. To move a successful,

comprehensive community-based approach to one behind closed doors leaves us wondering whether it is the education of our youth or protection from liability that you are moved by. We ask the State Board to be transparent in its decision-making process and to share the legal analysis by the attorney who expressed concerns about liability.

We additionally request that you retain the strong anti-discrimination definition originally drafted by the working group in the EQS. Expanding protections offered by the working group to explicitly prohibit discrimination on the basis of "ethnicity, caste, language and linguistic diversity, socio-economic status, religion, housing status, and non-citizenship or immigration status" should not be discarded or altered due to concerns about liability. The addition of these categories invites our broader community into the conversation. They can see themselves and the experiences of their family and children in these categories. It creates more inroads for collaboration at the community level when people feel seen. That these categories are not yet considered protected classes seems to indicate that the laws need to change NOT the language in the EQS.

At a time when we are witnessing increasing polarization in our ideologies on local and global levels, and the experience of hate and discrimination ever so present in our communities and schools, we encourage you to hold the wellbeing of our most vulnerable at the forefront of your decision-making knowing that we are stronger together. You have a responsibility to serve and respond to community needs. Those have been clearly expressed by the working group. We encourage you to embrace your role as leaders and be a model for equity and inclusion.

Thank you for your leadership and for taking our comments into consideration.

In community,

A handwritten signature in black ink, appearing to read "Traci Price". The signature is fluid and cursive, with the first name "Traci" being more prominent and the last name "Price" following in a similar style.

Traci Price  
WSESU Diversity, Equity and Inclusion Coordinator

Dear State Board of Education,

Jewish Communities of Vermont is sharing our concern for your proposed Education Quality Standards. This is a follow up to our comments we made verbally at the first hearing.

Sincerely,

*Rabbi Tobie Weisman*

Rabbi Tobie Weisman, MSW  
Executive Director, Jewish Communities of Vermont  
cell: (802) 371-9697  
[rebtobie@jcv.org](mailto:rebtobie@jcv.org)  
P.O. Box 4472  
Burlington, VT 05406



October 10, 2023

My name is Rabbi Tobie Weisman. I am the Executive Director of Jewish Communities of Vermont, and a member of Beth Jacob Synagogue in Montpelier. I am also the Founding Director of the Yearning for Learning Center for Jewish Studies.

Jewish Communities of Vermont is a non-profit which has been supporting Jews and Jewish organizations throughout Vermont, including advocating for their interests, since 2013. This is an issue that I personally and our whole organization care deeply about.

I want to start from the basic premise that we at Jewish Communities of Vermont support a comprehensive and pedagogically sound ethnic studies program for the Vermont educational system. In fact, when our state legislature passed its definitions of ethnic groups and ethnic

studies in Act I, we were supportive. Our concern, which we have expressed continually over the last year, and most recently with a letter we authored in August to the State Board of Education, is the significant and meaningful changes that have been made to the all-important Act I definitions of Ethnic Groups, in what is now the Education Quality Standards in front of you today.

Act I that was passed by our state legislative body after debate, clearly and intentionally defined Ethnic Groups as follows: (A) nondominant racial and ethnic groups in the United States, including people who are Abenaki, people from other indigenous groups, people of African, Asian, Pacific Island, Chicano, Latinx, or Middle Eastern descent; and (B) groups that have been historically subject to persecution or genocide.

Jewish Communities of Vermont advocated for part (B) of the definition, because groups, including Jews who have been historically subjected to persecution and genocide should be studied. Simply put, the current definition of Ethnic Groups that is in front of you today has dramatically altered the definition of the defined groups in part (A) and has completely removed part (B) from the definition of Ethnic Groups. By removing part (B) of the definition of Ethnic Groups and placing the words “genocide and persecution” as things to be studied in Ethnic Studies, Vermont educational curriculum will inevitably wind-up erasing the study of Jews and other groups of people that have been subjected to a history of genocide and persecution. It is not just the genocides and persecutions that can and should be studied by our students as stand-alone incidents in world history, but rather, it is also the history, culture and contributions of these people that should be explored.

At a time of heightened and rising antisemitism in the United States and throughout the world, it is imperative that we have definitions that will require teaching about the Jewish people as an ethnic group. For example, many people believe that being a Jew means that you practice Judaism. While Judaism is the shared religion of the Jewish people, Jews can be deeply religious or completely secular; either way, a Jewish person is a Jewish person. Consequently, and contrary to what many people think, antisemitism in its modern form is rarely about religion. It's not usually anti-Judaism. It's almost always anti-Jew. It is not about how Jewish people pray, but

about what Jews are falsely accused of doing, often collectively. For antisemitism and its evils to be properly taught, our students need to understand both its origins and its modern applications – it would be impossible to understand modern antisemitism without a comprehensive overview of the Jewish people. Under Act I's original definition of Ethnic Group, the Jewish people would be studied under part (B).

We are asking this committee to recommend that part B of the definition of Ethnic Groups, that was already passed by our state legislature be reinserted. The definitions were created by our legislative body after much thought and discussion and with input from affected communities, for very important reasons. The legislative definitions of Ethnic Groups should continue to guide how we prepare our young people to think objectively in an increasingly complex world.

**From:** Mary Lundeen <[mary.lundeen@mmuusd.org](mailto:mary.lundeen@mmuusd.org)>

**Sent:** Wednesday, October 25, 2023 4:22 PM

**To:** Diop, Mohamed <[Mohamed.Diop@vermont.gov](mailto:Mohamed.Diop@vermont.gov)>; Fearon, Grey <[Grey.Fearon@partner.vermont.gov](mailto:Grey.Fearon@partner.vermont.gov)>; Gleason, Kimberly G <[Kimberly.G.Gleason@vermont.gov](mailto:Kimberly.G.Gleason@vermont.gov)>; Kolbe, Tammy <[Tammy.Kolbe@vermont.gov](mailto:Tammy.Kolbe@vermont.gov)>; Jepson, Lyle <[Lyle.Jepson@vermont.gov](mailto:Lyle.Jepson@vermont.gov)>; Lovett, Tom <[Tom.Lovett@vermont.gov](mailto:Tom.Lovett@vermont.gov)>; O'Farrell, Jennifer <[Jennifer.OFarrell@vermont.gov](mailto:Jennifer.OFarrell@vermont.gov)>; Samuelson, Jennifer <[Jennifer.Samuelson@vermont.gov](mailto:Jennifer.Samuelson@vermont.gov)>; Werner, Richard <[Richard.Werner@vermont.gov](mailto:Richard.Werner@vermont.gov)>; Wilburn, Aaliyah <[Aaliyah.Wilburn@partner.vermont.gov](mailto:Aaliyah.Wilburn@partner.vermont.gov)>; Bouchey, Heather <[Heather.Bouchey@vermont.gov](mailto:Heather.Bouchey@vermont.gov)>

**Cc:** Brian Campion <[bcampion@leg.state.vt.us](mailto:bcampion@leg.state.vt.us)>; Peter Conlon <[pconlon@leg.state.vt.us](mailto:pconlon@leg.state.vt.us)>; Reed-EXT, Pam <[pam.reed@rcpsvt.org](mailto:pam.reed@rcpsvt.org)>; kbenway <[kbenway@svvvt.org](mailto:kbenway@svvvt.org)>

**Subject:** Independent Schools, Public Education and the Education Quality Standards Public Comments

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Dear State Board of Education Board Members, Sec. Bouchey, Rep. Conlon, and Senator Campion:

Please see the attached public comments from the Vermont Council of Special Education Administrators (VCSEA) related to the EQS and Independent Schools.

Best Regards,  
Mary Lundeen  
Past President of VCSEA

cc: Pam Reed, VCSEA President  
Kris Benway, VCSEA President-Elect

--

Mary K. Lundeen, M.Ed.  
Director of Special Services  
Mount Mansfield Unified Union School District  
10 River Road  
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[VT Special Education Parental Rights/Procedural Safeguards](#)

"The illiterate of the future will not be the person who cannot read. It will be the person who does not know how to learn."

~ Alvin Toffler





To: The Vermont State Board of Education  
Rep. Peter Conlon, Chair Vermont House Education  
Sen. Brian Campion, Chair Vermont Senate Education

From: The Vermont Council of Special Education Administrators (VCSEA)

Date: October 25, 2023

Re: Independent Schools, Public Education and the Education Quality Standards

The following comments are being submitted on behalf of The Vermont Council of Special Education Administrators (VCSEA). VCSEA is an organization dedicated to providing **leadership for the education of all children with a specific focus on students with disabilities.**

VCSEA supports the purpose of the Series 2000 Education Quality Standards to, “ensure that all students in Vermont public schools are afforded educational opportunities that are substantially equal in quality and enable them 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.”

VCSEA’s position is that the EQS standards must become part of the independent school approval process.

Our concerns with the Series 2000 Education Quality Standards are as follows:

1. Independent schools are not being held to the same standards related to assessment that the public schools are required to follow. This accountability is necessary to “enable students to attain rigorous standards in high-quality programs.” Independent schools must implement an assessment system that consists of formative and summative assessments and provides data to inform instruction, measure progress, and assist teams in ensuring students meet graduation requirements.
2. A process for ensuring that independent schools meet the criteria for high-quality programs is not evident in the proposed EQS rules. The Individuals with Disabilities Education Act (IDEA) requires Local Education Agents (LEAs) to



document adequate student progress as a measure of a Free Appropriate Public Education (FAPE). Assessment data, which is tied to the state standards, is used to document individual student growth, as well as to assist IEP teams in determining the need for Extended School Year Services (ESY). Without clear and accurate data indicating adequate progress, school districts may be responsible for providing unnecessary special education services, causing additional financial responsibilities for public education..

3. The Vermont Agency of Education currently lacks the authority to provide oversight and monitoring to Independent Schools serving students with disabilities. **It is critical that the Agency of Education be granted the regulatory authority to monitor the financial accountability of independent schools because public funds are being used to pay tuition costs. Accounting procedures consistent with the Generally Accepted Accounting Principles (GAAP) is necessary.**
4. Teacher licensure for independent schools, particularly for those professionals providing special education services, must mirror that of professionals working in public schools. Students with disabilities are our most vulnerable students. They deserve and require highly skilled individuals who understand learning differences, and understand how to modify and adapt curriculum based on the student's unique needs. Without appropriately certified and licensed teachers, instruction and student growth is compromised.
5. The LEA is responsible for the provision of a Free Appropriate Public Education (FAPE) for every student eligible to receive special education services. It is imperative that LEA representation or a VCSEA representative is an active part of each independent school review process. This will ensure that the requirements of the Individuals with Disabilities Education Act (IDEA) and the VT Special Education Rules and Regulations are being followed, and that students are provided with a FAPE. Parents have due process rights when FAPE is compromised which has financial implications for the District on top of the educational loss to the student.

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](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](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



STATE OF VERMONT  
SENATE CHAMBER  
115 STATE STREET  
MONTPELIER, VT  
05633-5201

To: Jennifer Samuelson, and Vermont Board of Education

From: The Windsor County Senate Delegation

Date: October 18, 2023

Re: Standards

We write with two concerns about provisions in the proposed Curriculum Quality Standards . First, we urge you to include a history of oppression and/or genocide in the list of criteria for groups warranting attention. Surely genocidal oppression, the threat of the extinction of a people, is at the top of the list of moral outrages with tragic consequences deserving special attention in the curriculum.

Unfortunately, oppression including genocide is a present, as well as historical, reality. Consider the recent appearance of swastikas in our state. In 2023, some may be tempted to minimize this as adolescent vandalism, to see antisemitism as the anachronistic domain of ignorant and irrelevant bigots. But, while the swastika is an attack on the decency of all Vermonters, it is an especially threatening insult to Jewish Vermonters, a threat of genocide. Today. Here.

We urge you, as well to be clear that Vermonters' public tax dollars should support only institutions that comply with state requirements, and that those requirements must include the equal rights of minority, disabled, and LGBTQ+ students.

Thank you for your service to our children. And thank you for considering these concerns.

State Senator Dick McCormack

State Senator Alison Clarkson

State Senator Rebecca White



**From:** Ted Molnar <[president@jcv.org](mailto:president@jcv.org)>

**Sent:** Sunday, August 13, 2023 3:07 PM

**To:** Samuelson, Jennifer <[Jennifer.Samuelson@vermont.gov](mailto:Jennifer.Samuelson@vermont.gov)>

**Cc:** Tobie Weisman <[rebtobie@jcv.org](mailto:rebtobie@jcv.org)>; Kolbe, Tammy <[Tammy.Kolbe@vermont.gov](mailto:Tammy.Kolbe@vermont.gov)>; Jepson, Lyle <[Lyle.Jepson@vermont.gov](mailto:Lyle.Jepson@vermont.gov)>; Lovett, Tom <[Tom.Lovett@vermont.gov](mailto:Tom.Lovett@vermont.gov)>; Bouchey, Heather <[Heather.Bouchey@vermont.gov](mailto:Heather.Bouchey@vermont.gov)>; Diop, Mohamed <[Mohamed.Diop@vermont.gov](mailto:Mohamed.Diop@vermont.gov)>; Grey.Fearson@partner.vermont.gov <[Grey.Fearson@partner.vermont.gov](mailto:Grey.Fearson@partner.vermont.gov)>; Gleason, Kimberly G <[Kimberly.G.Gleason@vermont.gov](mailto:Kimberly.G.Gleason@vermont.gov)>; Jennifer.Ofarell@vermont.gov <[Jennifer.Ofarell@vermont.gov](mailto:Jennifer.Ofarell@vermont.gov)>; Werner, Rich <[Rich.Werner@vermont.gov](mailto:Rich.Werner@vermont.gov)>; Aaliyah.Wilburn@partner.gov <[Aaliyah.Wilburn@partner.gov](mailto:Aaliyah.Wilburn@partner.gov)>

**Subject:** VERMONT IRIS ETHNIC STUDIES STANDARDS FRAMEWORK

You don't often get email from [president@jcv.org](mailto:president@jcv.org). [Learn why this is important](#)

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Dear State Board of Education Chair Samuelson

We are attaching Jewish Communities of Vermont letter signed by Rabbis throughout our State outlining three deeply felt concerns and needed revisions to the proposed Vermont IRIS Ethnic Studies Standards Framework (Framework) before you.

Our hope for this Framework is that it will encourage a learning environment in which our Vermont youth, who represent the future of our State, will be taught about Jewish Americans and be encouraged to act on antisemitic hatred that still exists in our society, including in Vermont.

We, as Jews, have been subjected throughout the centuries to antisemitism; within the last century alone we have faced genocide and persecution.

Fortunately, we have found a generally safe haven in the United States and a largely welcoming society in Vermont. Vermont, however, has felt less safe for Jews recently including on UVM campus where the US Department of Education's Office for Civil Rights' investigators found that the University of Vermont failed to respond to antisemitic harassment. <https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-resolves-investigation-addressing-university-vermonts-responses-allegations-antisemitic-incidents>

University faculty are still asking for more to be done there.

In addition, many of Vermont's Jewish residents felt exceptionally unsafe when the cause of BDS, with its virulent hatred of Israel, was brought before the Burlington City Council. (2019-2021 Ethnic and Social Equity Standards Advisory Working Group member New Hampshire activist Asma Elhuni testified in support of this BDS resolution at the September 13, 2021 Burlington Council Meeting: "those same people that know the history of their ancestors [the Holocaust] are now supporting the same kind of atrocities...people have the right to boycott, people have the right to boycott, people have the right to boycott [Israel]" )

You may be aware that this Spring the Biden Administration issued a first-in-US-

history ; National Strategy To Counter Antisemitism&; road map and call to &quot;confront antisemitism in America with urgency.&quot; A key focus is its &quot;whole-of-society&quot; call to action for K-12 Departments of Education, county offices of education, and school districts to provide &quot;readily available quality educational resources&quot; that &quot;include Jewish studies in ethnic studies and history curricula.&quot; It lists for inclusion curriculum on &quot;Jewish history...positive Jewish contributions to America, Jewish diversity, and manifestations of contemporary antisemitism [as well as the] histories of antisemitism experienced by Sephardic and Mizrahi Jews—who trace their ancestry to Spain, the Middle East, and North Africa—and their stories of exclusion, persecution, and expulsion.&quot; Copy is attached for your reference.

We do not find the Framework to be in the spirit of the White House&#39;s call to action for Ethnic Studies courses to include Jewish Americans and antisemitism.

Please advise us when you plan to place the Framework on the State Board of Education&#39;s agenda.

We hope that your Board will incorporate our recommendations as outlined in the attached letter.

Very truly yours,

Rabbi Tobie Weisman, Executive Director, Jewish  
Communities of Vermont

Ted Molnar, President, Jewish Communities of Vermont

Matt Vogel, Executive Director, UVM Hillel

Rabbi Yizhok Raskin, Chabad of Vermont, Burlington

Rabbi David Edelson, Temple Sinai, S. Burlington

Rabbi Aaron Philmus, Ohavi Zedek, Burlington

Rabbi Jan Salzman, Ruach HaMaqom, Burlington

Rabbi David Fainsilber, Jewish Community of Greater  
Stowe

Rabbi Ellie Shemtov, Rutland Jewish Center

Rabbi Binyamin Murray, Chabad of Middlebury

Cantor Scott Buckner, Israel Congregation of Manchester

Rabbi Seith Daniel Reimer, Beth El, Bennington

Rabbi Amita Jarmon, Shir HeHarim, Brattleboro

Rabbi Donna Kirshbaum, Bethlehem Hebrew  
Congregation

Attachments



August 13, 2023

Re: Vermont's IRIS Ethnic Studies Standards Framework

Dear State Board of Education Chair Jennifer Deck Samuelson and Board of Education Members:

Jewish Communities of Vermont is a non-profit which has been supporting Jews and Jewish organizations throughout Vermont, including advocating for their interests, since 2013.

We recommend that the changes below be made to the Vermont Ethnic and Social Equity Standards Advisory Working Group's ("Working Group") recommended "IRIS Ethnic Studies Standards Framework" ("Framework"):<sup>i</sup>

**a. Revise "Vermont's Definition of Ethnic Studies" Section<sup>ii</sup> to Comply with Act 1**

In the second sentence of the first paragraph delete "and outside" so it reads:  
"suffered...within the United States." (page 4)

In the third sentence of the second paragraph reword and add "as well as groups that have been historically subject to persecution or genocide" to align it with Act 1 so it reads:  
"when we refer to Ethnic Studies Groups, it is in reference to (i) nondominant racial and ethnic groups in the United States including indigenous groups (with a special focus on the Indigenous People of Vermont, the Abenaki, Mahican, Pennacook, Pocomtuc, and others), Africans, Asians, Pacific Islanders, Chicanx, Latinx, or Middle Easterners, and additional people of color as well as (ii) groups that have been historically subject to persecution or genocide." (page 4)

These changes align the Framework to Act 1's statutory requirements:

Act 1, Section 1(b): "Definitions. As used in this act:

(1) "Ethnic groups" means:

- (A) nondominant racial and ethnic groups in the United States, including people who are Abenaki, people from other indigenous groups, people of African, Asian, Pacific Island, Chicanx, Latinx, or Middle Eastern descent; and
- (B) groups that have been historically subject to persecution or genocide."<sup>iii</sup>

The Vermont Agency of Education's Act 1 Request for Proposal requires that the contract's output (i) incorporate Act 1's statutory lens, and (ii) "embody the broadest possible commitment to group inclusivity."



Note: In February 2019, Amanda Garces pressed the Vermont Legislature to not include clause (B) in Act 1. Sharing that this clause concerned her coalition, Garces stated that including teaching about these ethnic groups – people who had been subject to persecution or genocide – could result in students learning about antisemitism which could "punish" activists who push to boycott Israel.<sup>iv</sup>

Soon thereafter, Garces was appointed Chair of the Working Group. In that role she drafted recommendations for the Working Group's consideration. In 2022, dismissing the Jewish Community of Vermont's objections and suggestions, the Working Group, a majority of whom were Garces' Education Justice Coalition appointees, approved her recommendation that the Education Quality Standards' definition of "Ethnic Group" exclude clause (B).

**b. Remove references to consultant "Community Responsive Education" and its representatives**

Delete "Community Responsive Education Consultants: Allyson Tintiangco-Cubales, Samia Shoman and Aimee Riechel" (page 1)

Delete ", in collaboration with Community Responsive Education," (page 3)

Community Responsive Education (CRE) is a private, fee-based Ethnic Studies consulting firm.

The State of Vermont should follow other States' examples and avoid promoting private, for-profit consulting firms to Vermont Superintendents, administrators and teachers who will receive the Framework. For example, in January 2022 State Superintendent of Public Instruction Chris Reykdal removed private, fee-based consultants from Washington State's Ethnic Studies materials noting that the groups he removed also advance political agendas. Similarly, the consultants retained to assist the California Department of Education prepare the CA Ethnic Studies Model Curriculum (ESMC) are not mentioned in the ESMC; it credits the California State Board of Education and Department of Education only.<sup>v</sup>

Moreover, the State of Vermont need not promote private groups which push discriminatory materials. Vermont law requires schools to furnish students "educational services...in a nondiscriminatory manner"<sup>vi</sup> and Vermont's Educational Quality Standards "prohibit discrimination against any student ... as a result of or based upon, ethnicity [and] religion."<sup>vii</sup>

In 2019 the State of California rejected CRE representatives' Ethnic Studies content due to its biased, antisemitic, and anti-Israel content. See Appendix. CRE's Vermont consultants advance similar content in their private Ethnic Studies teacher trainings and writings.<sup>viii</sup>



c. **Remove reference to political activist group “Education Justice Coalition”**

Delete: “The Education Justice Coalition responsible for appointing community members”  
(page 1)

The reference to Education Justice Coalition (EJC), a group not recognized in Act 1 to work on this project, should be removed.

Act 1 calls for the Vermont Coalition for Ethnic and Social Equity in Schools to appoint some working group/advisory committee members. Act 1 does not mention the Education Justice Coalition (EJC):

Act 1, Section 1(d)(1): “Vermont Coalition for Ethnic and Social Equity in Schools (Coalition) shall appoint the 10 members who represent ethnic groups and social groups and the member identified under subdivision (c)(2) of this section. Appointments of members to fill vacancies to these positions shall be made by the Coalition.”<sup>ix</sup>

If EJC in fact appointed Act 1 Working Group members, as it appears it did,<sup>x</sup> the State of Vermont’s projects that EJC representatives informed (including the Framework) should be set aside and a new Working Group, that is constituted in accordance with Act 1, should be convened to complete these projects.

Moreover, EJC is an activist group with a pronounced anti-Israel bias. Interspersed in EJC’s social media posts on “building inclusive messaging for education justice” is anti-Israel messaging such as promoting Act 1 Working Group Vice Chair Mark Hage’s Vermonters for Justice in Palestine June 2023 march that denigrated Israel employing false narratives.<sup>xi</sup> EJC’s social media posts are peppered throughout with anti-Israel commentary and events hosted by anti-Israel activist groups, including some for K-12 Ethnic Studies teachers and students.<sup>xii</sup> (Hage is a well-known anti-Israel activist who led Vermonters for Justice in Palestine’s decade-long campaign to pressure Ben & Jerry’s to not sell its ice cream in Israel.<sup>xiii</sup>)



Finally, this EJC credit was added *after* the Working Group approved the Framework. It is not part of the Working Group's recommendation and was not shared with the public so it could not comment on this reference prior to the Working Group's vote.

Thank you for your careful consideration of our recommendations.

Very truly yours,

Rabbi Tobie Weisman, Executive Director, Jewish Communities of Vermont

Ted Molnar, President, Jewish Communities of Vermont

Matt Vogel, Executive Director, UVM Hillel

Rabbi Yizhok Raskin, Chabad of Vermont, Burlington

Rabbi David Edelson, Temple Sinai, S. Burlington

Rabbi Aaron Philmus, Ohavi Zedek, Burlington

Rabbi Jan Salzman, Ruach HaMaqom, Burlington

Rabbi David Fainsilber, Jewish Community of Greater Stowe

Rabbi Ellie Shemtov, Rutland Jewish Center

Rabbi Binyamin Murray, Chabad of Middlebury

Cantor Scott Buckner, Israel Congregation of Manchester

Rabbi Seith Daniel Reimer, Beth El, Bennington

Rabbi Amita Jarmon, Shir HeHarim, Brattleboro

Rabbi Donna Kirshbaum, Bethlehem Hebrew Congregation

Attachment

cc: Heather Bouchey, Interim Vermont State Secretary of Education





## Appendix

The Vermont Agency of Education's October 2022 Request for Proposal for an Act 1 Working Group on Ethnic Studies' consultant called for bids from those (i) with expertise with similar projects, (ii) that will ensure that "the framework ...embody the broadest possible commitment to group inclusivity," and (iii) that "take into account parental concerns about religion." See *also* Act 1, Section 1(g)(1)(F) (2019) ("Duties of the Working Group...ensure that the basic curriculum [is] welcoming to all students and take into account parental concerns about religion or culture").

In November 2022, the Agency of Education awarded this \$50,000 contract to Community Responsive Education (Contract # 45131).

Community Responsive Education (CRE) is a private California Ethnic Studies consulting firm co-founded and led by Allyson Tintiangco-Cubales and Jeff Duncan-Andrade. Working in Vermont were Tintiangco-Cubales and her CRE consultants Aimee Riechel and Samia Shoman.

### Controversial California Ethnic Studies Model Curriculum Draft

In 2019, Tintiangco-Cubales co-chaired the State of California's Ethnic Studies Model Curriculum (ESMC) Advisory Committee,<sup>xiv</sup> an important State of California project that made national news immediately after her advisory committee's ESMC draft was released to the public for comment. (Vermont Ethnic Studies consultants Riechel and Shoman served on Tintiangco-Cubales' ESMC Advisory Committee.)

The reaction to Tintiangco-Cubales' ESMC draft was exceptionally negative and, within weeks, the State of California discarded her draft.

Among those displeased were (i) Governor Newsom who called Tintiangco-Cubales' draft offensive and publicly stated that her draft would never see the light of day in California,<sup>xv</sup> (ii) the California State Board of Education (SBE) President Linda Darling-Hammond who added that it did not comply with California law or the SBE's project guidelines,<sup>xvi</sup> (iii) the California legislature which in 2021 enacted guardrails to attempt to prevent its content from entering classrooms,<sup>xvii</sup> and (iv) 19,000 Californians who submitted public comments.

Of great concern to the California Jewish community was that Tintiangco-Cubales' draft was rife with antisemitic and anti-Israel content including the trope that Jews control the media and the characterization of the anti-Jewish and anti-LGBTQ hate group the Nation of Islam as an "African American spiritual and religious tradition."<sup>xviii</sup>

Tintiangco-Cubales' draft denigrated Israel as well as targeted Jews' right to self-determination there, their indigenous homeland, with favorable mentions of the Boycott, Divestment and Sanction Israel (BDS) movement, a movement whose aims are to deny Jews this right there, tagging BDS instead a social justice movement for students to study and advance during school.<sup>xix</sup>



Moreover, in an Ethnic Studies curriculum designed to teach students about discrimination against minorities, Tintiangco-Cubales' ESMC did not list antisemitism among the eight types of hate it called out for study<sup>xx</sup> -- despite the fact that antisemitism is the motivation behind 63% of our nation's religious-based hate crimes directed at the Jewish 2.4% of the population.<sup>xxi</sup> Also, it did not offer content on Jewish Americans.

SBE President Linda Darling-Hammond aptly summed up the situation caused by Tintiangco-Cubales' work: an Ethnic Studies curriculum "should be accurate, free of bias, appropriate for all learners in our diverse state" so Tintiangco-Cubales' draft -- which "wades unnecessarily into the global debate over the Israeli-Palestinian conflict" -- must be "substantially redesigned."<sup>xxii</sup>

### Vermont's Ethnic Studies Frameworks Draft and Policy Recommendations

CRE's May 2023 Vermont Ethnic Studies Framework (Framework) draft presented to members of the Vermont Ethnic and Social Equity Standards Advisory Working Group (Working Group) included as teacher resources the controversial concepts that California discarded, later deleted from the Framework *after* the Agency of Education shared this draft with the public pursuant to a records request. (The Working Group Chair did not post this draft, which was discussed in agendized public sessions, for the public to access.)

The May 2023 draft Framework's recommended teacher resources included:

- i) the 2019 California ESMC draft that the State of California rejected,
- ii) an article that portrays teens' religious conversion to the Nation of Islam positively (Akom, "Reexamining Resistance as Oppositional Behavior: The Nation of Islam and the Creation of a Black Achievement Ideology"), and
- iii) a paper that encourages readers to advocate for anti-Zionism (Maira and Shihade, "Meeting Asian/Arab American Studies: Thinking Race, Empire and Zionism").

In August 2023, CRE's Vermont Ethnic Studies policy recommendations were shared publicly.<sup>xxiii</sup> In it is a link to a Jefferson Union High School District presentation. Jefferson Union's Ethnic Studies course outline instructs teachers to teach students that "anti-Zionism" is a social justice movement around which students should build solidarity in class.<sup>xxiv</sup> (CRE is Jefferson Union's Ethnic Studies consultant, providing services under a \$180,000 contract with the district.<sup>xxv</sup> CRE and its representatives are involved with the Ethnic Studies work in the three other districts mentioned in its Vermont policy recommendations; Shoman and Riechel are employed by San Mateo Union and San Francisco Unified School Districts, respectively.)

As with BDS, anti-Zionists single out Jews' beliefs and aims for disdain and to deny Jews the same rights they advance for other groups -- self-determination and sovereignty in one's indigenous homeland. See Jewish Virtual Library. Almost a century ago, anti-Zionism was devised as a state-sanctioned, "legitimate" way to discriminate against Jews in the Soviet Union. Soon thereafter, anti-Zionism became a rationale to oppress, imprison, dispossess, and ethnically cleanse almost one million Jews in the Middle East and North Africa.<sup>xxvi</sup> Today, United States anti-Israel activists advance anti-Zionism as an anti-racist, anti-settler colonialist political campaign based on narratives, not facts, with the same antisemitic intent as in the Soviet Union and Middle East decades ago.<sup>xxvii</sup>



For a detailed description of the anti-Israel messaging that CRE representatives, including Samia Shoman, inject into K-12 Ethnic Studies teacher trainings see “Under the Radar: Ethnic Studies Activists Push Anti-Israel Content Into American Schools.”<sup>xxviii</sup>

<sup>i</sup> [Standards Framework 6-30-2023 \(1\).pdf - Google Drive](#)

<sup>ii</sup> Working Group’s recommended Framework:

“According to the WG’s suggested revisions to the EQS, ‘Ethnic Studies’ is defined as is interdisciplinary, age appropriate and grade-appropriate curricula and programs dedicated to the historical and contemporary study of race, ethnicity, and indigenous peoples (including the Indigenous People of Vermont). This requires a critical examination of the experiences and perspectives of racial and ethnic groups and indigenous peoples that have suffered systemic oppression, marginalization, discrimination, persecution, and genocide within and outside the United States. ‘Ethnic Studies’ may involve a critical examination of these experiences and perspectives through the lens of the characteristics of social identity groups. The WG defined ‘Social Identity Group’ to mean a group of people who share common characteristics that shape their identity and promote a sense of unity. Including sex, sexual orientation, gender identification, disability, class, socio-economic status, or other characteristics and conditions that are innate, unchangeable, or fundamental to identity.

“Building on these definitions, this framework refers to Ethnic Studies Groups throughout the text. Ethnic Studies, from its inception in 1969, focuses on providing ‘safe academic spaces for all to learn the histories, cultures, and intellectual traditions of Native peoples and communities of color in the YUS in the first person and also practice theories of resistance and liberation to eliminate racism and other forms of oppression.” (San Francisco State University). In this framework, when we refer to Ethnic Studies Groups, it is in reference to Black, Indigenous (with a special focus on the Indigenous People of Vermont, the Abenaki, Mahican, Pannacook, Pocomtuc, and others). Asian Americans, Latinas/os/e’, and additional people of color.”

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

<sup>iv</sup>

<https://legislature.vermont.gov/Documents/2020/WorkGroups/Senate%20Education/Bills/H.3/Written%20Testimony/H.3~Amand a%20Garces~Testimony-VT%20Coalition%20for%20Ethnic%20Studies%20and%20Social%20Equity%20in%20Schools~2-6-2019.pdf> (Garces: including this clause could “allow...abuses against marginalized people to occur” and “punish advocacy groups and activism promoting boycotts of Israel”) (February 6, 2019)

<sup>v</sup> [Ethnic Studies Model Curriculum \(ca.gov\)](#) at pdf page 4.

<sup>vi</sup> 16 V.S.A. Section 165(a)(7).

<sup>vii</sup> <https://education.vermont.gov/sites/aoe/files/documents/eqs-final-revisions-updated-05-18-23%20.pdf> (approved by SBE May 2023).

<sup>viii</sup> [Under the Radar: Ethnic Studies Activists Push Anti-Israel Content into Schools | CAMERA](#) (“Samia Shoman, who has Palestinian roots, is a leading anti-Zionist proponent among LESMCC consultants. ... she showed a map of the Middle East in which the name ‘Palestine’ appears, and the State of Israel is missing from the map”) and [Fight for Ethnic Studies Moves to K-12 Classrooms | Convergence \(convergencemag.com\)](#) (Tintiangco-Cubales co-wrote that “as soon as Islamophobic and Zionist organizations like the Antidefamation League (ADL), the Jewish Community Relations Center (JCRC) and the Simon Wiesenthal Center saw the inclusion of Palestine in the curriculum, they organized an aggressive campaign to sanitize the curriculum [and] the Department of Education approved a gutted, all-lives matter version”)

<sup>ix</sup> [Draft Bill Template \(vermont.gov\)](#)

<sup>x</sup> [Act 1 Organizing — Education Justice Coalition of Vermont \(edjcoalitionvt.org\)](#)

<sup>xi</sup> [\(20+\) Facebook](#). See also EJC Facebooks posts:

- March 22, 2022 post “P is for Palestine”
- July 15, 2022 post “Zionism is a political ideology, not a race or a religion”
- September 19, 2022 post “Come out Wednesday to support Vermonters for Justice in Palestine. We need to ensure UVM students for justice in Palestine are not silenced.”
- October 13, 2022 post calling upon members to “support students in solidarity with Palestine and our collective ability to tell the truth” displaying a sign that says “that criticism of apartheid Israel is not antisemitism.”

<sup>xii</sup> [\(20+\) Facebook](#) (posted on Education Justice Coalition Vermont’s Facebook page February 2021)

<sup>xiii</sup> [We got Ben & Jerry’s to stop selling in Israeli settlements. Here’s how we did it | Mark Hage | The Guardian](#)

<sup>xiv</sup> [List of Advisory Committee Members - Curriculum Frameworks & Instructional Materials \(CA Dept of Education\)](#)



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xv [In face-to-face with Gov. Newsom, strong support for Jewish concerns \(jweekly.com\)](#)

xvi [California needs time to get ethnic studies curriculum right | EdSource](#)

xvii [Bill Text - AB-101 Pupil instruction: high school graduation requirements: ethnic studies. \(ca.gov\)](#) (see Section 51225.3(a)(1)(G)(vi))

xviii [Instructional Quality Commission Agenda - Instructional Quality Commission \(CA Dept of Education\)](#) (Agenda Item 2, Attachment 2 at pages 44 and 259).

xix [Instructional Quality Commission Agenda - Instructional Quality Commission \(CA Dept of Education\)](#) (Agenda Item 2, Attachment 4 at page 2).

xx [190729 Jewish Caucus Letter on Ethnic Studies Model Curriculum.pdf](#)

xxi [cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/hate-crime](#)

xxii <https://www.cde.ca.gov/be/pn/nr/yr19sberel01.asp> and <https://edsources.org/2019/california-needs-time-to-get-ethnic-studies-curriculum-right/617650>

xxiii [Vermont Ethnic Studies Framework: Recommendations for Policies](#)

xxiv [Ethnic Studies Course Proposal Form \(eboardsolutions.com\)](#)

xxv [jeffersonunion.agendaonline.net/public/Meeting.aspx?AgencyID=85&MeetingID=26253&AgencyTypeID=1&IsArchived=True](#)

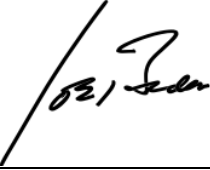
xxvi <https://fathomjournal.org/soviet-anti-zionism-and-contemporary-left-antisemitism/> and <https://blogs.timesofisrael.com/raping-the-jews-in-egyptian-prisons/>

xxvii [Anti-Zionism | ADL](#)

xxviii <https://www.camera.org/article/under-the-radar-ethnic-studies-activists-push-anti-israel-content-into-american-schools/>



Through this U.S. National Strategy to Counter Antisemitism, we are taking a historic step forward. I am proud to lead my Administration's efforts to counter antisemitism, and I urge all Americans to join me in ensuring that in America, evil will not win. Hate will not prevail. The venom and violence of antisemitism will not be the story of our time. The power lies within each of us to transform that story. To rise together against hate. To show the world who we are. And to restore the soul of America together.



In May 2023, President Biden issued a first-in-US-history nationwide alert to "confront antisemitism in America with urgency" and "U.S. National Strategy To Counter Antisemitism" road map.

A key focus is President Biden's "whole-of-society" call to action which includes K-12 Departments of Education, County Offices of Education, and school districts providing "readily available quality educational resources:"

We call on state and local governments to include Jewish studies in ethnic studies and history curricula. Lessons should include Jewish history, as well as curricula on positive Jewish contributions to America, Jewish diversity, and manifestations of contemporary antisemitism.

More education [is needed] on Jewish American history and the valuable role that Jews have played in our national story.

President Biden highlights the need for students to also learn about the United States and global histories of antisemitism, including the Holocaust, and "histories of antisemitism experienced by Sephardic and Mizrahi Jews—who trace their ancestry to Spain, the Middle East, and North Africa—and their stories of exclusion, persecution, and expulsion."

President Biden, embracing the most prominent definition of antisemitism, the International Holocaust Remembrance Alliance (IHRA)'s working definition, reiterates the United State's "unshakable commitment to the State of Israel's right to exist, its legitimacy, and its security [and] recognize[s] and celebrate[s] the deep historical, religious, cultural, and other ties many American Jews and other Americans have to Israel." <https://www.whitehouse.gov/wp-content/uploads/2023/05/U.S.-National-Strategy-to-Counter-Antisemitism.pdf>

The following comment read by Jessica Meller on 9/20/23 was delivered on behalf of and with the approval of JCVT (Jewish Communities of Vermont):

Thank you all for your work on Ethnic Studies, important work which JCVT fully supports.

JCVT has submitted a letter concerning the Working Groups' draft Frameworks. Our comments in that letter reflect our interest in making sure that the Frameworks before you this morning meet the needs of all students and comply with the ACT 1 legislation.

Specifically, JCVT has consistently advocated that the definition of Ethnic Groups in the Standards, and now in the Frameworks, to be exactly as it appears in the ACT 1 law.

In ACT 1, Ethnic Groups intentionally includes part B, "groups that have been historically subject to persecution or genocide".

Vermont legislators included part (B) because it wants Vermont K=12 students to also learn about the cultures, contributions and struggles of groups, including Jews, who have been historically subjected to persecution and genocide. This aligns with the White House's recent, first in US history, National Strategy to Counter Antisemitism.

However, in both the Standards and the Frameworks, these groups are not included in their definition of Ethnic Groups. Instead, genocide and persecution - not people - are suggested topics for Ethnic Studies to cover. With this change, the definition of defined groups has been dramatically altered.

We believe genocides and persecutions should not be studied as stand-alone incidents in world history, but rather, explorations should include the history, culture, contributions, and resilience of the historically victimized groups.

We are eager for the SBE to take a look at JCVT's full comments and are available to meet or respond to any questions.

Jessica Meller for JCVT

## **Independent Schools, and Public Education and the Education Quality Standards September 14, 2023**

Comments from Jo-Anne Unruh, Ph.D., retired educator, special education administrator and retired Executive Director of the Vermont Council of Special Education Administrators

I have been a special educator and special education administrator in Vermont since 1971. In those many years since I have participated in the development and unfolding of services for children and young adults with disabilities in a variety of settings, private and public, and locally and statewide. In Vermont we need robust and strong public schools and independent school systems for historic and current reasons. That said I am deeply concerned about the direction the State Board of Education takes with the rules as applies to Education Quality Standards in relation to Rule 2200, Independent School Programs Approval processes. Please consider the following concerns.

As the Board considers revising the Education Quality Standards (EQS), the policy of the State is not considered throughout the rules. As written these rules are targeted at public schools and school districts; however, there is a lack of accountability for independent schools providing a substantially equal educational opportunity for all students, especially students with disabilities.

Federal law requires students in private school to meet the same educational standards applicable to public schools, these rules do not require independent schools in Vermont to meet the same standard applicable to public schools which are the EQS. If there is no requirement for transparency of accountability for students educated in independent schools, there is no equality of education in Vermont. With separate standards, there is inequality.

Further, given that independent schools are not held to the same standards of assessment of their programs as the public schools, there is no equity in educational opportunity; these rules are to make schools, ALL SCHOOLS, accountable for discrimination in its many forms. I am also deeply concerned there is not link, connection or consistency with the 2200 rules for approval. Again, this is reflective of two systems where there is accountability and transparency only for public schools. There is a genuine lack of reporting requirements for independent schools which further enables separation of these educational systems.

The designation of an independent school as meeting EQS and a mechanism for accountability is wholly lacking in these proposed rules. The designation allows independent schools to charge more in tuition without the accompanying transparency and accountability.

An assurance is simply insufficient, and I ask you to hold independent schools accountable to sending districts that all students meet the same educational standards applicable to public schools. That is the only way to ensure substantially similar educational opportunities for ALL VERMONT CHILDREN, especially students with disabilities which independent schools are to serve.

I am attaching my comments on the 2200 rules as they contain many of the concerns I have regarding these issues of accountability and transparency. The EQS standards must become part of the independent school approval process if we are to have equal educational opportunities for all.

**My concerns center in the following areas:**

**Vermont Agency of Education Capacity:**

- The Vermont AOE lacks the critical capacity and authority to actively oversee the education of students with disabilities within the independent schools, both legally and financially.
- There is a lack of AOE recognized input from the local LEAs as to the functioning and capacity of area independent schools to implement special education services that meet the legal requirements of IDEA, state special education rules and state education quality standards for all students. Specifically, some of the independent schools struggle with serving students, over-rely on discrete services rather than inclusive education as outlined in Act 173, billing is questionable at times, or doesn't conform to special education rules and statute, while there is no established mechanism for local LEAs to appropriately communicate this to the AOE, which oversees these entities.
- A structure for achieving this input from the local LEAs is necessary, even more so with the passage of Act 173 that includes a census-based funding system and a commitment statewide to a multi-tiered system of supports for all students in public school. The census-based funding system cannot stand if the costs charged by independent schools for meeting the needs of students with disabilities are not consistent with Act 173, carefully monitored, transparent and clearly communicated to LEAs (local education agencies, typically the school district) and SEA (State Education Agency, in this case the AOE). This is not possible under the rules as proposed where independent schools will continue to bill under a reimbursement model while Act 173 explicitly and in detail outlines why this reimbursement model is dated and problematic.
- There is a lack of a structured connection between the financial regulatory oversight and transparency required of public schools by AOE and that (not) required of independent schools. This creates an incentive for higher costs in private schools, even as the census-based model requires cost containment and shifting to early intervention and core instruction in public schools.

**Role of the Local Education Agency - School Districts**

- The rules as proposed demonstrate a lack of understanding of the legally prescribed role of the LEA for the education of children with disabilities regardless of whether the student is in a public or independent school. The role that independent schools must play in implementing an appropriate education within the construct of the highly regulated State and federal laws protecting and governing special education must be clearly identified in the regulations. The LEA is an indispensable partner in this process



by law and regulation, both federal and state. For example, when meeting the needs of students with complex and intense needs it is my experience that some independent schools have difficulty meeting these. Students may be asked to leave without communicating with the LEA. This leaves both the LEA and the student and their family in a very difficult situation both for the education and well-being of the student and family and for the LEA programmatically and legally. The LEA is the legally vulnerable entity in this situation and not the private school.

- Hiring and retaining special education staff is also an area of significant concern for a stable special education delivery system, and for addressing the needs in particular areas of disability. An example from Vermont is an independent school approved to serve students with learning disabilities that employed a single special educator with no background in teaching children to read, nor a plan to address this need.
- The role of the special education team (IEP Team) in identifying the strengths, needs, and services for children with disabilities regardless of whether this is in a public or independent school must be specifically affirmed in rule, as is not the case in the proposed rules. The IEP Team's role in oversight of program implementation is critical and cannot happen without the parent and LEA representative's active participation. **The LEA and SEA remain the legally answerable structures, not the independent school. IEPs are legally binding contracts, not recommendations for implementation. This role of the IEP Team needs to be affirmed in Vermont regulation.**
- There is a critical and pervasive role for both school leadership and general education in the implementation of the overall education program for students with disabilities in both public and independent schools. This context includes the state quality standards and access to the full range of regular and special educational services for these children and young adults. Strengthening the universal level of instruction in all schools is the foundation of early learning for all children. This commitment to strengthening universal first instruction was central to the purpose of Act 173 and was clearly articulated within Act 173. **How will this apply to independent schools as this is the basis for funding special education services within a census-based system model? That is not addressed within the rules as proposed.**
- **A prevalent misconception exists that approved independent schools are truly financially independent. In fact, the bulk of tuition funding for most comes from taxpayer dollars, and especially so for the approved therapeutic schools. Therefore, independent schools should be clearly answerable to the public educational system of laws and practices educationally and financially within Vermont law and regulation. Schools that are dependent on tax dollars should follow the same rules and statutes as public schools, or they cannot function as an integral part of our investment in equitable opportunities for all students including those with disabilities.**

#### **Administrative Costs:**

The costs borne by LEAs in maintaining the administrative structures to assure for meeting state and federal requirements in program oversight and financial accounting within independent schools on behalf of students with disabilities must be acknowledged and accounted for. That is not acknowledged in the rules necessary with

Act 173 implementation, nor is it acknowledged in public debate over the cost of education in private settings. These overhead costs are higher when services are delivered in private settings. They are significant and are born by taxpayers. **In the absence of adequately funded oversight of independent schools within the SEA in partnership with both LEA and independent school, there is no ability to provide public assurance that tax dollars are appropriately used to support students.**

**Summary:**

In summary, most approved independent school placements are largely paid for with public dollars. The responsible public agencies including the LEAs and SEA are legally and financially responsible to the Vermont Legislature, Vermont State Board of Education and the federal government for students identified as having special education needs in these schools. The AOE does not have the capacity and tools currently to work effectively with the independent schools and LEAs in overseeing the independent schools responsible for implementation of special education and Act 173's broad purposes.

**Recommendations:**

- **Budgeting and finance within independent schools needs to be accounted for in a detailed and transparent way by regulation and financial accounting practice.** Both the State Board of Education and the Agency of Education have a role in establishing these practices. The proposed 2200 rules introduce significant risks related to cost increase and inadequate service, and erode the core intent of Act 173 to strengthen the whole education system recognizing the deeply interdependent relationship between general and special education.
- **It is vital that the Agency of Education have both the regulatory authority and the capacity to oversee and monitor the budgeting and financial accountability of approved independent schools when public funds are granted to these schools. Additionally, a mechanism for LEA input into this process is vital, given the role (under both federal and state law) that the LEA plays in working with these schools on behalf of enrolled children. Including an LEA representative under Section 2223 for independent school review and visits would be one step that acknowledges and empowers the districts sending students to the school and funding them there.**
- **Under 2223.8 Denial, Revocation, or Suspension of Approval or 2223.9 Complaints. When investigation is considered by the State Board of Education the Council of Independent Schools is included. Public school administration representation should be consulted as well when a formal investigation is initiated. This is a significant omission, given the critical role of the LEA.**
- **Under 2224 Reciprocity, accreditation from a recognized accrediting agency must be required to consider Vermont and federal special education regulations and the goals of Vermont's Act 173 given the requirement that "the school is meeting the approval standards". In addition, the Agency needs adequate resources and staffing to meet the public assurance imperative of deciding a school meets quality standards.**

- **2226 Application Under 2226.3** “A description of the school enrollment including a statement of how it is designed to serve children with disabilities.” This statement must indicate that the design of services is consistent with Vermont and federal special education regulations and Act 173 core purposes.
- **2227 Approval. Clarification of the statement** “..., that the school provides a minimum course of study pursuant to 16 VSA, ... and that it substantially complies with the Board’s rules for approved independent schools.” An operational definition of “minimum” and “substantially” is needed.
- **2227.5.1 The absence of the licensure needs to be addressed when describing teachers who are providing special education services.** This is not a field where “substantially equivalent time in training and experience in their field of instruction” is sufficient unless recognized through a formalized peer review process.
- **2229.3 Assurances. Demonstration of “understanding” also requires an operational definition. Demonstration of compliance with special education law and regulations both federally and in Vermont would be a recommended standard.**
- **2229.4 Procedures for Publicly Funded Students Receiving Special Education Services to Enroll in an Approved Independent School. Under (a)(1), clarification of the “...and the student meets the other requirements of the school’s enrollment policies.” Clarification of what this encompasses is needed; as enrollment policies vary.** In addition, some of the current enrollment practices used by some independent schools have been demonstrated to select against students with learning differences. Allowing schools to set enrollment practices that likely reduce enrollment by students with disabilities appears to conflict with the inclusive intent of Act 173.
- **2223.1 Written Agreements Required. Detailed and transparent accounting consistent with Generally Accepted Accounting Principles is necessary.**
- **2233 Standards and Regulations. The responsibilities the LEA is given by federal and Vermont law and regulation make it important that the SBE provide the opportunity for LEA representation to “participate in the development and revision of state standards that apply to independent schools.”**
- **Private Kindergarten Approval Section 2292 Criteria for Approval.**  
(c)(5) Identifying developmental delays in young children, and implementation of programs to address these needs consistent with Early Childhood Special Education requirements in Vermont law and regulation.
- **The vital importance of establishing Agency of Education capacity in implementing and overseeing meaningful oversight and collaboration with independent schools and their LEA partners cannot be overstated.**

Thank you for the opportunity to comment.

Jo-Anne Unruh - [JoAnne.Unruh@gmail.com](mailto:JoAnne.Unruh@gmail.com)

**From:** Jamilah Vogel <[jamilah.vogel@colchestersd.org](mailto:jamilah.vogel@colchestersd.org)>

**Sent:** Monday, October 2, 2023 10:23 AM

**To:** Fearon, Grey <[Grey.Fearon@partner.vermont.gov](mailto:Grey.Fearon@partner.vermont.gov)>; Diop, Mohamed <[Mohamed.Diop@vermont.gov](mailto:Mohamed.Diop@vermont.gov)>; Gleason, Kimberly G <[Kimberly.G.Gleason@vermont.gov](mailto:Kimberly.G.Gleason@vermont.gov)>; Kolbe, Tammy <[Tammy.Kolbe@vermont.gov](mailto:Tammy.Kolbe@vermont.gov)>; Jepson, Lyle <[Lyle.Jepson@vermont.gov](mailto:Lyle.Jepson@vermont.gov)>; O'Farrell, Jennifer <[Jennifer.OFarrell@vermont.gov](mailto:Jennifer.OFarrell@vermont.gov)>; Samuelson, Jennifer <[Jennifer.Samuelson@vermont.gov](mailto:Jennifer.Samuelson@vermont.gov)>; Werner, Richard <[Richard.Werner@vermont.gov](mailto:Richard.Werner@vermont.gov)>; Wilburn, Aaliyah <[Aaliyah.Wilburn@partner.vermont.gov](mailto:Aaliyah.Wilburn@partner.vermont.gov)>; Bouchey, Heather <[Heather.Bouchey@vermont.gov](mailto:Heather.Bouchey@vermont.gov)>

**Subject:** Public Comment EQS

Hello and thank you for the work you are doing to ensure quality and inclusive education for students all over Vermont.

My name is Jamilah Vogel and I work as a Diversity, Equity and Inclusion Coordinator for the Colchester School District. I am writing today in support of the changes to the EQS and I fully stand behind the current draft that reflects the incredible work of the Act 1 working group. The changes to the EQS demonstrate Vermont's ongoing commitment to ALL students and to substantively address current and long standing disparities.

I also know that schools that are engaging deeply in equity are under pressure due to misinformation that is causing some people to be afraid of DEI efforts. The state now has the opportunity to stand behind schools and support our commitment to creating learning environments where students can feel belonging, are challenged, and will thrive. I hope that these changes will be approved and that schools will be supported to meet the standards that are represented within.

Thank you for your consideration of my public testimony,

--

Jamilah Freya Vogel  
she/her  
Diversity, Equity and Inclusion (DEI) Coordinator  
Colchester School District  
802-264-5993

“We but mirror the world. All the tendencies present in the outer world are to be found in the world of our body. If we could change ourselves, the tendencies in the world would also change... We need not wait to see what others do.” – Mahatma Gandhi

**From:** Molly Bachman <[molly.bachman@gmail.com](mailto:molly.bachman@gmail.com)>

**Sent:** Monday, September 18, 2023 4:52 PM

**To:** Samuelson, Jennifer <[Jennifer.Samuelson@vermont.gov](mailto:Jennifer.Samuelson@vermont.gov)>

**Cc:** Gleason, Kimberly G <[Kimberly.G.Gleason@vermont.gov](mailto:Kimberly.G.Gleason@vermont.gov)>; Kolbe, Tammy <[Tammy.Kolbe@vermont.gov](mailto:Tammy.Kolbe@vermont.gov)>; O'Farrell, Jennifer <[Jennifer.OFarrell@vermont.gov](mailto:Jennifer.OFarrell@vermont.gov)>; Werner, Richard <[Richard.Werner@vermont.gov](mailto:Richard.Werner@vermont.gov)>; Wilburn, Aaliyah <[Aaliyah.Wilburn@partner.vermont.gov](mailto:Aaliyah.Wilburn@partner.vermont.gov)>; Bouchey, Heather <[Heather.Bouchey@vermont.gov](mailto:Heather.Bouchey@vermont.gov)>; Fearon, Grey <[Grey.Fearon@partner.vermont.gov](mailto:Grey.Fearon@partner.vermont.gov)>; Diop, Mohamed <[Mohamed.Diop@vermont.gov](mailto:Mohamed.Diop@vermont.gov)>; Jepson, Lyle <[Lyle.Jepson@vermont.gov](mailto:Lyle.Jepson@vermont.gov)>; Lovett, Tom <[Tom.Lovett@vermont.gov](mailto:Tom.Lovett@vermont.gov)>

**Subject:** Rule Series 2000 - Education Quality Standards

Chairperson Samuelson,

I see nothing in the rule or proposed amendments that makes it explicit that these Education Quality Standards will apply to voucher-supported private schools. The Rule should be explicit in this regard. If the Board deems these Standards important enough that they must be followed by public schools, then they should be binding on all schools that receive public dollars. If the rule is silent, it suggests that the Board would tolerate some lesser standard of equity in publicly funded private schools. Vermont's voucher system has expanded over the years with insufficient guardrails; this is an opportunity to say clearly that all schools receiving public dollars must follow the same rules.

Thank you for your attention to this important matter.

Molly Bachman

former General Counsel to the Vermont Agency of Education and former General Counsel to the Vermont Department of Taxes



LEGISLATIVE REPORT

# **Final Recommendations of the Census-Based Funding Advisory Group**

Report to the House and Senate Education Committees; State Board of Education; and  
Secretary of Education

June 30, 2023

Submitted by the Census-Based Funding Advisory Group

## Legislation

This report is submitted pursuant to [Act 173 of 2018 Sec. 9 \(f\)](#) to the House and Senate Committees on Education and the State Board of Education (SBE) with “a status of implementation under this act and any recommendations for legislation.”

## Charge of the Group

[Act 173 of 2018](#) created the Census-Based Funding Advisory Group “to consider and make recommendations on the implementation of a census-based model of funding for students who require additional support.” The group was convened in 2018, and by action of the General Assembly its existence was extended through both periods of implementation delay. The Group held its final meeting on June 5, 2023.

The Group is charged with the following:

- “[A]dvice the State Board of Education on the development of proposed rules to implement this act prior to the submission of the proposed rules to the Interagency Committee on Administrative Rules;
- [A]dvice the Agency of Education and supervisory unions on the implementation of this act; and
- [R]ecommend to the General Assembly any statutory changes it determines are necessary or advisable to meet the goals of this act, including any statutory changes necessary to align special education funding for approved independent schools with the census grant funding model for public schools as envisioned in the amendments to 16 V.S.A. chapter 101 in Sec. 5 of this act.”

As of the final meeting, the Advisory Group has convened a total of 42 times. The following are the Group’s final recommendations, offered as a supplement to its January Final Report to the General Assembly. As such, it does not attempt to restate or repeat the recommendations made in January, but rather offers final recommendations for consideration.

## Advise the SBE on Proposed Rules

### Clarity on Multi-Tiered Systems of Support (MTSS) Implementation via Rulemaking

Implementation of multi-tiered systems of support has been required in Vermont education rule since the late 1990s. MTSS requirements are currently referenced in 16 V.S.A. § 2902 as well as the Education Quality Standards. Despite this, implementation of MTSS remains highly variable across the state. It is unclear if this variability is related to a lack of clarity in the Rules, or a lack of oversight and implementation support. The Advisory Group strongly recommends that the State Board contemplate the best way to provide increased clarity to Local Education Agencies (LEAs), whether through a

revision of the existing Education Quality Standards (that are currently open for revision), increased oversight, or another rulemaking mechanism. Without such additional guidance and resources, the Advisory Group believes the MTSS variability will continue to the detriment of students across the state.

## **Advise the Agency of Education and Supervisory Unions on Implementation**

### **Professional Learning**

It continues to be clear to the Group that continued inconsistent MTSS implementation will make it impossible to realize the positive intended impacts of Act 173. The Group reiterates its recommendation that the Agency develop a comprehensive plan that would:

1. Identify the evidence-based practices and framework for implementation.
2. Design a multi-disciplinary model for professional development that would be accessible to districts at all levels of implementation. The Agency must make clear that MTSS implementation is a full system obligation, not a special education obligation, and increase its targeted professional development for general educators (classroom teachers, principals, etc.).
3. Identify those districts that would need significant support in implementation so that professional development resources could be targeted. This method for identifying support should leverage current continuous improvement and quality review processes (e.g., Continuous Improvement Planning) and include a variety of funding sources to support LEAs.
4. Develop a clear mechanism for ongoing monitoring and support for MTSS implementation. This system should include a feedback method for families to be able to voice their concerns, especially regarding special education evaluation within the context of an MTSS.

### **Documentation of Maintenance of Effort (MOE)**

Despite ongoing efforts of the Advisory Group to work with Agency staff on the development of flexible methods to document Federal Maintenance of Effort (MOE) requirements, the Agency continues to recommend highly restrictive documentation methods that would prevent districts from realizing the flexibility intended under the Act. It continues to be a firm recommendation of the Group that the Agency leadership be involved with ground-level staff to ensure that requirements are not developed that exceed Federal documentation standards.



## **Recommendations to General Assembly for Necessary Statutory Changes**

### **Funding of Special Education Services at Independent Schools**

Act 173 shifts Vermont's special education funding model from a reimbursement model to a census-based model. It did not, however, change how approved independent schools bill LEAs for the costs associated with providing special education services. Under the current language, LEAs receive a finite amount of state special education funding through the census grant. Independent schools, however, bill LEAs for the cost of providing special education services in an excess cost construct, which is an unchecked fee-for-service model. Independent schools are not capped in what they can bill an LEA, provided those costs are associated with the provision of special education services. This means that LEAs may be required to pay independent schools more than they receive in state special education support.

The Advisory Group recommends that the General Assembly examine the fiscal impact of Act 173 on districts that have non-operating grades. Specifically, the General Assembly should study the following in those districts:

- The total state special education support received
- The total excess costs billed to them from independent schools
- The impact of this difference on the full budget of the LEA

### **Oversight and Implementation Monitoring**

Over the course of its existence, Advisory Group recommendations have been consistent, particularly in the area of professional development. Despite this, the Group has not seen significant progress in moving those recommendations forward. This causes the Group to be concerned about ongoing implementation after it ceases to exist in its advisory capacity. The General Assembly needs to understand that additional accountability and oversight is needed for full implementation of Act 173.

Throughout its time together, the Group has continued to affirm that the educational structures of MTSS required under Act 173 are critical to improving outcomes for struggling students in Vermont.

Respectfully submitted on behalf of the advisory group by:  
Meagan Roy, Ed.D.

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Chair, Census-Based Funding Advisory Group

Dear Board:

This is my twentieth year teaching art in Vermont, the first eighteen at the high school level and last year and this teaching 3rd-8th grade. I was a Vermont Teacher of the Year finalist in 2023 and had the pleasure of meeting you (via the screen) and presenting to you about the importance of choice in education. I have been reviewing the most recent changes you are proposing to the EQS and have a couple of points of concern to raise during the public comment period. I am writing on my own behalf, and not representing my school or district.

Having experienced teaching students at many grade level bands, I can tell you that the arts are truly essential to opening up kids to new possibilities and seeing themselves as creative contributors to the 21st century. Arts provide opportunities for students to value themselves, as well as to see into the lives and experiences of others. I do believe that, like PE or Library, there should be a minimum requirement for students in our system for experiencing the Arts.

Section 2120.5 Curriculum Content, the Arts are grouped in a large section (d) under global citizenship (including the concepts of civics, economics, geography, world language, the arts and cultural studies, and history). It is my opinion that the arts should have their own section like Physical Education and Health, and suggest that students grades K-8 experience a minimum of one performing and one visual arts class per week for the entire school year (or the equivalent), and that our grades 9-12 students should have at least one year (or equivalent) of performing or visual arts during their high school career.

Additionally, getting to know the experiences of teachers in different age bands from around the state, I am realizing that many of my colleagues are overwhelmed with the number of students they are serving without appropriate time/compensation. It would be ideal if schools with 300 or more students had full-time Arts teachers so that they can meet the needs of their students appropriately.

Sincerely,

Abbie Bowker, M. Ed.  
Rowland Fellow  
Vermont Art Educator  
VAEA/NAEA Member

**Pronouns:** She/Her/Hers ([Why include pronouns?](#))

Hello,

I am writing to urge you to include antisemitism and Jews as an ethnic group in the Vermont curriculum and Vermont State Education Quality Standards. It has come to my attention that The Agency drafting the Rules has sought to eliminate Section B of the definition of ethnic groups, thus eliminating the Jewish people from definition of Ethnic Groups.

Just last week, in the Hartford Vermont School District, both of my kids experienced incidents of anti semitism during school hours and on school property. One of the incidents was a high school student yelling out "I hate Jews" in the classroom.. The individual was sent to the principal's office, and I am unaware of what other consequences occurred or if this was used as a learning opportunity. My other child in the elementary school experienced being singled out for being Jewish by another student in front of peers, and the school counselor was able to work with the students to be compassionate about differences and qualify what racism is and isn't, the counselor also called me personally to relay what happened and how she handled it as a learning opportunity. It is very important for our Vermont educators to have the tools they need to help them combat anti semitism and racism in all of its forms as it is definitely a rising issue in America and is affecting our children, "even in Vermont."

Thank you,  
Ariel Cahn-Flores  
Hartford, Vermont

I work at the Education Justice Coalition and tonight I'm speaking for myself as a former Vermont public school student, a former educator, and multi-racial, queer Jewish person. First I want to name how concerning these stories of bullying and harassment and encourage the stateboard and any other policy makers in the room to take on bullying and harassment as a serious issue. The Education Justice Coalition is working on a storytelling campaign on bullying and harassment and encourages our partners in the Jewish community to join us.

I want to highlight that many of the concerns Jewish folks tonight are bringing up are already embedded in the updated EQS.

I appreciate and support a strong stance against anti-semitism based bullying and harassment in EQS - "Each school shall maintain a safe, accessible, orderly, civil, flexible, and positive learning environment, which is equitable, anti-racist, culturally responsive, anti-discriminatory, and inclusive; free from hazing, harassment, and bullying;"

I also appreciate the encourage of the studying of the genocides which would include the Houlocast - "This requires a critical examination of the experiences and perspectives of racial and ethnic groups and indigenous peoples that have suffered systemic oppression, marginalization, discrimination, persecution, and genocide within and outside the United States."

In January 2023 a [Factsheet](#) was released from the dept of Education expanding on the civil rights protections for students who are or are perceived to be Jewish, Christian, Muslim, Sikh, Hindu, Buddhist, or of another religious group. If Jewish people are named as a marginalized group and anti-semitism is made named as protected type of discrimination then I think it would be crucial to name other marginalized religions particularly muslim given the rise in anti-muslim hate.

I also want to name that during the Trump era the International Holocaust Rights Association Definition of anti-semitism that highlights anti-zionism instead of just anti-semitism is a dangerous definition to use because it would limit the full teaching of the Palestine / Israeli conflict and the perspective highlighted by the Human Rights Watch report naming Israel as an apartheid state. Thankfully this Trump era definition is not being upheld by the Biden administration.

One thing that makes me proud to be Jewish is to be part of a long lineage of freedom fighters who stand for collective liberation, who fight not only for our own freedom but the freedom of others. Jews were leaders in the civil rights movement risking their own safety for the justice of others. So I think it's crucial if we're advocating for Jewish people to be named in this document then we also need to name Muslims as a marginalized group and any other marginalized religious group be both named and protected.

Ask State Board of Education members to follow the law and honor legislators' definition of Ethnic Group in Act 1, including its part B, so that Vermont students will also learn about *the people* -- values, customs, contributions, and ongoing struggles -- who lost lives to and endured genocide and persecution rather than just history stats and facts. (Note: this implies the

Jewish people but does not say Jews expressly.) If you or the people you ask to help, you can insert Jews as part of this historical fact.

Public Comment for October 3, 2023:

Hi I'm Aaron Kindsvatter with the Foundation Against Intolerance and Racism (FAIR), a national nonpartisan, nonprofit organization dedicated to advancing civil rights and liberties, and promoting a common culture based on fairness, understanding, and humanity. We have nearly 100 chapters and tens of thousands of members nationwide, including in Vermont.

Last year FAIR commented on the draft Education Quality Standards (EQS) during the Vermont State Board of Education's subcommittee meeting and in writing, sharing our concern that the EQS's term "critical" is ambiguous.

While the State Board subcommittee modified the standards by adding a definition of "critical thinking" -- which FAIR appreciates -- the subcommittee kept the word "critical" without the qualifier "thinking" in three spots so the ambiguity remains. Specifically, three draft EQS sections before you call for "critical examination." The word "critical" here could either (i) refer to conducting a thorough and scrutinizing examination, or (ii) be construed (or misconstrued) as requiring a critical race theory (CRT) informed analysis.

If the latter -- "critical race theory" -- the EQS will require every Vermont teacher to instruct their students to embrace CRT, which means look at ethnic groups through personal narratives rather than facts, focusing on race and "domination and oppression" rather than also as individuals and their contributions and successes. (See "Critical Theory," Stanford Encyclopedia of Philosophy).

State Board Members Gleason, Kolbe, and Lovett were clear Summer 2022 that CRT is NOT what they desired.

But again if the EQS wording is left unchanged, CRT is how teachers will read the EQS because the rest of the standards say to "focus on [ethnic groups] systemic oppression" and use race as the "lens" -- mirroring the language of critical race theory.

This ambiguity has already opened the door for CRT. The EQS Working Group's recommended draft Ethnic Studies Frameworks, that cite the EQS's "critical examination" clause, are riddled with critical theory and CRT. For example, 15 of the Frameworks' recommended teacher resources are grounded in and promote critical theory and CRT such as "The Art of Critical Pedagogy," "Coloring in White Spaces," and two resources on the highly controversial liberation and critical theorist Paulo Freire's "critical," as in critical theory, consciousness.

To avoid this outcome -- and so have the EQS reflect the SBE subcommittee's intent -- FAIR encourages the Board simply to remove the term "critical" in the three places its appears in these two EQS sections (Sections 2110 and 2114).

Thank you.

In your Vt agency of education you absolutely MUST include the fact that antisemitism is rampant not only in the world but also here in the USA and in Vermont!

Sincerely  
Aliza Levy  
Quechee Vt



TO: VERMONT BOARD OF EDUCATION  
FROM: AVRAM PATT  
DATE: OCTOBER 5, 2023  
SUBJECT: DEFINITION OF "ETHNIC GROUP" IN ETHNIC QUALITY STANDARDS ,  
RULE SERIES 2000

As I noted in my brief spoken comments at the hearing on October 3<sup>rd</sup>, I am providing these written comments to fully explain my concerns, to provide more information, historic and current Vermont context, and to ask Board members to reconsider the troubling and frankly exclusionary omission of "Part B" in the definition of "ethnic groups" in the Education Quality Standards (which I am in support of generally with this exception).

**Some personal background:** I have been a Vermont resident for 53 years and have been a Member of the Vermont House beginning in 2015. I am the son of refugees who escaped Poland when the Nazis invaded, and who were among the very small number of Jews who were able to get to this country then, thanks only to the heroic and unauthorized efforts of the Japanese Consul in Lithuania, Chiune Sugihara. Jews were basically not allowed entry into this country then due to the on-the-record antisemitic policies and actions of the leadership of the U.S. State Department at that time. I grew up in a community that included a number of Holocaust survivors, as well as a few who had fought in the Resistance and survived, and who were all active in Poland and in this country in Jewish organizations working for social and economic justice for all. Members of my father's family fought and died heroically in the Resistance in Bialystok. I am named after my maternal grandfather, who along with my grandmother, perished in an extermination camp they were transported to from Warsaw.

**ACT 1.** When Act 1 was being considered by the Legislature in 2019. I was troubled by a significant omission in the definition of "ethnic groups." I was in part responsible for the addition to the bill as passed of "Part B," which includes any peoples historically victims of genocide and persecution.

The personal impacts of bias and discrimination on people of ethnic groups defined in Section B may in some ways be different than the impacts on people

who can be identified as members of an ethnic group by other characteristics. But they are very real. There is a long history in this country, and in Vermont's own history, of open or unspoken antisemitic discrimination and exclusion by class. More recent incidents of antisemitic defacement of public buildings and homes or verbal or online attacks are physical threats, and they're real. The incidence, frequency and severity of such threats continues to increase nationally, and very much so in Vermont. In my own life, I am very aware that antisemitic incidents in Vermont are not isolated, are instigated by forces who are neo-Nazis and deeply racist as well as antisemitic. I feel that threat and I know within me that it could become more than just a threat.

**Genocide.** As you may know, the term "genocide" is a relatively recent one which came into being after the Holocaust. There have been more recent genocides of other peoples in other parts of the world, and throughout human history. The Holocaust was certainly greater in scale and in its systematic plans and methods by which it was carried out. But there is a much longer history, and I would ask that Board members and others read or at least scan through this brief description and chronology of numerous "pogroms" in modern as well as earlier history: <https://en.wikipedia.org/wiki/Pogrom>

**In the news.** The rising incidence of antisemitic incidents, also with racist language and threats as well, should be known to all working to address these issues in Vermont. I am including just three very recent news accounts of such incidents, which I ask that you be aware of, if not already:

Montpelier City Council: [https://www.timesargus.com/news/local/anti-semitic-remarks-prompt-swift-response-in-montpelier/article\\_3cec6c58-eaec-58b3-9535-553a581a4637.html](https://www.timesargus.com/news/local/anti-semitic-remarks-prompt-swift-response-in-montpelier/article_3cec6c58-eaec-58b3-9535-553a581a4637.html)

Montpelier High School (more serious and with longer history and implications, IMO): <https://montpelierbridge.org/2023/06/mhs-swastika-not-the-only-antisemitic-incident-in-schools-mhs-swastika-not-the-only/>

Brownington (home town of Alexander Twilight, whose portrait now hangs in the State House lobby): [https://www.caledonianrecord.com/news/local/old-stone-house-tower-attacked-by-vandals-painted-with-swastikas-antisemitic-hate-speech/article\\_218cc245-0176-5af3-ad29-7eeba94fe0b9.html](https://www.caledonianrecord.com/news/local/old-stone-house-tower-attacked-by-vandals-painted-with-swastikas-antisemitic-hate-speech/article_218cc245-0176-5af3-ad29-7eeba94fe0b9.html)

**Legislative intent.** So, it is therefore puzzling, but also troubling and concerning that the language in Part B of what is now Vermont Statute governing the Board and the Department of Education was omitted, not included, in the Education Quality Standard. Part B is also Legislative intent. While I am asking the Board to correct this omission, I would also like to understand the reason or motive for its omission.

**Additional note, not part of my comments:** These comments pasted in at the bottom of this email and attached, as well as my brief comments at the October 3 hearing, were prepared before the Hamas attack, the Israeli retaliation and all that is happening at this time. I urge all considering my comments to keep those events and any opinions and feelings about these terrible current violent attacks separate from this issue of the definition of ethnic groups in the Standard. In past discussions I have had with individuals involved in this process and on other issues regarding equity and inclusion, I have sometimes been troubled by the incorrect and harmful conflation that some make between the actions of a nation and its political leadership, with the history and experience of an ethnic group, Jewish Americans/Vermonters. They are not the same and it is wrong to make that connection. The vast majority of American Jews are descendants of immigrants and refugees who came here escaping poverty, oppression and worse, starting in the late 19<sup>th</sup> century and through the first half of the 20<sup>th</sup>. As research, including a number of surveys and reports by the Pew Research Center has shown, opinions about the State of Israel and about the concept of Zionism vary widely among Jewish Americans and Vermonters, ranging from ardent and unequivocal support to very strong opposition, and mostly everything in between. It is not accurate and in fact biased to stereotype members of an ethnic group with the actions or policies of a political state, which in some cases they may have escaped from, and in this case, never have lived in

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**Rep. Avram Patt**, Lamoille-Washington District  
Morristown, Elmore, Woodbury, Worcester & northern Stowe  
Member, House Environment & Energy Committee

Mail: 139 West Hill Rd., Worcester, VT 05682

Phone: [\(802\) 223-1014](tel:8022231014)

TO: Vermont State Board of Education  
FROM: Adrienne Raymond  
RE: Public Comments - Rule Series 2000 Proposed Changes  
DATE: October 3, 2023

My name is Adrienne Raymond and I am a recently retired schoolboard member. I've served on behalf of my community, the Town of Shrewsbury, on multiple school boards at every level for over 20yrs and was a member of the Act 46 merger committee that created the Mill River Unified Union School District. I am finishing up a last term on the Vermont School Boards Association Board of Directors this month. I currently serve as a Vermont Employer Healthcare Commissioner. Putting all of that aside, this evening I speak as an interested, private citizen.

Thank you for the opportunity to voice my general support for the Vermont Education Quality Standards that are currently under review by this board.

I support the adoption of these Quality Standards because they create clear expectations and requirements for schools that are held to these rules. The Standards support and require equitable, anti-racist, culturally responsive, and anti-discriminatory educational opportunities that are inclusive and accessible for every Vermont student. I believe that Vermont needs statewide Quality Standards to ensure that all of Vermont's students are being offered an equitable education in every publicly funded school in the State of Vermont.

This brings me to my "general" support of the proposed Standards changes. I cannot fully support adopting Standards that should be helping to create equitable systems throughout the State of Vermont, but will not be doing so, because they will not be applied to every publicly funded school. Vermont has created a 2-tiered educational system and these standards would have helped to decrease the systemic disparity, but they won't, if they aren't applied to all. Please support the Quality Standards and then apply them to all publicly funded schools.

Thank you for your attention.

Submitted by  
Adrienne Raymond  
802-353-0973

It seems more important than ever for Vermont to include antisemitism in the rules for inclusion. Given the tenor of the times and the incitement against Jews which are historical, please don't overlook the need to protect Jewish people. Thank you for your consideration

Arline Rotman  
Norwich Vermont

As a Jew living in Vermont, it is appalling that section B will not be part of the Vermont legislation that mandates inclusion and against antisemitism in the curriculum for our students.

What is happening in Israel today is an example of hatred towards Jews. We have a responsibility to educate our young people so this hatred doesn't infest our State.

Betty Barba  
Norwich Vermont.

Sent from my iPad

To Whom it May Concern,

I'm writing to **urge the Vermont Agency of Education to explicitly include ethnic groups “that have been historically subject to persecution or genocide” and to specify that the curriculum address “antisemitism” in its new State Education Quality Standards.** This new Curriculum **must include the Jewish experience** in the United States and around the world.

In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Swastikas were found painted on the side of buildings in my community, Norwich, VT. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,  
Brooke Blicher  
Norwich, VT

Brooke Blicher, DMD



I come here today directly from listening to Dara Horn, author of "People Love Dead Jews," talking at Keene State University on "Jews in a Non-Jewish World." Horn's most pressing point about Holocaust education is that it leaves behind Jewish culture at 1945. Vermont has had Jewish connections since its founding -- Alexander Harvey and his crew, choosing land to settle on in Barnet VT, took a break to travel and worshipped with Jews, according to his journal, and one of Lyndon's most prosperous businesses in the late 1800s and early 1900s was owned by the Stern family, who sent away to New York City for a rabbi to arrive by train when their daughter was ready to marry. Such historic details are rarely raised in Vermont today. (I may be one of the few authors to do the research and bring them up.)

More critically, most of the Vermonters I meet outside Burlington have not knowingly met a Jew. This is in part because even Vermont Jews have learned to hush themselves. My late husband Dave Kanell, a 40-year synagogue leader, would not place a menorah in the windowsill (a tradition) because he understood that it was dangerous to become a target for antisemitism. For several of my neighbors now, I am the only Jew they've met; there are four Jews in Waterford, and the other three decline to publicly self-identify at most times. This enduring lack of community awareness feeds the contagious disorder of antisemitism. Please raise awareness in school curricula, among educators, and among our communities that Jews are an important part of Vermont, and their history -- and current culture -- are valuable to our children and adults.

Thank you.

Beth Kanell  
Waterford, VT  
[BethPoet@gmail.com](mailto:BethPoet@gmail.com)

the research and writing life: [bethkanell.blogspot.com](http://bethkanell.blogspot.com)

Dear fellow Vermonters:

As a 75 year old Jewish woman residing in Reading, VT, I applaud the work that you are doing. However, I am extremely concerned that Jewish people may not be included in the definition of ethnic groups defined in Section B. Antisemitism has increased dramatically in the US in the past two years, as evidenced by the documented, enormous % increase in acts of antisemitism. And, as if it is not enough that 6 millions Jews were murdered in The Holocaust, just look at what is going on in Israel right now, with the brutal and animal-like attacks by Hamas on the citizens of Israel.

You know, I used to think that antisemitism in the US and the widespread condemnation of Israel were two distinctly different things and that one could be 'anti-Israel' without being antisemitic towards American Jews. I no longer believe that, nor should you, as you opine on curriculum changes.

Sincerely,  
Carol Anderson  
1584 Spear Cemetery Road  
Reading, VT 05062

Dear Members of the Vermont State Board of Education,

Thank you for your leadership on the State Board of Education and your commitment to Vermont students.

Attached, please find a letter of formal comment on proposed Rule 2000 amendments. I send this today on behalf of my co-signatories.

Thank you,

Colin Igoe

--

**Colin Igoe**

Head of School

Long Trail School

Vermont's First **IB** World School

[cigoe@longtrailsschool.org](mailto:cigoe@longtrailsschool.org)

802-867-5717 x101

Vermont State Board of Education  
1 National Life Drive, Davis 5  
Montpelier, VT 05620-2501

October 15, 2023

**RE: Comment on Proposed Rule 2000 (EQS) Amendments**

Dear Members:

Please accept this letter as our formal comment on the Rule 2000 Education Quality Standards (EQS) rulemaking.

As consistently represented over the past year, we support the inclusion of ethnic and social equity studies as part of the standards that govern Vermont's Approved Independent Schools, specifically Rule 2200. We are disappointed that some individuals and organizations are attempting to conflate these important updates with an effort to apply unrelated aspects of EQS to independent schools.

We do not support the unilateral application of EQS to independent schools. Applying the EQS to independent schools would be a major policy change that goes well beyond the limits of the State Board of Education's statutory authority. The current statutory and regulatory framework reflects important and fundamental differences in governance structures between our public education system and the independent schools that serve students from public school districts that do not operate their own schools.

The historic academies have never been public schools, as some individuals have falsely claimed. Independent schools are governed by self-perpetuating boards of trustees, with a head of school responsible to the trustees. **Ultimately, we as leaders, along with our trustees, are accountable to the parents who choose our schools to educate their children.**

Our governance structures are flexible, allowing us to respond to student needs quickly and innovatively. Our governance model, with its focus on long-term sustainability, helps attract the private contributions we need to fund ongoing capital investment (since we are ineligible for state capital construction aid and do not have tax authority). Our town tuition program has served Vermont students and families extremely well, as evidenced by the continued commitment of many districts to tuition to independent schools. Our sending school districts retain the power to construct and operate their own public school and end tuitioning.

Recognizing the difference in governance, there would be practical problems, as well as substantive policy implications to consider in applying the EQS unilaterally to independent schools. Just a few examples include:

- **EQS Rule 2121.2** requires that “Each school shall employ instructional and administrative staff members who possess the knowledge and skills to implement the standards in alignment with professional educator standards established by the Vermont Standards Board for Professional Educators.” Rule Series 2200, consistent with statute, requires that independent schools employ educators with appropriate qualifications, but does not require a specific license. Changing the standard would have serious policy implications, particularly given the significant workforce challenges we have in the education field. If this requirement came into force, it would only increase the competition for licensed educators, and put increased pressure on independent AND public schools. In addition, we do not believe licensure is the best measure of teacher quality and preparedness. A Ph.D. level college professor or professional without a teacher license is sufficiently able to teach secondary education, for example. So is an award-winning chef able to teach in a culinary program. Underlying substantive and professional qualifications along with robust professional development, peer and leadership support, and evaluation are arguably more critical, albeit resource and time consuming. We consider it time and resources well allocated.

- **EQS Rule 2120.6** requires that the supervisory union “ensure that each school implements the supervisory union's written and delivered curriculum”. The practical problem is that this makes the superintendent responsible for developing curricula for all independent schools that it sends students to - what happens when students are attending an independent school from multiple supervisory unions that might have conflicting curriculum standards? Setting aside the practical issues, this represents a major policy shift, as it gives the superintendent control over an independent school's curriculum.

- **EQS Rule 2121.1** requires that the superintendent “supervise a licensed principal who shall be responsible for the day-to-day leadership of the school”. As with curriculum, this has major policy implications, and puts the superintendent in the position of supervising and directing the work of a head of school who is hired, supervised, and fired by an independent board.

It is worth noting that there are requirements of the independent school approval process governed under Rule Series 2200 that do not apply to public schools. One significant difference is that, unlike public schools, all approved independent schools are subject to public scrutiny, review, and approval by the State Board of Education, at the recommendation of the Secretary of Education, at least every five years. Just within the past year, the State Board has declined to approve schools that were unable to meet these approval standards and it occasionally places conditions on the approval of independent schools in cases where it thinks additional oversight is required. Approval status can be suspended, as well as terminated.

Moreover, the rules that apply to independent schools (2223.9) create a complaint process wherein aggrieved persons can file a complaint directly with the Agency of Education, which then provides avenue for an independent investigation of the complaint. Public schools are not held to that standard. The proposed EQS rules (2121.1 and 2126.1), require public schools to document complaints they receive and provide those documented complaints and responses annually to the Agency of Education.

Unlike the public hearing style review of an independent school's approval, there is no similar, regular public forum for review of a public school's compliance with the rules at a state level.

In his October 3, 2023 [comment](#) to the State Board of Education, the president of the VSBA, Neil Odell, advocates for a "...single set of standards that would apply to all of Vermont's publicly funded students." Ironically, while Mr. Odell appears to dismiss the unique history and governance structures of Vermont's independent schools, he ignores the glaring reality of the interstate districts that serve many Vermont students. As the vice-chair of the Dresden interstate school district, Mr. Odell must know that his high school, which serves many Vermont students, will continue to be exempt from EQS in its entirety.

Mr. Odell further states that "All of Vermont's publicly funded students deserve the same equitable, anti-racist, culturally responsive, anti-discriminatory and inclusive (sic) education experience." We agree, which is why we continue to support the State Board's proposed application of Act 1 updates to Rule Series 2200, which are the appropriate place to address changes for independent school approval standards.

It is an unfortunate irony, however, that Mr. Odell's own school district, one of the most privileged in the nation, will remain beyond the reach of Act 1, even as Vermont independent schools are already embracing the principles of Act 1. Additionally, the Dresden school district retains (last updated April 2023) a restrictive admissions policy for non-resident students – one that would not meet the standards required of Vermont approved independent schools accepting public tuition.

The invocation of the phrase "[separate but equal](#)" by the VSBA and their "Alliance" in this important dialog is offensive and inflammatory, and oversimplifies the complexity of our education system, as so vividly illustrated by the status of Mr. Odell's own school district. Our collective and positive energy would be better and more productively directed toward addressing the significant needs of students in the areas of literacy, numeracy, homelessness food insecurity, infrastructure, and mental health, as well as promoting anti-racist, inclusive and welcoming environments. That is where our attention lies as school leaders, and we encourage members of the State Board of Education to visit our schools and see first-hand the critical work we are doing in these and other areas to support students.

In conclusion, we support the application of standards for ethnic and social equity studies to approved independent schools, and we ask that this be addressed in the appropriate rules (Rule Series 2200). An entirely different governance paradigm (e.g., school boards, supervisory unions, and superintendents responsible for day-to-day management) permeates through the specific dictates of the EQS rules, making them difficult and unnecessary to interpret and apply to the independent school environment.

Thank you for your consideration and your dedication to Vermont students.

Sincerely,

Brian Bloomfield  
Lyndon Institute, Lyndon

Sharon Howell  
St. Johnsbury Academy, St. Johnsbury

Colin Igoe  
Long Trail School, Dorset

Tamara Mount  
Hilltop Montessori School, Brattleboro

Tim Newbold  
Village School of North Bennington, Bennington

Karen O'Neill Thomson  
Red Fox Community School, Manchester

Margaret Schlachter  
Mountain School at Winhall, Winhall

Dan Skoglund  
Maple Street School, Manchester

CJ Spirito  
Rockpoint School, Burlington

Roy Starling  
The Riverside School, Lyndonville

Mark Tashjian  
Burr & Burton Academy, Manchester

Carson Thurber  
Stratton Mountain School, Stratton

Jennifer Zaccara  
Vermont Academy, Saxtons River

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

I am writing to indicate my strong opposition to altering the changes made to the proposed EQS Manual. Especially those changes that define discrimination, expressly prohibit it and expand protections against it. Oppressive and discriminatory structures have been identified in our systems, without explicitly naming and addressing these injustices we are complicit.

I also ask for transparency in the State Board's decision making process, and that the legal analysis which raised concerns for liability be shared with the general public.

Respectfully,  
Christa Mordoff  
Colchester, VT





Vermont  
Superintendents  
Association

Date: October 15, 2023

To: Vermont State Board of Education

From: Vermont Superintendents Association (VSA);

Chelsea Myers, Associate Executive Director

Re: Series 2000 -- Education Quality Standards

The Vermont Superintendents Association (VSA) writes this memo to support achieving more inclusive and culturally responsive standards, policies, and practices for Vermont's school districts. VSA was a committed thought partner in the Act 1 Working Group and seeks to ensure that all of the necessary support structures are in place for school administrators to implement the changes reflected in the Education Quality Standards with fidelity.

In an earlier feedback collection regarding the changes to the Education Quality Standards, one superintendent said, "The changes are very strong in terms of supporting the direction we want schools to take toward becoming anti-racist and socially, culturally, and linguistically responsive." While another added, "It is inspiring, exciting and somewhat daunting. I would only add that, from a practical lens, we should start thinking ahead about ensuring the most effective technical assistance is provided to support us and our systems in implementation." To that end, VSA would like to provide three feedback points at the conclusion of this public comment period.

1. Superintendents are eager to have the work that they have embarked on at the local level supported by foundational state policy, guidance, and rules. At its core, this work is daunting for school administrators and will require a tremendous amount of coordinated support from state leaders and local and national experts, as well as fiscal resources. It is important to note to the State Board and to legislative leaders that there are a number of initiatives and unfunded mandates that educators are contending with at this time.
2. Approved independent schools, in their role as entities delivering publicly-funded education to students with a district of residence that does not operate a public school, should be required to abide by the same standards as public schools.
3. In recognition of the work of the Census-Based Funding Advisory Group under Act 173 of 2018, the State Board should align language in the Education Quality Standards regarding multi-tiered systems of support with language from Act 173 with the aim to create standards for more consistent implementation across the state.

Thank you for your commitment to this important work.

Public Comment:

I am writing as a resident of Washington County, parent of a future public-school student, and teacher employed in Chittenden County.

As an educator in Vermont, I have seen many “initiatives” come and go. Often, they are well intentioned, but fail to meet the very real needs of our most vulnerable students. I believe this failure is often rooted in the architecture, and architects, of change. Too often school-based changes are constructed by those who are, or have been, members of school administration and/or teaching staff who have gone on to fill positions at the Agency of Education or sat on committees run by the state. While it is true that those within the system are often well positioned to create change, it is also true that we can very easily overlook the changes most necessary to those experiencing the system first-hand. Additionally, and perhaps most importantly, when change is created by those who are members of the educational workforce, we must examine the identities and positions from which decisions are made. Here in Vermont, that often means a very white, able-bodied, neurotypical perspective.

Much has been written about the incredible work led by the architects behind Vermont’s Act 1 working group. It is a dedicated body with incredible knowledge rooted in both study and lived experience. For the first time, to my knowledge, those most impacted by changes to educational policy were not only invited to the table, but were those constructing it. The working group was designed with inclusion in mind. It sought to elevate multiple perspectives in an effort to better serve all of Vermont’s students.

While I could speak to the risk of changing the language of the EQS at this late stage, I could speak to its intention and function, I’d like to instead point to a pattern repeating: those with the most institutional power are, once again, attempting to be the architects of change. When considering changes to the language of anti-discrimination, I believe it’s important that we look to see who is asking for what, and why.

When the community leaders behind Education Act 1 say that this language is needed, I believe them. I know that their perspective is rooted in experience and connection back to our most vulnerable students. Further, I know that what we have tried before simply has not worked and we must try something new. One need only look to the most recent YRBS data to see that our students are not having consistent experiences of school. I believe the State Board of Education should respect the expertise and time of the working group and understand that at this moment we can choose a new path forward: one that is far more inclusive and inviting, one that, hopefully, can positively impact the experiences of all our students.

Sincerely,  
Christie Nold

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

To Whom it May Concern,

I'm writing to **urge the Vermont Agency of Education to explicitly include ethnic groups “that have been historically subject to persecution or genocide” and to specify that the curriculum address “antisemitism” in its new State Education Quality Standards.** This new Curriculum **must include the Jewish experience** in the United States and around the world.

In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,

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In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Swastikas were found painted on the side of buildings in my community, Norwich, VT. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,  
Carolyn Weiss

Thank you to all who have worked to create Act 1, discussion and consideration.

I am a member and educator at Beth Jacob and JCOGS. I am an occupational therapist, consultant to educate teachers, and a parent of an elementary school student at UES in Montpelier.

Please include part B. We need to include education of all people with histories of genocide, including anti-semitism. Education of teachers and students is where we must begin to end hate crimes.

Sincerely,

Debra Ann Pinsof-DePillis, MA, MS OTR/L  
15 Ewing Street  
Montpelier, VT 05602

*"The only way to make sense out of change is to plunge into it, move with it, and join the dance."*

*~ Alan Watts*

To whom it may concern:

It has come to my attention that The Vermont Agency of Education is looking to eliminate Jewish people from the definition of Ethnic groups as it implements the State Education Quality Standards. I am deeply upset and opposed to this move.

I am not a deeply religious person, but I am Jewish. Being Jewish is more than just about praying and observing religious rituals. It is an identity, which has both positive and negative implications in the world. I have experienced firsthand anti-semitism and witness it increasing in the world, even in the United States. Now is the time increase protections against hate like this, not decrease them.

I strongly urge you to speak to Jewish people and gain an understanding of how being Jewish IS an ethnicity and not solely a religion. Persecution and scapegoating of Jews has been far too prevalent in the world. I hope Vermont will lead the way in seeking to end that.

Sincerely,  
Daniel Bradford  
*Ludlow, VT*



To The State Board of Education,

Thank you for taking the time to read this email. I am the rabbi of the Jewish Community of Greater Stowe, and have served in this capacity for 10 years, representing of that time hundreds of young members of our community and their families who have students in the local Vermont school systems from the North East Kingdom, down to Mad River Valley and everything in between.

Part B in the definition of Ethnic Groups in the Act 1 law -- "groups that have been historically subject to persecution or genocide" -- must be included in the Education Quality Standards' (EQS) and Frameworks' **definitions of Ethnic Groups.**

This is to help ensure our inclusion as Jews and the inclusion of other minorities.

Thank you for your serious consideration,

Rabbi David

--

Rabbi David Fainsilber  
Jewish Community of Greater Stowe ([JCOGS.org](http://JCOGS.org))  
[melodyofeverysoul.com](http://melodyofeverysoul.com)  
[rabbidavid@jcogs.org](mailto:rabbidavid@jcogs.org)

1189 Cape Cod Road Stowe VT 05672

*I do not check emails on Shabbat, Jewish holidays, or Tuesdays (my day off). If you require immediate attention on Tuesdays, please call the office at 802-253-1800.*

I am writing regarding the new rules for state education quality standards. I am specifically voicing my concern regarding the elimination of section B defining ethnic groups. These standards must include in its definition of groups historically subjected to persecution. It is common knowledge that antisemitism is on the rise in the United States, including in Vermont. In the past week, anti-Israeli/Jewish events have occurred in Vermont as well as across the country in response to the terrorist attack on Israel. These events illustrate the importance of educating children on the historical facts of antisemitism. Thank you for your attention to the important oversight.

Deborah Kaplan  
Norwich VT

Hello,

Please include antisemitism and the Jewish experience in your new education standards. In light of recent events, it is more important than ever to make this a priority.

Thanks,

Dina Litz

Dear State Board of Education,

I write to provide my thoughts on the Vermont Agency of Education's new Rules to the State Education Quality Standards (the "Standards") that implement the recent state legislation mandating "equitable, antiracist, culturally responsive, anti-discriminatory and inclusive" curricula for all students (the "legislation"). This is a good thing and very important. The legislation requires the Standards to include ethnic groups "that have been historically subject to persecution or genocide" and that the curriculum address "antisemitism." This was the language that the Legislature included as Section B of the definition of Ethnic Groups.

However, I have learned that the Agency or the Board drafting the Rules has sought to eliminate Section B of the definition of ethnic groups, thus effectively excluding the Jewish people from the definition of Ethnic Groups. The Anti-Defamation League (ADL), the AJC, and Jewish Communities of Vermont are all deeply concerned about leaving Section B's definition out. In fact, I would argue that the gruesome, deplorable, and heinous events of the past days in Israel and some of the reactions around the world against Israel, even after these barbaric crimes, are enough support to include Section B.

**To be clear, "*Judaism is the ethnic religion of the Jewish People. It is comprised of the ancient beliefs, mythologies, and laws of the Jewish tribe. Judaism is not a religion in the western or modern sense. It's a word to describe all of the cultural and spiritual characteristics that make our tribe what it is.*" See, <https://www.rootsmetals.com/blogs/news/what-is-judaism-actually> to learn more. Perhaps, and ironically, a misunderstanding of who Jews are and what Judaism is, has led the Board of Education to consider eliminating Section B.**

In addition, antisemitism is a rising problem in the United States, and is statistically, the basis of the majority of religion-base hate crimes. This past year saw an abundance of issues at University of Vermont. Vermont synagogues have crash barriers, hire armed security, and install bullet-proof glass in their buildings in response to rising concerns.

Further, both in America and internationally, Jews have historically been kept from many arenas of public life. Jews were prohibited from buying homes in many neighborhoods and still face obstacles. Jews were kept from practicing at hospitals and still face hostile environments. Jews were excluded from private clubs and still are. Jews routinely decide to live in certain neighborhoods because they know their kids are not safe in others. Systemic discrimination still concentrates Jews in fields where our advancement isn't dependent on others.

Vermont educators should want Vermont children to learn about the Jewish American experience, understanding Judaism as the ethno-religion that it is. Leaving this important ethnic minority out of the curriculum feeds into further antisemitism, racism, and hate. You of all people know that education is key to understanding one another. Vermont students must learn about Jews and Jewish history to further their

understanding about America's history and its relationship to ethnic minorities. The White House has issued the [National Strategy to Counter Antisemitism. Pillar 1](#) of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage."

I do not understand the rationale for removing Jews and antisemitism from the curriculum. I have some insight that organizations from other parts of the United States have taken similar steps to eliminate antisemitism from their curricula and somehow this seeped into Vermont. The irony is not lost on me, as I would argue that the very essence of antisemitism is to pretend that antisemitism does not exist, that the Jewish American experience can be glossed over and thus be eliminated from the curriculum.

For the reasons above, and others that I have not discussed, please ensure that you include the Jewish people in the definition of Ethnic Groups in Section B.

Sincerely,  
Daphne Moritz, Quechee, Vermont  
Member, Shir Shalom, Woodstock, Vermont

**Daphne Moritz** (she/her)  
Sheehey Furlong & Behm P.C.  
205 Billings Farm Road, Suite 4B | White River Junction, VT 05001  
Office: 802.864.9891 | Direct: 802.865.6361  
Email: [dmoritz@sheeheyvt.com](mailto:dmoritz@sheeheyvt.com)

**Sheehey**  
FURLONG & BEHM<sup>PC.</sup>  
ATTORNEYS

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VERMONT HOLOCAUST MEMORIAL  
HONORING LIVES LOST & STORIES OF SURVIVAL

*...and you shall tell your children*

**Public Comment - Vermont Education Quality Standards**  
**Debora Steinerman, President, [Vermont Holocaust Memorial](#)**  
**October 13, 2023**

I am submitting these comments in reference to the Vermont Education Quality Standards as President of the Vermont Holocaust Memorial (VTHM), the only Holocaust remembrance educational organization in the state of Vermont.

The legislative findings specifically singled out “Acts of harassment and discrimination based on religious affiliation, including but not limited to anti-Semitism and Islamophobia, have been reported in recent Vermont news reports.” This is now nowhere to be found. As we know, unfortunately Vermont is not immune to antisemitism.

There are so many valuable lessons to be learned from Jewish history and the Holocaust, including political, social, and cultural lessons. The history and current uptick in antisemitism must be identified and properly understood if there is any hope for a time of respect for all – and for Holocaust history not to be repeated. Hate is far from extinct. In 2022, there were at least 204 antisemitic incidents in New England alone: a 32 percent rise from the previous year!

VTHM requests that you specifically include Holocaust education in the standards, however Jewish history is not only one of destruction and resilience but also reinvention. Therefore, we recommend, under the definition of “Ethnic Groups”, that you include “groups that have been historically subject to persecution or genocide”. Only by including this clause will Vermont students learn about the values, customs, contributions, and ongoing struggles of the Jewish people and other groups who have lost lives to, and have endured, genocide and persecution.

It is not possible to understand western civilization without appreciating Jewish culture, history, and contributions.

Thank you for your attention and consideration of our comments.

## Testimony for Oct. 3, 2023 Public Hearing: Rule Series 2000 – Education Quality Standards

My name is Debra Stoleroff. I am a newly retired teacher. I founded and directed the [Renaissance Program](#) (Twinfield's personalized learning program) for the last 24 years. Prior to that I was an elementary teacher.

Equity in education has been the focus of my entire teaching career. In the early 90s I was asked to help write the Vital Results of the Vermont Framework of Standards and Learning Opportunities. I then became a teacher leader for the Vermont Institute for Science, Math and Technology with a focus on equity. I've led the multiple iterations of equity focused professional committees at Twinfield and helped lead the design of our proficiency-based graduation system. I started the Renaissance Program to provide a path to graduation for one bright, creative, learning disabled student who was ready to drop out of school because she was bored and unengaged. \*

Creating personalized learning experiences is an option for all Twinfield high school students. Since 1999 the program has met the needs 70% of Twinfield students. For many, having the opportunity to create an experience based on their interest, learning style and life experiences proved to be a lifeline to their success in school and their postsecondary life. Updated EQS standards will foster personalization in and out of classrooms. In turn, updating the EQS standards will improve education opportunities for students living in poverty; students who have experienced trauma; disabled students; students of all ethnic and racial groups as well as students who face challenges regarding their gender identity and sexual orientation. Having the most inclusive Education Quality Standards that better serve all students is of utmost importance. Every Vermont student, indeed every student in the US deserves education opportunities that allow them, indeed, compel them to exert the effort necessary to attain high levels of rigor and understanding. Not providing the most equitable education opportunities does a disservice to the future of Vermont and our society.

I ask the VT State Board of Education to support the implementation of the recommended EQS changes as proposed by the diverse and representative Act 1 Working Group.

I thank the Board Chair and Board Members for the opportunity to be heard.

Sincerely,

Debra Stoleroff

Plainfield, Vermont

\* That bright, creative, learning disabled student who hated school and for whom we created an equitable path to graduation is now a Literacy Interventionist in the public school system of Holyoke, MA.



I support the language that the team has already introduced to the EQS. I have two daughters in Essex school district who will be school-aged in the next few years and I grew up in Montpelier Vermont, attending school without those guidelines.

There are many amendments in the EQS that will ensure that empathy, compassion, diversity is something they grow up understanding in their school environment, in combination with learning at home.

I request that you retain the strong anti-discrimination definition in the EQS. And that the State Board be transparent in its decision-making process and share the legal analysis offered by the attorney who expressed concerns about liability.

Four years of dedicated work have gone into crafting these standards for the benefit of our students. It should not be altered simply due to concerns about liability. Tell us more and empower the working group to address concerns, rather than rewriting work that has been thoughtfully crafted by parents and educators.

Thank you

--

Deirdre Yee

<http://about.me/deirdreyee>

To whom it may concern:

I feel strongly that whatever Standards are adopted in VT include language about ethnic groups that have been historically subject to persecution or genocide and that the curriculum specifically addresses antisemitism. This was the language that the Legislature included as section B of the definition and section B was eliminated.

Please feel free to contact me if you have any questions about this.

Sincerely,

Ellen Bettmann (she/her)

[<ellen.bettmann@gmail.com>](mailto:ellen.bettmann@gmail.com)

All lives can't matter until Black lives matter

My name is Eliza Doucet. I'm a 17 year old born and raised in Bristol, Vermont.

As I prepared for this meeting, I read through all of the materials and I noticed that in the Education Quality Standards groups such as Jewish people, are not addressed. Throughout all of known history, Jewish people have faced oppression but there's more to our story as a community. To me, one of the most important values that's passed down in Jewish culture is perseverance. Despite all the challenges and all the horrible things that my ancestors had to go through, I am here today in Vermont because my grandparents and their grandparents and generations down the line— the Jewish people —have continued to move forward with pride and devotion to our heritage. Vermont students would benefit from learning about our oppression and rich culture we've built off of overcoming it.

What I came here to ask of you is simple. In defining Ethnic Groups in the Standards, it's important that we, as Jewish Vermonters, are included, not just as an example of horrific genocide, but as a people who persevered throughout history against all odds. We are more than our tragic past. The interconnectedness of Judaism- both as an ethnic group and a religion- means that teaching about tragedies such as the Holocaust without teaching about us as a people and our culture, is essentially impossible.

I am asking you again, as a Jewish Vermonter and as a representative for my people, to define 'Ethnic Groups' exactly as it is defined in Act 1, a group of people who "have been historically subject to persecution or genocide." We must teach children growing up in Vermont, not only that Jewish people and antisemitism exist, but also that we are so much more than a historical horror story.

Thank you for your time.

To the Vermont State Board Of Education:

As an active Vermont Arts Educator working with high school students, I applaud your efforts to make our system more equitable and diverse. However, I feel that some of those proposed changes may actually make it harder for me to provide equitable arts education for my students.

Please consider revising the way the Curriculum Content section covers arts education. The Arts must have its own section which impacts students K-12. These should include : Visual Art, Theater, Music and Dance- 4 subject areas with minimum class requirements. This is very similar to Physical Education and Library. While the Arts most certainly relate intersectionality yo many cultural studies, the Art are also immeasurably valuable in their OWN right.

Please also protect teachers and the arts content by addresibg maximum class loads in the arts. This would vary for discipline and developmental level, k-8 and 9-12. In addition, mandating that schools with more than 300 student have a full time Arts educator would help address equity and provide quality learning for all.

Sincerely,

Emily Mitchell  
VT Art Educator  
CVU

Hello-

I am writing to provide some feedback on the Education Quality Standards (Rule Series 2000).

Specifically under:

"2120.5. Curriculum Content...

f) artistic expression (including visual, media and performing arts);"

This proficiency category needs to be renamed.

Artistic Expression is not a content area, nor is it aligned with the state board approved student learning standards, National Core Arts Standards. A better title for the content area category would be "The Arts."

Additionally, the Arts includes 5 artforms: Visual Art, Music, Theater/Drama, Dance, and Media Arts. Some flexibility might be necessary for Vermont schools about what they are financially able to offer, but a minimum of Visual Art and Music should be provided with some guidance similar to the PE section.

With the timely transition to science of reading approaches things like standards alights arts, social studies, and science, are being let go in favor of more minutes for literacy. Literacy and Math are very important, but how can we balance the pressures of proficiency in math and literacy with the needs of a well-rounded education? The Arts need to be protected in elementary school with explicit language in Vermont's Education Quality Standards.

Thank you,  
Emily

--

(she/her)

Arts Coach

Integrated Arts Academy

6 Archibald Street

Burlington, VT 05401

Tel: (802) 864-8475

TO:  
State Board of Education

FROM: Flor Diaz Smith, Incoming President, Vermont School Boards Association

RE:  
Public Comments - Rule Series 2000 Proposed Changes

DATE: October 3, 2023

Good evening and thank you for the opportunity to comment on the proposed changes to the Education Quality Standards. My name is Flor Diaz Smith. I am the incoming President of the Vermont School Boards Association (VSBA). I am here today to provide public comments on behalf of the VSBA.

I am very familiar with the proposed changes to the Education Quality Standards because I served on a VSBA Committee that provided feedback to the Act 1 Working Group. Through that work, I can confidently say that VSBA supports the changes throughout the Education Quality Standards that focus on providing equitable, anti-racist, culturally responsive, anti-discriminatory and inclusive educational opportunities.

The proposed changes to the Education Quality Standards began with the work of the Act 1 Working Group – centering Vermonters from historically marginalized communities – to ensure education in our state is accessible and nurturing for all students. Their proposal to the State Board included a requirement that both public and approved independent schools should be subject to the updated standards. The State Board removed approved independent schools from the update - we disagree with that decision. If we are going to create the culture we want to see and preserve our democracy in our nation we have the moral obligation to make sure ALL schools are committed to creating inclusive educational opportunities that are relevant both historically and culturally, addressing the impacts of bias, prejudice and discrimination. Our commitment should be to the development of cultural humility and personal growth for all and preparing all students to participate effectively in an increasingly racially, culturally and socially diverse Vermont.

There are students attending approved independent schools whose tuition is paid by Vermont taxpayers. All students who receive a publicly funded education (whether they attend a public school or an approved independent school) should have the benefit of an education program that is equitable, anti-racist, culturally responsive, anti-discriminatory and inclusive. The best way to ensure that all publicly funded students receive this benefit is to have one set of rules that applies to all publicly funded students. The State Board's current approach of having two sets of rules is inequitable and confusing.

Thank you.

--

Flor Diaz Smith  
She/Ella [why?](#)

diazsmith**STUDIO**

Washington Central Unified Union School District, Chair

VSBA Vice President /Central Vermont Region Representative

Building Bright Futures State Advisory Council Co-Chair

National School Board Association, Easter Region Representative

To: Chair Jenny Samuelson and members of the VT State Board of Education  
From: Amanda Garces and Mark Hage  
Date: Oct 3, 2023  
Re: Public comment: Rule 2000 – Inclusivity

As former co-chairs of the Act 1 Working Group, whose statutory mandate ended on August 31, 2013, we feel compelled to address the objections raised by individuals affiliated with Jewish Communities of Vermont (JCVT) in their e-mail with an attached letter to the State Board of Education on August 13, 2023.

First, we respectively want to draw your attention to the comprehensive document we provided to the State Board in 2022 explaining the reasons behind the definition of “Ethnic Group” in the EQS Manual, which was unanimously approved by the Working Group. This document, [available here](#), presents our extensive research and thinking on this matter. It is important to note that this definition underwent further modification in consultation with the State Board’s EQS Subcommittee and it, too, was endorsed without dissent by the Working Group.

With respect to the criticism levelled against Community Responsive Education (CRE), we want to emphasize that the CRE team of consultants was chosen through a thorough application process in strict conformance with the Agency of Education’s selection criteria and was conducted collectively by the Working Group. CRE’s references of educators employed in the California public school system highlighted their professionalism, expertise in Ethnic Studies, and collaborative style of engagement with teachers, administrators, students, and community members. CRE’s team worked diligently with our research and writing team, and actively engaged with the broader community of Working Group members and others on a very compressed timeline (January to July). If you require further insight from other Working Group members or the writing team about our collaboration with CRE, please let us know.

Lastly, we are perplexed by JCVT’s charge that Jewish students and families in Vermont will not be well served by the revised EQS Manual or our Standards Framework. Nothing within the revised manual or proposed Standards Framework justifies this accusation. During our deliberations, start to finish, there was a steadfast commitment to inclusivity and sensitivity to concerns raised by individual Jewish Vermonters and JCVT representatives.

Furthermore, in June, 2022, we responded comprehensively to critical and inflammatory statements made by Yoram Samets on behalf of JCVT. Our letter, which you [will find here](#), underscores the respectful and open dialogue that has always characterized our interactions with JCVT and other stakeholders, including the Anti-Defamation League. Here are excerpts from that letter:

*JCVT and you were shown the utmost respect, like every other individual or organization. You attended several Working Group meetings, Mr. Samets, and often chose not to speak at them. Respectfully, you had the same opportunity to inform and shape the deliberations and thinking of the Working Group as every other member of the public. You will recall, for example, our meeting on March 17, 2022, when you, a New England representative of the Anti-Defamation League, other Vermonters who are Jewish but, to the best of our knowledge, not affiliated with JCVT, and Asma Elhuni, a member of the Working Group, exchanged opposing views on matters of interest to JCVT and others. This was a thoughtful and civil conversation, and it was facilitated to ensure that all voices, including yours, could be heard.*



*We also note that in a March 10th letter the Anti-Defamation League commended the Working Group for how it conducted its public proceedings. ADL said: "Our staff members have observed many of the Working Group's public meetings, and we would like to express our appreciation for your group's commitment to implementing a sound ethnic studies framework in Vermont and navigating the many comments and concerns raised by the public.*

Lastly, it's important to clarify that our primary task **was to draft standards, not curriculum**. Our definitions and work more broadly were, among other concerns, for the purpose of empowering school districts to teach about and celebrate the multi-faceted richness and contributions of Vermont's many diverse communities, while facilitating a rigorous and critical examination of historical injustices and crimes against humanity, including, but not limited to, genocide, slavery, and eugenics. It's also worth calling attention to the fact that definitions in the EQS Manual already explicitly reference genocide and persecution and speak to the many criteria that define the concept of ethnicity, including religion, culture, and nationality.

Here are the definitions of "Ethnic Group," "Ethnic Studies" and "Ethnicity" in the final draft:

**"Ethnic Group"** means a group whose members identify with each other based on certain criteria, including a common history, ancestry or culture, religion, nationality, social or geographic origin, skin color, language, and experiences of discrimination and social exclusion, persecution, or other inhuman treatment.

**"Ethnic Studies"** means interdisciplinary, age-appropriate, and grade-appropriate curricula and programs dedicated to the historical and contemporary study of race, ethnicity, and indigenous peoples (including the Indigenous People of Vermont). This requires a critical examination of the experiences and perspectives of racial and ethnic groups and indigenous peoples that have suffered systemic oppression, marginalization, discrimination, persecution, and genocide within and outside the United States. "Ethnic Studies" may involve a critical examination of these experiences and perspectives through the lens of the characteristics of social identity groups.

**"Ethnicity"** means a concept that embodies a wide range of criteria used to identify ethnic groups, such as a common history, ancestry, or culture, national, social or geographic origin, skin color, languages, religions, tribe, or indigenous people (including the Indigenous Peoples of Vermont), or various combinations of these characteristics.

We trust that this letter, along with the documents linked to here that are in the public record, put to rest the unfounded charges and misrepresentations directed at the Working Group in JCVT's August 13<sup>th</sup> communications. However, if you require additional information or clarification, please do not hesitate to contact us.

Thank you for your work.

Sincerely,

Amanda Garces and Mark Hage  
Cc: Act.1 Working Group

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

**From: Amanda Garces and Mark Hage**

**Date: Oct 15, 2023**

**Re: Public comment: Rule 2000 – State Board Memo, Alignment of Select Language in Both Sets of Proposed Rules 10/12/2023**

Dear Chair Samuelson and members of the State Board:

This is a formal response to your memorandum of October 12 (“*Alignment of Select Language in Both Sets of Proposed Rules*”) on behalf of the State Board of Education. Our concerns, questions, and recommendations are informed by nearly four years of research, dialogue, and deliberation as co-chairs of the Act 1 Working Group and by extensive interactions with many Vermonters who followed and commented on our work products and processes.

At the outset, we must state emphatically that the Working Group was unanimous in its endorsement of the “Statement of Purpose” and the definition of “discrimination” presently found in the revised EQS Manual. We oppose any substitution of the proposed EQS language in your memorandum with that in the same memorandum from the proposed 2200 Rules. We also urge you **to extend the public comment period for the rulemaking process** to accord members of the Act 1 Working Group and those who endorse the EQS Manual in its current iteration an opportunity to testify and submit written comments about the language substitutions you are weighing with respect to the manual and the 2200 Rules.

In your memorandum, Ms. Samuelson, you write:

*When the Board approved the revised language in the 2200 Series Rules on August 18, 2023, it was clear that its commitment to adopting the same substantive language in both sets of rules for Act 1 related amendments had not changed and that **it intended to refer to the revised language in the 2200 Series Rules when it considered final updates to the EQS Rules.***

*Since the public comment periods for these sets of rules [EQS Manual and 2200 Rules] will not overlap as the Board had hoped, I feel it is important to expressly point out the exact language revisions that were unanimously approved by the Board in the 2200 Series Rules. **In keeping with the Board’s stated goal to promote consistency between the rules, the counterparts identified below will be revisited by the Board before it proposes the final EQS Rules.***

The pursuit of consistency between these different rules should never come at the cost of substantively weakening or diluting proposed changes to the proposed **EQS Manual** that define discrimination, expressly prohibit it, and expand protections against it. That is what will come to pass, we fear, if the 2200 Rules language in the October 12<sup>th</sup> memorandum replaces its counterparts in the EQS Manual. Respectfully, the State Board must not let that happen.

**Proposed Statement of Purpose: 2200 Rules**

*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.*

1. This language opens with a declaration of what the **State Board** “believes” rather than with an unequivocal statement that directs independent/non-public schools to anchor their policies and practices to a set of anti-discriminatory values. Values inspire and shape standards of behavior and action. Stating what the State Board “believes,” however well intended, misses the point. What is needed is the exercise of your rulemaking authority to clearly define discrimination and the forms it takes, and to stipulate that public and independent/non-public schools must identify and combat discriminatory behavior and policies so that all Vermont students can achieve equal access to a quality education.
2. Building off this first point, the proposed 2200 Rules language, unlike that in the proposed EQS Manual, does not include the word “**prohibit.**” This is a glaring and fundamental omission, and it runs counter to anti-discrimination policies adopted by most public and private institutions. We suggest you re-read the extensive [supplemental report](#) we produced in 2022 at the State Board’s request. It contains commentary and links to research that influenced and gave shape to our engagement with the question of what “discrimination” means and how it should be understood by our public schools and the local communities they serve.
3. The proposed EQS Manual’s Statement of Purpose also identifies the “student” as the primary focus of anti-discrimination policies and actions. **There is no mention of “student” or “students” in the highlighted section above in the proposed 2200 Rules.**
4. A public school’s mission is not to “interfere” with discrimination or to complacently accept discrimination that state and federal law in their present state cannot be deployed to challenge and stop. Our public schools must do their utmost to prohibit discrimination in all its manifestations, and swiftly rectify its deleterious consequences, which are often traumatic for victims and destructive of social and educational relationships. We must be committed to these objectives to ensure that no child is denied a high-quality education, personal security, and dignity. This is why we revised the proposed EQS Manual as we did.

As you know, the Act 1 Working Group added language to the proposed EQS Manual that increased the categories of anti-discrimination protection, building on the foundations of state and federal law. We offered [this explanation](#):

*With this language, the Working Group asserts the need to broaden the categories of protection against discrimination in both public and approved independent schools beyond what is stipulated in Section 2113. **These new categories, to be clear, reflect the personal, educational, and professional experiences of our members, their children and families, and their communities, and they are plainly unacceptable barriers to the attainment of an equitable, antiracist, anti-discriminatory, culturally***

**responsive and inclusive education.** “Religion” was added because “creed” in Section 2113 is a term many do not understand in this context as being inclusive of and protecting religious practices and beliefs or religious minorities. “Religion,” on the other hand, is a term most people do understand.

It must be restated as well that the proposed EQS Manual’s Statement of Purpose explicitly denotes that there is no **“private right of action.”** This is a longstanding provision in the manual that shields school districts from incurring legal liability arising from the manual’s rules, and this covers the broader definition of discrimination.

5. The list of anti-discrimination categories in the proposed 2200 Rules largely mirrors that in the proposed EQS Manual. But the former’s protocol on when it is permissible or necessary to act against discrimination is narrowly constricted by virtue of its deference to the parameters of anti-discrimination law at the state and federal level. We also find key terminology troublingly vague.

The rules stipulates that the evidence and effects of discrimination on the multiple grounds cited *“should be **carefully considered and rejected** if it results in unlawful discrimination or **interferes** with the delivery of effective, available, and equitable educational opportunities.”* There is no definition of “carefully considered,” “rejected” or “interferes” in the proposed 2200 Rules. Since the word “prohibit” is not present, it is reasonable to infer that “reject” and “interfere” have a different meaning or purpose than “prohibit” and, therefore, may represent by design a lower bar of accountability. *Why did you resort to these terms, when you could have simply added an unambiguous prohibition on discrimination?*

We want to expand on our objection to the concept of interference in the proposed 2200 Rules. The Act 1 Working Group, as previously noted, expanded the scope of anti-discrimination protections in the proposed EQS Manual because of well-documented forms of discrimination that afflict our students today and, regrettably, are not expressly prohibited by law. Students from low-income families, for example, are not a protected class, but familial poverty can and does generate discrimination. The same is true for children who face discrimination because of their immigration status or because their first language is not English. But the State Board knows this, which is why, we presume, you inserted *“...or interferes with the delivery of effective, available, and equitable educational opportunities.”* This new language, however, will not serve as a potent second firewall against discrimination where statutory protections do not yet exist.

The 13<sup>th</sup> Amendment to the U.S. Constitution and historic civil rights legislation in the 1960s and beyond were not enacted to “interfere” with slavery, racism, and other forms of discrimination. But to end their immoral, exploitative, degrading, violent, and socially pernicious consequences. Meriam-Webster defines “interfere” this way: *“to slow or stop (something); to make (something) slower or more difficult.”* So, how should we understand “interfere” in the context of an assessment of the presence and effects of discrimination on the delivery of educational opportunities in independent/non-public schools? In other words, what are you requiring precisely?

Turning again to Meriam-Webster’s definition of “interfere,” are you saying independent/non-public schools must undertake anti-discrimination interventions if certain behaviors, policies, or actions **“stop”** the delivery of educational opportunities...or if they **“slow”** the delivery of them...or if they just

make that delivery “**more difficult**”? Additionally, placing the accent here on the “*delivery of effective, available, and equitable educational opportunities*” as a standard for fighting discrimination, rather than on how discrimination affects (directly and indirectly) the wellbeing and aspirations of **students**, is misguided. It’s not hard to imagine scenarios where a particular lesson plan or educational program is **delivered** effectively, made **available** to all students, and is comprised of constituent parts and objectives that are **equitable**. And yet discrimination can still be present in multiple ways and harm **students** (or potentially local families and school staff).

Every child and their family should know and trust that their public schools are sincerely and passionately committed to protecting them from discrimination. This requires, at a minimum, a categorical standard of prohibition against discrimination. The absence of such a prohibition in the 2200 Rules Statement of Purpose is a profound flaw and will send the wrong message to Vermonters and their children. If you elect to stay with it for the proposed 2200 Rules, please do not endorse it for the EQS Manual.

#### **Definition of Discrimination: 2200 Rules**

*“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.*

#### **Definition of Discrimination: EQS Manual**

*“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.*

1. To state the obvious, “discrimination” has a meaning. To remove the verb “mean” in the proposed 2200 Rules and replace it with “intended to describe” strips the definition of the concreteness, emphasis, and simplicity that the verb “mean” conveys. The verb “mean” is in the proposed EQS Manual definition and we want it to remain there.
2. The proposed 2200 Rules definition of “discrimination” is, again, too narrowly construed, grounded as it is to “protected classes” in state and federal law. As stated earlier, we owe it to Vermont’s students in our public schools to protect them from discriminatory harm in all circumstances, even when state and federal law do not provide us with the tools to conduct anti-discrimination interventions outside the parameters of “protected classes.” In time, in the ongoing

struggle to overcome discrimination as defined in the proposed EQS Manual, we are confident every public and private institution will follow the lead of our public schools and their local communities. Thus, the language above in the proposed **EQS Manual**, in red, beginning on line two through most of line 4, delineates categories of discrimination that must be understood, confronted, and stopped by our public schools, local communities, and people of conscience. This should be communicated in no uncertain terms in the proposed EQS Manual.

3. The language in red in the proposed **EQS Manual**, including that on lines 5-6, which is absent in the proposed **2200 Rules** definition of “discrimination,” is found in the proposed **2200 Rules** “Statement of Purpose,” together with a reference to discrimination. Why is it acceptable in the proposed 2200 Rules Statement of Purpose but not in its definition of “discrimination”?
4. We do not understand why “caste” is not in the proposed **EQS Manual’s** definition of “discrimination,” since it is in the manual’s “Statement of Purpose.” We assume an oversight of some kind, perhaps on our part, explains this. We ask, please, that you add it to the proposed **EQS Manual’s** definition.

Candidly, the omission of “caste” from the proposed **2200 Rules** is a mistake. Caste discrimination is not confined to Southeast Asia. It is a serious problem in the [United States](#) and worldwide, as we noted in a report to the legislature and in another to the [State Board](#). [Cal State Universities](#), the largest public university system in the country (23 campuses), added caste to its anti-discrimination policy in 2022, following the lead of the city of Seattle. Vermont’s public and independent/non-public schools should add their name to this socially responsible and educationally constructive initiative.

### **Conclusion**

In closing, we implore the State Board not to alter the wording of “Statement of Purpose” or the definition of “discrimination” in the proposed EQS Manual. We reiterate, too, the importance of extending your rulemaking’s public comment period so that the matters delineated in your memorandum of October 12 and in this letter can be addressed in a fair and transparent manner by those who invested so much time, hope, reflection, and faith in the revision process for the proposed EQS Manual and educational projects related to it.

Thank you for receiving and giving due consideration to our commentary and recommendations.

Sincerely,

Amanda Garces, former Chairperson, Act 1 Working Group ([Amanda.Garces@vermont.gov](mailto:Amanda.Garces@vermont.gov))

Mark Hage, former Co-Chairperson, Act 1 Working Group ([mhage@vtnea.org](mailto:mhage@vtnea.org))

To Whom it May Concern,

I'm writing to **urge the Vermont Agency of Education to explicitly include ethnic groups “that have been historically subject to persecution or genocide” and to specify that the curriculum address “antisemitism” in its new State Education Quality Standards.** This new Curriculum **must include the Jewish experience** in the United States and around the world.

In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Swastikas were found painted on the side of buildings in my community, Norwich, VT. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,  
Gered Dunne

1. Dear Chair Samuelson and members of the State Board:

Every Vermont child and their family should know and trust that their public and independent schools are sincerely and passionately committed to protecting them from discrimination.

I ask the State Board not to alter the wording of “Statement of Purpose” or the definition of “discrimination” in the proposed EQS Manual.

We owe it to Vermont’s students in our schools to protect them from discriminatory harm in all circumstances, even when state and federal law do not provide us with the tools to conduct anti discrimination interventions outside the parameters of “protected classes.”

In order to ensure all Vermont’s children are protected, and can thrive, you must expressly prohibit all forms of discrimination in our schools, and expand protections against it.

Sincerely,

Heidi Albright

heidi albright (she/her)  
[blackwolfe@me.com](mailto:blackwolfe@me.com)

[www.cloudmountainlivingarts.com](http://www.cloudmountainlivingarts.com)  
[www.thirdbranch.com](http://www.thirdbranch.com)



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## Public Comment

**To:** State Board of Education  
**Submitted by:** Heather Bouchey, Interim Secretary, AOE  
**Subject:** Proposed Rule 2000  
**Date:** October 15, 2023

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The Agency of Education recognizes that the members of the State Board and in particular the members of the Board's Education Quality Standards Rule Update Committee have devoted significant time and resources to the development of Proposed Rule 2000. Thank you for your ongoing efforts to update this important series of education regulations and to, as the proposed rules state, "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."

The Agency submits the following comment for the Board's consideration for the final draft of the proposed rule.

The definitions are listed in Proposed Rule 2114 and include many new definitions. In defining "discrimination," the Agency is concerned that the Board would be creating unintended negative consequences. In the proposed rule, "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."

The proposed rule explicitly states in Proposed Rule 2110, Statement of Purpose, that "this manual adopts a definition of Discrimination that is broader than its legal definition. Nothing herein shall create a private right of action." However, nowhere is it clear whether the definition of "discrimination" will apply in other State Board of Education Rules, or in other education contexts. This is problematic.

The proposed definition of discrimination is markedly different from any definition of the same term in state or federal civil rights law. When and if it is applied, even mistakenly, in other contexts, problems will ensue. A perhaps overly simplistic example illustrates just one potential



consequence that is contrary to the clearly stated intent of the proposed rule. Because the proposed definition includes “political or other opinion,” as a category that no activity may have the “purpose of effect” of “impairing “enjoyment” or of “freedoms in the political, economic, social, cultural, civil or any other field,” the definition could be cited to prohibit a school from disciplining a student who has harassed a classmate. For example, if the disciplined student expressed a “political or other opinion” in the harassment, parents may argue that the school is prohibited from taking away the student’s recess as a consequence. Recess would fall within the meaning of “freedoms in . . . any other field” along with any number of other activities at school.

The Agency urges the Board to consider whether the proposed definition of discrimination is necessary to accomplish the purpose of the rule, and if so, whether it is prudent to formalize a definition of a term that is so different from other legal definitions of the same word. At minimum, it would be helpful to expressly and clearly limit application of the definition to only certain rules within the Education Quality Standards.

To the team considering the EQS Rule Series 2000 Review

Thank you for your attention and work in developing these changes. This work is deeply important and the value to the children of our state is crucial. I believe that implementation of Act 1 and the definition of Ethnic Groups, must include part B of the definition “groups that have been historically subject to persecution or genocide.” This must be included in the Education Quality Standards’ (EQS) and Frameworks’ definitions of Ethnic Groups in order to address the impact of antisemitism.

The White House has issued the [National Strategy to Counter Antisemitism. Pillar 1](#) of that strategy reads, " Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage."

It is incomprehensible to me as a rabbi in our beautiful state, why Vermonters, our friends and colleagues would fail to require teaching of the Jewish experience as part of this important curriculum?

In hope for a brighter and less hate filled future for all

Rabbi Ilene Harkavy Haigh

Rabbi Ilene Haigh  
Congregation Shir Shalom  
1680 West Woodstock Road  
PO Box 526  
Woodstock, Vermont 05091

1 802 457-4840  
1 914 621-8776

Unfortunately I am not able to attend the Oct. 3 meeting; I would like to express some of my views.

I retired two years ago from my position at Temple Sinai where I served as Education Director for 23 years. You would think that educated people such as school principals, superintendents, teachers, etc. would be mindful of and know about certain religious days even if it is not their religion.

We Jews recently celebrated Yom Kippur, the holiest day of the year for Jewish people. And yet, I still hear from parents, as I did EVERY year when I worked at Temple Sinai, that schools are holding picture day, field trips, sports team try-outs, play try-outs, etc. on that day. It is difficult enough for a child to be in the minority, and yet now they need to stand out even more by telling their parents they do not want to attend synagogue because they do not want to miss out. I find it very insensitive when a parent is told (as has happened NUMEROUS times over the years), "Your child can have his picture taken on make-up day" or worse, "How were we supposed to know?"

Why is it that IED includes every group except Jews?

In my capacity as Education Director I was invited to numerous schools around Vermont to talk about Judaism, its beliefs, practices, and history. The level of ignorance is astonishing.-- and not just among the students, but the teachers too. In one high school history class in which the students were learning about European history in the 14th, 15th & 16th centuries I asked what they knew about the Inquisition. Not a single hand went up. I asked the teacher if that was going to be taught. She replied that it wasn't part of the curriculum. One quarter of the Spanish population at the time was being forced to convert to Catholicism or face expulsion or death and this is not part of the curriculum? When this same topic came up in an adult education class I taught at the Temple one very nice Christian man was flabbergasted. He said, "I can't believe it! Didn't anyone do anything to stop this?" The Jews in the class rolled our collective eyes. And the answer was no, no one did anything to stop this.

I was in a Middle School several years ago and I asked if the students knew about The Holocaust. One kid raised his hand and said it had something to do with Hitler. I asked if they knew when it took place. Not one single student was able to even name the century in which the Holocaust occurred.

I've asked classes, both teens and adults, if they had heard about blood libels. They had not. I asked what they knew about Jews and usually the answers I received went something like this: They like money. They served as money-lenders or bankers. I asked them if they were aware that Jews were prevented from many professions, from owning land, from joining trade guilds, and that one of the few professions open to Jews was money-lending. They had not. I asked if they had heard of Passion Plays, pogroms, ghettos, and the list goes on and on.

Lately, with so much conflict in the Middle East and with a growing Muslim population, I have asked students (and some adults) who have criticized Israel's stance on Palestinian resettlement, if they were aware that around 900,000 Jews were forced to leave Muslim and Arab lands following the establishment of the State of Israel in 1948. They did not. Not only didn't the students know this, but the teachers didn't either.

Jewish history is world history. If we are not teaching our children this, they grow up to become ignorant, bigoted adults. There is too much of that in our country right now because of a lack of education. Education is the key to understanding how we got to be where we are now. If we don't know where we came from, if we do not understand each other's histories, how can we co-exist in the 21st Century and beyond?

If you haven't read Tara Westover's memoir, "Educated," I recommend this as a must-read for everyone. She details how ignorance shaped her family's views and how dangerous ignorance is.

Aside from our history of persecution, Jews also have a rich history of making the world a better place throughout history in the fields of science, medicine, education, the arts, and the humanities. And despite being only one-tenth of one percent of the world population Jews comprise 22 percent of the Nobel Laureates, despite being denied to top universities due to quotas or worse.

The increase in the number of antisemitic incidents, according to the [ADL Audit of Antisemitic Incidents](#) 2022 is mind-boggling. To omit Jewish history from the State's curriculum would be a great disservice and only result in greater hate, misunderstanding, and ignorance. We have been excluded from the conversation for far too long. I urge you to include us.

Thank you,  
Judy Alexander  
South Burlington  
802-598-7975

As Vermont citizens and taxpayers for many years, we write to ask the Committee to restore “the Jewish people” to the list of ethnic groups that “have been historically subject to persecution or genocide” in the new rules for the State Education Quality Standards. Included also should be restoring the curricular subject of antisemitism which remains a chronic problem internationally.

The disturbing data on increasing antisemitism in the USA, usually a product of ignorance and superstition, makes this a serious issue with important educational implications.

Thank you for your consideration of this important issue.

Yours sincerely,

James and Judith Bernat  
48 Old Farm Road  
Norwich, VT 05055

I am writing to express my disappointment that the Vermont Department of Education is considering removing Anti-Semitism from the scope of its new rules related to inclusive and culturally responsive content.

Unfortunately anti-semitism is something that the Jewish community must confront regularly, as evidenced by recent events. Given the small size of the Jewish population in Vermont, it is likely that many Vermont students will not interact with Jewish individuals during their school years. In such a situation, it is imperative that curricula provide information about anti-semitism and its impact on society.

I hope that you will keep anti-semitism within the scope of these curricular changes.

Sincerely,

Jill Bradford  
Ludlow, VT

To the Vermont State Board Of Education:

As an active Vermont Arts Educator working with students, I want to thank you for your efforts to make our system more equitable and diverse. I noticed that some of the proposed changes may inadvertently make it more difficult for me to provide equitable arts education for my students.

Please consider revising the way the Curriculum Content section covers Arts Education by expanding its own section (that impacts students K-12 in four subject areas) with minimum class requirements similar to Physical Education and Library.

Please also address maximum class loads in the arts that vary for discipline and developmental level. Mandating that schools with 300 or more students should have full-time Arts Instructors would support this.

Thank you,

Julie Carino  
Vermont Art Educator  
VAEA/NAEA Member



To the Vermont State Board Of Education:

As an active Vermont Arts Educator working with students, I applaud your efforts to make our system more equitable and diverse. I feel that some of those proposed changes may actually inadvertently make it harder for me to provide equitable arts education for my students.

Please consider revising the way the Curriculum Content section covers arts education, and expanding its own section that impacts students K-12 in 4 subject areas with minimum class requirements similar to Physical Education and Library. Please also address maximum class loads in the arts that vary for discipline and developmental level. Mandating that schools with 300 or more students should have full-time Arts Instructors would help this.

Sincerely,

Julie Cousino  
Vermont Art Educator  
VAEA/NAEA Member

Please find attached a letter from a number of us who are Jewish Vermonters who support the definitions in the newly revised EQS Framework and Standards. Thank you for the opportunity to comment.

Katharine Shapiro  
141 Upper Sunnybrook Road  
Middlesex, Vermont 05602, U.S.A.  
1-802-249-3782

October 14, 2023

Re: Final public comment on the Education Quality Standards (EQS) Framework and Standards  
To: Chair Jenny Samuelson and the Vermont State Board of Education  
From: Jewish Vermonters

Many of us have followed the passage of Act 1 by the Vermont legislature in 2019 and the subsequent hard work and diligence of the Coalition for Ethnic and Social Equity in Schools on the EQS Framework and Standards, evolved by the working group. As Jewish Vermonters we are writing to make clear that we fully support the final definitions of Ethnic Groups and Ethnic Studies as written. We have also followed the engagement in this process of the Jewish Communities of Vermont, the views and tactics of which we find disappointing.

From the start, JCVT has played a negative, adversarial role in the work of the Coalition, often attempting to derail a transparent, democratic process and to put the experiences of Jews before those of all other marginalized groups. Early on the Coalition made a unanimous decision, accepted by the SBE, not to include a laundry list of all possible groups who could suffer discrimination in our schools, because it could never be inclusive enough - and to instead offer a definition of Ethnic Groups as including groups **"whose members identify with each other based on certain criteria, including a common history, ancestry or culture, religion, nationality, social or geographic origin, skin color, language, and experiences of discrimination and social exclusion, persecution or other inhuman treatment."**

That Jews and antisemitism are not explicitly named in this definition in no way excludes us, as it also does not exclude any other group which suffers bullying and discrimination in Vermont schools, e.g. Blacks, Latinos, Native Americans, Muslims, Asians, South Asians and many more. And yet during the final public commentary on Oct. 3, speaker after speaker said that Jews were being left out, singled, out as not worthy of mention, and emphasized the need to explicitly name Jews, and only Jews, because of our unique history.

We are also aware that many Jewish people benefit from white privilege. If the EQS were to specifically name and elevate anti-semitism that would represent for many of us a concrete example of using that privilege to separate our community from others who suffer from multiple intersecting forms of oppression. To create a more just and equitable Vermont for all of us, we need to take a strong stand together against all forms of discrimination, harassment and hate.

Furthermore, JCVT, in its public comments, has focused on the IHRA definition of antisemitism which purposely conflates antisemitism with anti-Zionism (opposition to a Jewish-only state), criticism of the State of Israel, and support for the legitimate rights of Palestinians <https://www.hrw.org/news/2023/04/04/human-rights-and-other-civil-society-groups-urge-united-nations-respect-human>. In this they have worked openly with the Anti Defamation League, a regional and national organization with strong ties to the State of Israel.

JCVT has also attacked specific members of the Coalition, wrongfully accusing them of being anti-Israel because they are pro Palestinian, and therefore under this definition, antisemitic.

Antisemitism exists and is on the rise, as are all forms of racism today, and threatens all of us. But it is critical to understand that its proponents are right wing nationalists and white supremacists, *not* those who criticize Israel for its disregard of international law, or who support BDS as a non-violent strategy to bring Israel into compliance with international law. To ignore this fact allows real antisemitism to grow unchecked. Let us work together and build alliances to counter this more real threat to safety and equality for all Vermont students.

We thank the Coalition for its hard work, and thank you for for the opportunity to contribute to this discussion.

Sincerely,

Katharine Shapiro, Middlesex  
Jamie Spector, Plainfield  
Elizabeth Blum, Norwich  
Perry Bellow-Handelman, Middlesex  
Brian Tokar, educator, East Montpelier  
David Martin, Lyndonville  
Jane Alper, Peacham  
Joe Alper, Peacham  
Tevye Kelman, teacher, Randolph  
Sarah Lowry, Drama Therapist, Northfield  
Debra Stoleroff, Plainfield  
Andrew Simon, Burlington  
Nelson Kasfir, Norwich  
Josh Golin, Newfane  
Alan Berolzheimer, Norwich

Alissa Mesibov, Brookfield  
Nora Paley, Thetford  
Aaila Kaye, Educator, Burlington  
Sarah Lowry  
Andrew M. Shapiro, East Montpelier  
Spoon Agave, Brattleboro  
Gene Bergman, Burlington  
  
Central Vermont Jewish Chavurah for Justice  
& Liberation  
Jewish Voice for Peace Vermont

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I'm writing to **urge the Vermont Agency of Education to explicitly include ethnic groups “that have been historically subject to persecution or genocide” and to specify that the curriculum address “antisemitism” in its new State Education Quality Standards.** This new Curriculum **must include the Jewish experience** in the United States and around the world.

In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Swastikas were found painted on the side of buildings in my community, Norwich, VT. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,

Joslyn E. Meier, MPH, MIA  
Norwich, Vermont

Hi Maureen:

Please post this comment with the October 3rd SBE public comments.

Jessica's connection was weak and much of her comments were lost.

I appreciate your help on this and

Thanks

Ted

My name is Jessica Meller, I am here to speak on behalf of the Jewish Communities of Vermont.

JCVT has consistently advocated during the Working Group's development process, and SBE's review process, for the Standards' definition of Ethnic Groups to be exactly as it appears in the ACT 1 law.

In ACT 1, Ethnic Groups intentionally includes part B, "groups that have been historically subject to persecution or genocide".

Vermont legislators included part (B) because they want Vermont K-12 students to learn about the cultures, contributions and struggles of groups, including Jews, who have been historically subjected to persecution and genocide. This aligns with the White House's National Strategy to Counter Antisemitism.

In May 2023, President Biden issued this first-in-US-history nationwide alert to "confront antisemitism in America with urgency" and "U.S. National Strategy To Counter Antisemitism" road map.

Here is a quote in it from President Biden:

"Through this National Strategy to Counter Antisemitism,... I am proud to lead my administration's efforts to counter Antisemitism, and I urge all Americans to join me... The venom and violence of Antisemitism will not be the story of our time."

A key focus of this strategy is President Biden's "whole-of-society" call to action which includes K-12 Departments of Education, County Offices of Education, and school districts providing "readily available quality educational resources:"

President Biden's National Strategy calls on you to include Jewish studies in ethnic studies and history curricula - Jewish history, as well as lessons on positive, valuable Jewish contributions to America's national story, Jewish diversity, and manifestations of contemporary antisemitism.

President Biden highlights the need for students to also learn about the United States and global histories of antisemitism, including the Holocaust, and "histories of antisemitism experienced by Sephardic and Mizrahi Jews—who trace their ancestry to Spain, the Middle East, and North Africa—and their stories of exclusion, persecution, and expulsion."

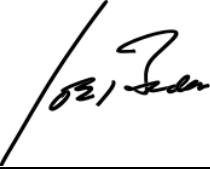
We at JCVT also believe genocides and persecutions should not be studied as stand-alone incidents in world history, but rather, explorations should include the history, culture, contributions, and resilience of the historically victimized groups.

To ensure that this happens, we again ask the SBE to revise the Education Quality Standards' definition of Ethnic Group so that it includes Act 1's part (B) as the legislature directed.

Thank you.



Through this U.S. National Strategy to Counter Antisemitism, we are taking a historic step forward. I am proud to lead my Administration's efforts to counter antisemitism, and I urge all Americans to join me in ensuring that in America, evil will not win. Hate will not prevail. The venom and violence of antisemitism will not be the story of our time. The power lies within each of us to transform that story. To rise together against hate. To show the world who we are. And to restore the soul of America together.



In May 2023, President Biden issued a first-in-US-history nationwide alert to "confront antisemitism in America with urgency" and "U.S. National Strategy To Counter Antisemitism" road map.

A key focus is President Biden's "whole-of-society" call to action which includes K-12 Departments of Education, County Offices of Education, and school districts providing "readily available quality educational resources:"

We call on state and local governments to include Jewish studies in ethnic studies and history curricula. Lessons should include Jewish history, as well as curricula on positive Jewish contributions to America, Jewish diversity, and manifestations of contemporary antisemitism.

More education [is needed] on Jewish American history and the valuable role that Jews have played in our national story.

President Biden highlights the need for students to also learn about the United States and global histories of antisemitism, including the Holocaust, and "histories of antisemitism experienced by Sephardic and Mizrahi Jews—who trace their ancestry to Spain, the Middle East, and North Africa—and their stories of exclusion, persecution, and expulsion."

President Biden, embracing the most prominent definition of antisemitism, the International Holocaust Remembrance Alliance (IHRA)'s working definition, reiterates the United State's "unshakable commitment to the State of Israel's right to exist, its legitimacy, and its security [and] recognize[s] and celebrate[s] the deep historical, religious, cultural, and other ties many American Jews and other Americans have to Israel." <https://www.whitehouse.gov/wp-content/uploads/2023/05/U.S.-National-Strategy-to-Counter-Antisemitism.pdf>



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**ADL Foundation**

Michael Sheetz, President

Vermont Agency of Education  
1 National Life Drive, Davis 5  
Montpelier, VT 05620-2501

Dear Committee Members:

I am sending in my written comments below, much of what I expressed at the October 3rd meeting, with some additional information.

My name is James Pasch, and I am the Senior Director of National Litigation for the Anti-Defamation League (ADL). I am submitting written testimony on behalf of ADL's client, Jewish Communities of Vermont (JCVT). JCVT works tirelessly to bring people together throughout Vermont to build community and support Jewish life in the state. We are submitting testimony as JCVT's legal representatives, that Part (B) of the definition of Ethnic Groups must be reinserted into the definition to maintain compliance with what is legally required under Act 1.

JCVT and ADL strongly support an ethnic studies program that teaches students to appreciate the challenges and contributions of different ethnic groups. Jewish organizations like ours know all too well the importance of such educational programs for preventing bigotry and discrimination.

ADL is the nation's leading anti-hate organization, and as part of our work, we track antisemitic incidents across our nation each year. In 2022, ADL tabulated 3,697 antisemitic incidents of assault, harassment and vandalism throughout the United States. Vermont, unfortunately, is not immune to the nation's woes when it comes to the growth of antisemitism. Since 2018, ADL has tracked over 50 incidents of antisemitic harassment, vandalism and antisemitic propaganda distribution in Vermont.

There could not be a more important time to ensure that we have an ethnic studies program instituted in Vermont schools. The Vermont Legislature passed Act 1 with the noble aim of teaching students about marginalized groups, and those harassed and discriminated against. With this goal in mind, the legislature itself defined "Ethnic groups" to include "groups that have been historically subject to persecution or genocide." That clearly includes the Jewish people.

To implement Act I, the legislature appointed a Working Group. (Act 1 (g)). The Working Group and the Agency of Education, like all state agencies, must abide by their mandate. Here, that mandate largely focused on "reviewing *standards*" for implementing Act I, and the ability to review statutes, board of education rules, and school district and supervisory

union policies “that concern or impact *standards* for student performance.” (Act 1(g)(1)-(2)).

The SBE changed the legislature’s definition of Ethnic Group by removing part (B) of the definition, without a legal right to do so. Here, the SBE deleted “groups that have been historically subject to persecution or genocide” from the definition of Ethnic Groups. This restricts rather than expands, the definition. To remain legally compliant with Act 1, Part (B) of the definition of Ethnic Groups must be reinstated.

Thank you for your time, and we look forward to hearing back from this committee.

Sincerely,

A handwritten signature in black ink, appearing to read "James Pasch". The signature is stylized with a large, looped initial "J" and a distinct "P".

James Pasch  
Senior Counsel & Senior Director of National Litigation

Whom It May Concern,

I am writing to express my strong recommendation that the Vermont Agency of Education explicitly incorporate ethnic groups that have historically endured persecution or genocide into the new State Education Quality Standards. I also urge the inclusion of a specific focus on combating "antisemitism" within the curriculum. This updated educational framework must encompass the Jewish experience in the United States and across the globe.

In light of current events, maintaining silence regarding antisemitism and the Jewish experience within the United States can inadvertently contribute to the propagation of prejudice. Antisemitism is on the rise in the United States and statistically serves as the primary basis for religion-based hate crimes. By not educating Vermont's youth about the Jewish American heritage and history, we inadvertently fuel antisemitism, racism, and hatred. It is essential for students to gain insight into this history to comprehend the United States' relationship with its ethnic minority groups. Antisemitism is not an isolated concern, as it affects Vermont just as it does the rest of the nation. Recent instances such as the discovery of swastikas painted on buildings in my community in Norwich, VT, and the necessity for local synagogues to implement security measures like crash barriers, armed guards, and bulletproof glass in response to concerns, underscore the pressing nature of this issue.

The White House has issued the National Strategy to Counter Antisemitism, with its first pillar emphasizing the importance of raising awareness and understanding of antisemitism and its threat to America, along with fostering a deeper appreciation of Jewish American heritage. It begs the question: why would Vermont consciously opt to exclude Jewish American history from this curriculum?

Vermont is celebrated for its reputation as an inclusive, tolerant, and progressive state. I kindly request that the new curriculum adequately addresses the issue of antisemitism to ensure that Vermont continues to embody these values.

Sincerely,

**Jonathan Rosenbloom**  
Norwich, Vermont

## MEMORANDUM

**TO:** EQS Rule Committee Members  
**FROM:** Jennifer Samuelson, Chair, Rule Series 2200 Committee  
State Board of Education  
**RE:** Alignment of Select Language in Both Sets of Proposed Rules  
**DATE:** October 12, 2023

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Fellow State Board of Education Members,

I am submitting this memo as part of the public record to again reiterate the State Board of Education's intention that language used to implement the principles and goals of Act 1 will be substantively the same in the Education Quality Standards (Rule 2000 Series) ("EQS Rules") and the Independent School Program Approval Rules (Rule 2200 Series) ("2200 Series Rules") when both sets of rules are finalized and adopted by the Board early next year. As you will recall, we have stated this intention repeatedly during Committee and full Board meetings since this process began.

On Monday, October 9, 2023, the Proposed 2200 Series Rules were approved by the Interagency Committee on Administrative Rules (ICAR). They are now being filed with the Secretary of State, which will begin the public comment period through December 5, 2023. *The 2200 Series Rules, as unanimously approved by the Board at its special meeting on August 18, 2023, include updated language in two sections that differs from the language that currently appears in the parallel proposed updates to the EQS Rules, as filed with ICAR and the Secretary of State.* When the Board approved the revised language in the 2200 Series Rules on August 18, 2023, it was clear that its commitment to adopting *the same substantive language in both sets of rules* for Act 1 related amendments had not changed and that it intended to refer to the revised language in the 2200 Series Rules when it considered final updates to the EQS Rules.

Since the public comment periods for these sets of rules will not overlap as the Board had hoped, I feel it is important to expressly point out the exact language revisions that were unanimously approved by the Board in the 2200 Series Rules. In keeping with the Board's stated goal to promote consistency between the rules, the counterparts identified below will be revisited by the Board before it proposes the final EQS Rules.

Any comments received on these sections or topics during *either or both rulemaking processes* that relate to Act 1 related changes will be considered by the Board in making its final decision on language that will apply to both sets of rules.

**Differences in Language Related to Discrimination**

*As Proposed in EQS and As Proposed in Rule 2200 (recently approved by ICAR)*

**Instance #1: Statement of Purpose**

<p align="center">PROPOSED EQS Rule Section 2110 Statement of Purpose</p>	<p align="center">PROPOSED Independent School Program Approval Rule Section 2220 Statement of Purpose</p>
<p align="center">***</p> <p>In addition to the non-discriminatory protections in Section 2113, <b>these rules prohibit</b> 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.</p> <p>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:</p>	<p align="center">***</p> <p>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.</p> <p>In addition to the non-discriminatory protections in Subsection 2223.2 (Nondiscrimination Requirements for Approved Schools), 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, <b>does not embody the intent of the Board to promote welcoming, inclusive, bias-free environments for learning in Vermont’s schools.</b></p> <p>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:</p>

<p>(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;</p> <p>(b) why all persons should have equitable access to social and economic opportunity;</p> <p>(c) why persons and institutions must identify and prevent individual, group, and systemic racism, discrimination, and all forms of unfair treatment; and</p> <p>(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.</p> <p>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 <b>Supervisory Union/Supervisory District (SU/SD) or school</b>. 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. <b>This manual adopts a definition of Discrimination that is broader than its legal definition.</b> Nothing herein shall create a private right of action.</p>	<p>(a) the causes and effects of bias and discrimination as a result of, or based upon, the reasons set forth in Subsection 2223.2 of this Manual and in this Statement of Purpose;</p> <p>(b) why all persons should have equitable access to social and economic opportunity;</p> <p>(c) why persons and institutions must identify and prevent individual, group, and systemic racism, discrimination, and other forms of unfair treatment; and</p> <p>(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.</p> <p>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 <b>schools</b>. 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 Practice. Nothing herein shall create a private right of action.</p>
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**Instance #2: Definitions**

<p>PROPOSED EQS Rule Section 2114 Definitions</p>	<p>PROPOSED Independent School Program Approval Rule Section 2222 Definitions</p>
<p style="text-align: center;">***</p> <p>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.</p> <p style="text-align: center;">***</p>	<p style="text-align: center;">***</p> <p>“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.</p> <p style="text-align: center;">***</p>

Dear Jennifer Deck Samuelson and Members of the Vermont State Board of Education,

Attached is a letter from the Vermont Art Educators Association calling urgently for support and clarity in The Arts under the Education Quality Standards. We respectfully request your review and consideration for greater equity for our students.

Thank you,  
Kim Desjardins

--

**Kim Desjardins**  
**Visual Artist and Art Educator**  
**K-4 Bellows Free Academy, Fairfax, VT**  
**President, [Vermont Art Educators Association](#)**



Dear Jennifer Deck Samuelson and Members of the Vermont State Board of Education,

Attached is a letter from the Vermont Art Educators Association calling urgently for support and clarity in The Arts under the Education Quality Standards. We respectfully request your review and consideration for greater equity for our students.

Thank you,  
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**Kim Desjardins**  
**Visual Artist and Art Educator**  
**K-4 Bellows Free Academy, Fairfax, VT**  
**President, [Vermont Art Educators Association](#)**

Kimberley Desjardins

President, Vermont Art Educators Association

64 Fletcher Road

Fairfax, Vermont, 05454

kimannedesjardins@gmail.com

802-734-1704

10/15/23

Jennifer Deck Samuelson

Chair of the Vermont Board of Education

Manchester Center, VT 05255

Subject: Urgent Call for Support and Clarity in Arts under the Education Quality Standards

Dear Jennifer Deck Samuelson and Members of the Board of Education,

We are respectfully writing to you on behalf of the Vermont Art Educator Association to express our deep concerns regarding the recent addition of the word "art" under Section 2120.5 Curriculum Content, specifically in the context of global citizenship. We believe that this addition has the potential to significantly impact the future of arts education in Vermont schools.

Allow us to provide you with an overview of the current state of arts education in many Vermont schools. Under the existing language of the Education Quality Standards, arts educators, encompassing music, theater, dance, and visual arts, are subjected to teaching loads as determined by their respective school districts. In some instances, such as in the Champlain Valley School District, language has been introduced into contracts that support "teaching minutes," permitting arts educators to teach up to 34 classes a week. This staggering workload is unsustainable and has led to numerous open positions in the field of art education going unfilled across the state.

While Vermont proudly champions the arts, we must acknowledge that we do not afford arts educators the same considerations as their peers in other subjects. They are often burdened with excessive student numbers and classes, causing burnout and high turnover rates. We believe that it is imperative to address this issue and seek your support in bringing equity and clarity to arts education in our state.

Our primary concern with adding the arts to the global citizenship framework is the lack of clarity and potential adverse effects on arts education. Will arts educators be expected to incorporate

art history into an already demanding curriculum? Could this addition be used as a justification to further reduce arts positions, with the assumption that students can fulfill their arts requirements through global citizenship courses? These uncertainties demand your immediate attention and action.

The arts are not mere extracurricular activities; they are vital for the well-being and development of our students. We applaud the well-outlined requirements for physical education and health education, and we believe that the same commitment should be extended to the arts, which are equally essential for many students.

Therefore, we implore you not to merely add the word "arts" to global citizenship and consider the matter resolved. Instead, we urge you to seize this opportunity to demonstrate unwavering support for arts education in Vermont's public schools by explicitly outlining equitable arts education standards for all students.

Our proposed change is as follows:

Under Section 2120.5 Curriculum Content, we recommend that "the arts" be removed from global citizenship and placed under Section 2120.5f, which should be articulated as follows:

f) Artistic Expression (including visual, media, and performing arts):

- Provide students in grades K-8 with a minimum of 1 performing arts and 1 visual arts class per week for the entire school year.
- Provide students in grades 9-12 with a minimum of 1 performing arts and 1 visual arts class during their high school career.

Additionally, we propose an amendment to Section 2121.2 Staff, which currently states:

"Classes in grades K-3, when taken together, shall average fewer than 20 students per teacher. In grades 4-12, when taken together, classes shall average fewer than 25 students per teacher. The total class roll of a teacher shall not exceed 100 students, except where the specific nature of the teacher's assignment (such as in certain art, music, or physical education programs) is plainly adaptable to the teaching of greater numbers of students while meeting the educational goals of the program."

We recommend revising it to read:

"Classes in grades K-3, when taken together, shall average fewer than 20 students per teacher. In grades 4-12, when taken together, classes shall average fewer than 25 students per teacher. The total class roll of a teacher shall not exceed 100 students, except in cases where the specific nature of the teacher's assignment (such as in certain art, music, or physical education programs) requires. In these cases, the total number of teacher's classes will not exceed 30 classes a week at the elementary school level, and equivalent time at the middle and high school levels"

We firmly believe that these changes will help create more equitable opportunities for students in Vermont and ensure the long-term viability of successful arts programs in our schools.

In conclusion, we respectfully request your support in addressing the concerns raised by the Vermont Art Educator Association and implementing these changes. By doing so, you will not only demonstrate your commitment to the arts but also help foster a well-rounded and enriched educational experience for all students in our state.

We appreciate your time and attention to this matter and eagerly await your response and action on behalf of the future of arts education in Vermont.

Sincerely,

Kimberley Desjardins

President

Vermont Art Educator Association

[Kimannedesjardins@gmail.com](mailto:Kimannedesjardins@gmail.com)

802-734-1704

Cynthia Camber

Secretary, Vermont Art Educator Association

[misshelmbreck@gmail.com](mailto:misshelmbreck@gmail.com)

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Frances Willard

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Melissa Kristiansen

President-Elect, Vermont Art Educator Association

[artinschools@comcast.net](mailto:artinschools@comcast.net)

802-779-3252

April Hallock

Treasurer-Elect, Vermont Art Educator Association

[aprilpearlsimpson@gmail.com](mailto:aprilpearlsimpson@gmail.com)

802-486-0229

The working group removed all references to Jewish people in their definition of ethnic groups. despite public and faith community comments requesting the inclusion.

The working group removed “antisemitism” from the list of discriminatory categories the EQS should address even though the legislature included this language in its original goals.

Antisemitism is the oldest hatred in human history. It has been a problem for thousands of years. Jews have been blamed for a host of problems since the Protocols of the Elders of Zion was published as propaganda in Russia in 1903.

Last week the world witnessed hundreds of Jewish men, women, children, and babies being slaughtered in their homes on the sabbath and a normally joyous holiday that celebrates the Jewish people’s love of Torah — the book of law that guides us to be moral and upstanding citizens of the world and community. Vermont should acknowledge that Jews are scared when they see their fellow Jews dismissed, chided, blamed, attacked, and murdered across the globe in the one place that should be considered their safe homeland.

Vermont should be willing to address the needs of an ethnic group with a rich culture that has sustained persecution for millennia. Vermont educators should acknowledge that Jewish students are deeply disturbed when they have to endure racial slurs, swastikas carved into school property, or having their holiest days of the year ignored on school and athletic schedules.

Vermont should be willing to acknowledge Jews have a history worth knowing and to protect its own Jewish students from harassment in its schools. If Vermont is not willing and able to do this then Vermont is not living up to its own motto of Freedom and Unity.

Sincerely,

K. Heidi Fishman, MA, EdD

Pronouns: she/her/hers

Norwich

From:

Kathy Shapiro, P.A., M.P.H.

141 Upper Sunnybrook Rd.

Middlesex, VT 05602

802-249-3782

June 29, 2022

To:

The State Board of Education EQS Committee

Re: Recommendations by Act 1 Working Group, Definitions Section

Greetings:

Thank you for the opportunity to comment again on this critical, foundational section of the EQS recommendations on which the rest of the document relies. I would also like to express my thanks to the Act 1 Advisory Group and the SBE EQS Committee for its tireless work to provide Vermont students with the highest standards that uphold democratic principles and correct some of the omissions that have left the histories of so many ethnic and racial groups out of our curricula.

I fully support the broad and inclusive language as it appears now in Section 2114, which clearly defines words like 'discrimination,' 'ethnicity' and 'racism' without identifying or singling out any specific groups. This logic situates the work to be done within the broader struggle against racism and oppression, which are both embedded in white supremacy and the machinery that has been, and is, used to target innumerable groups. And innumerable is important because sadly there are too many to name, and some will always be left out. This is why the definitions need to be broad.

I have been aware of the work of EQS group since 2019 when I testified during the legislative process in response to certain groups, some from outside our state, who were involved in attempts to insert language into these definitions that singled out antisemitism as a unique form of discrimination and racism to be named and described. Most disturbing to me was the suggestion that a particular definition of anti-Semitism should be included that purposely conflates criticism of the State of Israel with anti-Semitism. This definition, created as a draft for discussion by International Holocaust Remembrance Association (IHRA), was never meant to be adopted by states as a definition, and its author has himself publicly denounced it. Its use has created a climate of fear, and suppression of speech, specifically, the legitimate discussion of human rights abuses and crimes committed by the State of Israel, as well as the U.S. Yet where else should difficult discussions and debate about such issues be encouraged but within places of learning?

It is important to also note that the groups advocating for a singular place for antisemitism in this document do not speak for all Vermont Jews; while most Jews here and in the U.S. are like myself, secular, much of the testimony from JCVT is from rabbis. Likewise, The AntiDefamation League is a regional and national organization, not based in Vermont, with strong ties to the State of Israel - it hardly speaks for all of us.

Tactics of division and fear are the tactics of white supremacy - they divide us and make us

vulnerable. A special lens on antisemitism alone ignores threats to other marginalized groups, most of whom are non white, and erases their unique experiences. We must be united to overcome all forms of racism and discrimination and we must act on the knowledge that oppression is intersectional, and justice indivisible.

Thank you again for this opportunity,  
Kathy Shapiro



Board Members,

Recent Vermont Legislation requires that Vermont State Education Quality Standards include ethnic groups “that have been historically subject to persecution or genocide” and that the curriculum address “antisemitism.”

This was the language that the Legislature included as section B of the definition of Ethnic Groups.

Do **NOT** eliminate Section B's definition of ethnic groups nor the intent of this Section to insure that Vermont's students are educated about the history of racism, antisemitism, bigotry and gender bias.

\*What is at stake? It is a fact that textbooks and state standards fail to provide comprehensive coverage of American slavery, the modern civil rights movement and other histories (holocaust) that involve oppression and resistance. According to a 2015 study by Penn state University, curricula about indigenous histories tend to be white-centric and cover only pre 1900 events. Only 20 states require learning about the Holocaust (according to US Holocaust Memorial Museum). And in 2021 , Illinois became the first state to require the teaching of Asian American history.

What happens when students cannot contextualize an accurate retelling of history? Historians and educators warn us that history will repeat itself. As with previous eras, we are witnessing the regression of equitable policies, a rollback of civil rights and a backlash against people who protest and demand a better society for all!

We have to teach the past to improve the future!

Thank you,

Laurie Greenberg

\*Spring 2022 Learning for Justice Magazine

Full article won 2023 Green Eyeshade Award

Dear Board Members:

Recent Vermont Legislation requires that Vermont State Education Quality Standards include ethnic groups “that have been historically subject to persecution or genocide” and that the curriculum address “antisemitism.”

This was the language that the Legislature included as section B of the definition of Ethnic Groups.

Do **NOT** eliminate Section B's definition of ethnic groups nor the intent of this Section to insure that Vermont's students are educated about the history of racism, antisemitism, bigotry and gender bias.

Thank you,

Lawrence R. Jenkyn, M.D.

7 Fern Lane

Hanover, N.H.

I suggest you revise wording from “ethnic groups” to “ethnic and religious groups that have been historically subject to persecution.”

Adding the word “religious” insures that you avoid the issue of how the group is viewed. Some people view Jews, for example, only as a religious group, others view Jews only as an ethnic group. This may be the case for other groups.

This very distinction actually affected the way holocaust survivors were registered until it was acknowledged that people of different ethnicities and nationalities could all have a common religion. Similarly, people of different ethnicities could have the same religion.

Larry Kasden

Sent from my iPhone  
5525 No Bridgewater Rd.  
Woodstock, VT 05091  
802-457-9221  
802-291-3616

To whom it may concern:

I feel strongly that whatever Standards are adopted in VT include language about ethnic groups that have been historically subject to persecution or genocide. Specifically and crucially, it is imperative that the curriculum addresses antisemitism, a form of bias and hatred that is unfortunately increasing in our country. This was the language that the Legislature included as section B of the definition and section B was eliminated.

Please feel free to contact me if you have any questions about this.

Michael Bettmann, MD  
70 Three Mile Rd  
Etna, NH 03750

Subject: Rule Series 2000 - Education Quality Standards

Education Quality Standards in Vermont must apply to any and all educational organizations taking state and/or federal funds that are paid for by Vermont taxpayers.

Public funding should require compliance with expectations and requirements that benefit all citizens.

If a program fails to do this, then they should lose publicly-funded financial support.

Rule 2000 as currently written does not apply to voucher-supported private schools.

Vouchers are provided thanks to taxpayer funds, so they should be used only for programs that follow the same rules as a fully funded public school.

Please support all children in the State of Vermont by requiring all schools receiving public dollars follow the same rules.

A free education is for all children, and must not cause harm to some.

Thank you.

*Mimi Clark*  
*Waltham, VT*

To The State Board of Education,  
Part B in the definition of Ethnic Groups in the Act 1 law -- "groups that have been historically subject to persecution or genocide" -- must be included in the Education Quality Standards' (EQS) and Frameworks' **definitions of Ethnic Groups.**  
This is to help ensure our inclusion as Jews and the inclusion of other minorities.

Shalom,  
Rabbi Michael M. Cohen

Rabbi Michael M. Cohen  
Director of Community Relations, Friends of Arava Institute for Environmental Studies  
Teaching Students Today So Nations Will Work Together Tomorrow  
[www.friendsofarava.org](http://www.friendsofarava.org)  
[www.arava.org](http://www.arava.org)

Conflict Resolution Faculty  
Center for the Advancement of Public Action  
Bennington College  
[www.bennington.edu](http://www.bennington.edu)

Rabbi Emeritus, Israel Congregation  
Manchester Center, Vermont  
[www.israelcongregationvt.org](http://www.israelcongregationvt.org)  
[www.einsteinsrabbi.com](http://www.einsteinsrabbi.com)

<https://www.jpost.com/Blogger/Michael-M-Cohen>

[www.huffingtonpost.com/rabbi-michael-cohen/](http://www.huffingtonpost.com/rabbi-michael-cohen/)

<http://www.internationalpolicydigest.org/author/michael-margaretten-cohen/>  
1 802 753-6432

[aravakolot@yahoo.com](mailto:aravakolot@yahoo.com)

Skype: rabbimmc

Twitter [@RabbiMichael](https://twitter.com/RabbiMichael)

"Luddites of the world unite, you have nothing to lose but your PowerPoint." RMMC

"First you're young, then you're middle aged, then you're wonderful."  
Steven Sondheim quoting Alice Roosevelt Longworth

The business of religion is to “comfort the afflicted and to afflict the comfortable” (in the words of the American journalist Finley Peter Dunne). Rabbi Bradley Artson

Dear Agency of Education:

Good evening, the Vermont Educational Equity Collective (VEEC) is happy to provide a letter in support of the EQS Recommendations.

VEEC is a collective of educational equity leaders transforming Vermont culture by holding educational institutions, organizations and policymakers accountable to creating equitable systems by consistently naming and dismantling structures of oppression that disproportionately impact those farthest from justice, with an emphasis on intersectionality and the indelible impact of race.

Please see the attached letter from VEEC. We hope you pass these standards which are for the good of all students in our state.

Thank you for your consideration.

**Con mucho aprecio/ With gratitude,**

**maria davies** (she|her|hers|ella)

Diversity, Equity, Inclusion Coordinator | Coordinadora de Equidad

GMTCC Building Room T-34

Lamoille North Supervisory Union

Office: 802-851-1569

Mobile: 802-730-6398

Fax: 802-888-7908

[Email:mdavies@lnsd.org](mailto:mdavies@lnsd.org)

*Diversity and Inclusion is about giving value to every human being no matter our differences. -*

*Anonymous-*

*"Equity" means that every child gets what he or she needs to succeed, as opposed to everyone getting the same thing. - Alan Blankstein-*

*"If they don't give you a seat at the table, bring a folding chair.", Shirley Chisholm*



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**maria davies** (she|her|hers|ella)

Diversity, Equity, Inclusion Coordinator | Coordinadora de Equidad

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*"If they don't give you a seat at the table, bring a folding chair.", Shirley Chisholm*

While listening to the October 4, 2023 meeting, I heard a consistent concern raised by the Jewish community regarding the changes to Paragraph B in Act I. While I understand the concern and optics of removing specific reference to Judaism from the current language, I fully agree with and support the working group's revisions which remove a laundry list that may unintentionally limit or narrow the definition of discrimination. However, given the historic nature of persecution and pogroms aimed at Jewish communities around the world, I think including a phrase like ". . . including, but not limited to those of Jewish, Christian, Muslim, Hindi, or Sikh faith . . ." might help alleviate the concern that the Jewish community is being pushed aside while also ensuring that no group facing discrimination is being excluded from protection under this Act.

Thank you

Mark Koenig

TO: State Board of Education

FROM: Mark Koenig

RE: Public Comments - Rule Series 2000 Proposed Changes

DATE: October 5, 2023

Some of the concern around these changes stem from the recent Supreme Court decision in Carson v. Makin, and the attempt by different organizations within Vermont to fashion regulations that follow this ruling while staying true to the requirements set out under the Vermont Constitution.

Many private schools seem to rely on the idea that "we're different than public schools and need to be treated as such." For example, in a letter dated August 18, 2023 from the heads of four independent schools to the VT State Board of Ed, the closest expression of any specific concerns about the proposed rule changes was that "our non-profit governance structure is incongruent with some of the specific governance requirements of EQS." This letter provided no specifics or details as to how non-profit governance structures differ in ways to make it incongruent to follow governance requirements, nor is there any attempt to explain how their existing governance structures might nonetheless comply with the spirit of the EQS requirements at issue or how these EQSs might be revised to retain their underlying intent but in such a way to encompass different governance structures.

Bright line rules are easiest to administer and enforce, but can be restrictive. Exceptions can recognize that one size does not always fit all, but such exceptions must be narrowly tailored -- which requires specificity. Exceptions also require the regulatory body to investigate and make rulings on whether and/or how organizations are implementing such exceptions. Both AOE and the State Board have not consistently provided timely rulings in such areas. For example, during this past February's State Board meeting, "Kolbe moved to postpone consideration of re-approval [of the Mid Vermont Christian School] until such time a completed application has been received to include a signed Addendum for Independent School Applications – the "attestation clause" – without revision and consistent with Rule 2226.6 that requires the head of school to sign an assurance that the school complies with the Vermont Public Accommodations Act (9 V.S.A. Chapter 139) in all aspects of the school's admissions and operations . . . The vote passed unanimously." State Board Rule provides that a school completing a timely application for renewal extends until the Board acts on the application (SBE Rule 2223.6). To date, the State Board has not acted on the Mid Vermont Christian School application for renewal meaning that this school which is clearly non-compliant continues to remain listed as an approved school. If this is how the State Board policies its own policies and requirements, why will any independent school worry about being called out on even a set of diminished EQSs?

"Different" provides no detail which could allow a regulatory body to craft a meaningful exception. Bright line rules are easy to understand and follow, but can seem too rigid or dogmatic; exceptions, while permitting flexibility or acknowledgment of a unique situation, also tend to result in the problem of "give an inch and take a mile."

Consider when someone wants to purchase a home. Most buyers look to obtain a mortgage from a lender. The lender sets out a list of requirements and obligations that the borrower must agree to in order to obtain the mortgage. If the buyer does not wish to comply with those requirements, the buyer

is free to walk away from the lender and find another way to fund the purchase or decide not to purchase the property.

Similarly, if private or independent schools want to use taxpayer funds to operate their institutions, they must abide by the same requirements as public schools, including requirements such as transparency of budgets, accreditation of educators, and practicing nondiscrimination with regard to race, gender, religion, and special needs. If certain public or independent schools do not want to abide by such requirements, they are free to find other means by which to fund their operations — but they cannot demand the use of taxpayer funds to do so.

I strongly encourage the State Board to adopt a single set of standards that will apply to all of Vermont's publicly-funded students.

Thank you,

Mark Koenig

Member, Addison Northwest School Board

Member, Vermont School Boards Association

Chair, Employer Commission on Public School Employee Health Benefits

My name is Maya Sobel and I am a Jewish student at the University of Vermont who grew up in the Vermont education system. I am grateful for all of the opportunities that UVM has given me through my Jewish activism including bringing a Holocaust survivor to campus, traveling to the UAE to converse with Emiratis about the emerging Holocaust education in the country, visiting the only Holocaust museum in the Arab world, and meeting with the Biden-Harris Administration to contribute to the first ever U.S. National Strategy to Counter Antisemitism.

Changing one word of clause B would change the entire trajectory of the education of future generations.

I was only in highschool a few years ago and I remember what it was like to sit in a classroom for 8 hours straight. I noticed what caught my peer's attention. Nazis. Gas chambers. Human experiments. Not the people they killed.

It has always disgusted me how students were more fascinated by mechanics of systematically murdering millions of people than learning about the minority groups that were dehumanized to the point where educated people- doctors, lawyers, teachers- decided that it was the right decision, or were indifferent to the decision, to eradicate them from society. This isn't limited to European history, as the Holocaust affected Jews across North

Africa and the Middle East even if they tried to change their religion (because Jews are an ethnic group).

I ask you: “what is the point of teaching solely about the systematic murder of millions of people while keeping their identity hidden?” So students would not be able to recognize antisemitism but know about the evil humans are capable of inflicting onto each other?

One of my friends is an education major completing her teaching practicum at a local middle school. Her students joke to each other during class through “Heil Hitler” salutes. Taking out the ethnic groups affected by genocide from clause B would enable this behavior after they graduate your school system.

George Santayana famously said that those who do not know history are doomed to repeat it. Learning about the most documented dehumanization process of a minority group that lead to a genocide should not be controversial. Only antisemities would want the actions of the past repeated.

My name is Matthew Vogel, I use he/him pronouns and I am the Executive Director of the Hillel at the University of Vermont. I am representing myself, my role as a father of two children in the Addison County school system, and as a representative of the 1,736 Jewish students, their friends and allies we met on campus last year.

Before I begin my remarks I want to recognize the privilege I bring to this space. I am speaking to you from Western Abenaki land, I am a cis-white male and I am Jewish.

I want this group to be aware of the Department of Education's Office of Civil Rights recent resolution of claims of antisemitism at the University of Vermont. I have been engaged in that fight for the past five years. I want this committee to ask itself why so many Jewish people from around the state are speaking out now to this issue. We have advocated that the definition of Ethnic Groups be exactly as it appears in the ACT 1 law. In ACT 1, Ethnic groups intentionally includes part be, "Groups that have been historically subject to persecution or genocide." This aligns with the White House's recent National Strategy to Counter Antisemitism.

I stood alongside Jewish victims of sexual assault as they were told by their administrators and educators that their bias and harrassment was invalid because others may not experience antisemitism in their exclusion from a group. Their identity was decided for them and they were excluded because they were Jews. This could regularly occur if we don't have our K-12 curriculum equitable in a way that recognizes people, not just the act of genocide.

Vermont leads the nation in so many ways.

Why must Vermont lead the nation in ignoring Jewish voices and minimizing victims and impact of genocide as well through this change in language?

In order to tamp down the antisemitism I see on campus we need to better prepare our Vermont students in their K-12 experience. I fully support teaching ethnic studies, and I want to ensure it is done in a way that includes the teaching of the Jewish people AND all other people historically subjected to persecution or genocide.

Matt Vogel  
Executive Director  
[www.uvmhillel.org](http://www.uvmhillel.org)  
Burack Hillel  
439 College Street  
Burlington, VT 05405  
Phone: 802-238-4326  
Mobile: 802-355-6695  
[he/him](#)

To whom it may concern,

My name is Nicole Johnson Gottsegen and I am a resident of Hartland, Vermont. I am a school-based speech-language pathologist and have worked in Vermont public schools for 20 years with students of all ages, from preschool through high school. I am a white woman who identifies as a Protestant, main line Christian, and I am married to a Jew. My family includes people who are lesbian, people who are trans, people whose ancestors came to the United States a few generations ago, or many generations ago, or who are new immigrants.

Though I support the goals of the Vermont Legislature and of the Rule Series 2000 to make sure that our students, our children, are provided with curricula that are anti racist, culturally responsive and inclusive, equitable, and anti discriminatory, it is vital that the Rule Series 2000 explicitly address antisemitism as called for by the Vermont legislature. The legislature explicitly included in section B of the definition of ethnic groups those “that have been historically subject to persecution or genocide”. In leaving out this language, I believe the goal of those drafting the rules has been to make them as broad and fully inclusive as possible. I do not think that anyone has intended to exclude Jews or the Jewish experience. My fear is that, by leaving language about genocide and antisemitism out of the rules, we inadvertently suggest that antisemitism is less damaging, less a concern than other forms of discrimination, and fail to teach a history that is vital to the understanding of the ultimate costs of discrimination and exclusion.

Here in Vermont it is easy to think antisemitism doesn't exist, until you talk with young people who have experienced it in the halls of their high school or on the bus, or until you have truly paid attention to the endless antisemitic tropes used almost daily in our language about Jews and money or Jews and power. These often appear to be accepted parts of our nation's, and even our state's political speech. When I sing and pray with the congregation in a Christian church here in Woodstock, Vermont, if we hear a car alarm or other loud, sudden sound outside, it barely registers. When I attend synagogue in Woodstock, if there is a loud noise outside, everyone notices. During important holidays, our synagogue always has a police officer on the grounds. No one feels the need of a police presence at my church. At the synagogue, the services begin with the usual welcomes, but also with directions about what to do should there be an emergency. During one service, a car alarm went off, and everything stopped, everyone looked nervously around, and certain designated members of the congregation went to look and to check in with the police officer on duty. Fortunately, there was nothing wrong, no one was attacking us, but a quick look at the rising rates of antisemitic violence across the country helps explain the fear.

Jews have not been the only victims of genocide. Too many human stories include histories of genocide. But within the lifetime of my grandparents, within the lifetime of my husband's parents, Nazi Germany systematically killed 6 million Jews. It did not matter if they were religious or not, if they were only one quarter Jewish, if they were married to a Christian, if they were fully assimilated into the dominant culture, if they were rich or poor, if they were German, Dutch, French, Italian, or any other nationality. The justification for this lay in centuries of antisemitism and persecution. And though other nations, including the United States, knew what was being done, they did not help, again, at least in large part, because of antisemitism.

This is not ancient history—I have heard Holocaust survivors speak, I know people who lost family members. The existence of genocide, especially that perpetrated in the Holocaust, is the ultimate reason that the work of equity, anti discrimination, and inclusion is so important. Without directly



teaching the history of antisemitism and working to stop it, we will not truly achieve the goals of the Rule Series 2000.

Respectfully submitted,  
Nicole Johnson Gottsegen

To Whom it May Concern,

I'm writing to **urge the Vermont Agency of Education to explicitly include ethnic groups “that have been historically subject to persecution or genocide” and to specify that the curriculum address “antisemitism” in its new State Education Quality Standards.** This new Curriculum **must include the Jewish experience** in the United States and around the world.

In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Swastikas were found painted on the side of buildings in my community, Norwich, VT. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,  
Nir Jacoby

TO:  
State Board of Education

FROM: Neil Odell

RE:  
Public Comments - Rule Series 2000 Proposed Changes

DATE: October 3, 2023

Thank you for the opportunity to comment on the proposed changes to the Education Quality Standards. My name is Neil Odell. I am a member of the Norwich School Board and I also serve as President of the Board of Directors of the Vermont School Boards Association. I am here today to provide public comments on behalf of the VSBA.

The VSBA supports the changes throughout the Education Quality Standards that focus on providing equitable, anti-racist, culturally responsive, anti-discriminatory and inclusive educational opportunities for all students. These are important changes for the future of Vermont's students and, as the Act 1 Working Group recommended, should be applicable to all publicly funded students in Vermont whether they attend a public or a private school.

I have struggled to understand the State Board's decision to exempt private schools from the proposed Education Quality Standards. All of Vermont's publicly funded students deserve the same equitable, anti-racist, culturally responsive, anti-discriminatory and inclusive education experience. At best, this was an oversight - one easily remedied by creating a single set of standards applicable to all publicly funded students. At worst, it creates a separate and unequal system that sets a lower bar for the instruction of Vermont students attending private schools with public funds. Even if the Board created two identical sets of standards, that action would explicitly create an environment that encourages future divergence and sends a message to students that those attending private schools are considered different and not worthy of the same quality of education provided to their peers in public school.

The VSBA strongly encourages the State Board to adopt a single set of standards that would apply to all of Vermont's publicly funded students.

Thank you,  
Neil Odell  
Norwich School Board  
President, Vermont School Boards Association

Good morning,

I write to you today to strongly endorse Amanda Garces and Mark Hage's response dated Oct 15, 2023 to Chair Samuelson's Oct 12, 2023 memorandum.

I urge the members of the State Board to retain the strong anti-discrimination definition put forth by the members of the Act 1 Working Group in the EQS. In addition, I ask that the State Board be transparent in its decision-making process and share, in writing and to the public, the legal analysis offered by the attorney who expressed concerns about liability about the differences between the language in Rule 2000 and in the 2200 Series Rules.

Finally, I would like to encourage the State Board pay close attention to this section from Amanda and Mark's response:

"The pursuit of consistency between these different rules should never come at the cost of substantively weakening or diluting proposed changes to the proposed EQS Manual that define discrimination, expressly prohibit it, and expand protections against it. That is what will come to pass, we fear, if the 2200 Rules language in the October 12th memorandum replaces its counterparts in the EQS Manual. Respectfully, the State Board must not let that happen."

Sincerely,

Paul

To the Vermont State Board Of Education:

As an active Vermont Arts Educator working with students, I applaud your efforts to make our system more equitable and diverse. I feel that some of those proposed changes may actually inadvertently make it harder for me to provide equitable arts education for my students.

Please consider revising the way the Curriculum Content section covers arts education, and expanding its own section that impacts students K-12 in 4 subject areas with minimum class requirements similar to Physical Education and Library. Please also address maximum class loads in the arts that vary for discipline and developmental level. Mandating that schools with 300 or more students should have full-time Arts Instructors would help this.

Sincerely,

Ruth Ackermann  
Swanton, VT  
[Raaabtbnt@yahoo.com](mailto:Raaabtbnt@yahoo.com)

Hi,

I wanted to comment on the proposed rule, and note and applaud the efforts of the Mount Mansfield School District as it comes to cultural inclusion and sensitivity.

The MMUSD elementary school system is currently graduating a class a year (soon to be two) of bi-lingual fluent spanish speakers as a part of their Spanish Immersion program. The students study almost exclusively in spanish until third grade when some english is begun to be included. (I have one child who has graduated from the program and three others currently enrolled.)

I feel very strongly that when it comes to cultural sensitivity, there is no match for speaking the language. A student who is able to fluently converse with another person will be more understanding and empathetic to them (almost by definition).

My concern is that in the proposed rule language learning is separated from "ethnic Studies" and (mostly) from "Culturally Responsive Teaching". I understand and applaud the effort to promote more culturally sensitivity and awareness, but I worry that it will manifest itself in a teacher telling students in English about Latin America, for example. The cultural sensitivity gained from learning another language cannot be compared to a survey of facts and figures about another culture - I applaud the MMUSD for their forward thinking recognition of this fact.

What if we set a statewide goal of having 80% of elementary school students in Vermont graduate with fluency in two languages in the next eight years? That is not only a reasonable thing to achieve ([92% of students in Europe learn a foreign language](#), for example), but it will promote a [radically more culturally sensitive student body](#) and give a tool for students to be able to use personally and professionally their entire lives.

A further benefit is that this is a measurable goal to achieve greater tolerance and inclusion, where a survey class in "cultural literacy" is, frankly, not going to achieve that goal. It will be difficult and require resources and effort, but will have a massive return on that investment. To paraphrase our president - "don't tell me how culturally sensitive you are, show me how well you can communicate with other cultures and I'll tell you how culturally sensitive you are."

Thank you for your thoughts on this challenging subject.

Roger

--

Roger Brown

Slopeside Syrup

(802) 578-6330

[Roger@slopesidesyrup.com](mailto:Roger@slopesidesyrup.com)

[SlopesideSyrup.com](http://SlopesideSyrup.com)

[Untapped.cc](http://Untapped.cc)

To the Vermont State Board Of Education:

As an active Vermont Arts Educator working with students for close to 40 years, I applaud your efforts to make our system more equitable and diverse through changes in the Manual of Rules and Practices. Some of those proposed changes may inadvertently make it harder for me to provide equitable arts education for my students and has prompted me to write

Please consider revising the way the Curriculum Content section covers arts education, and expanding it to its own section that impacts students K-12 in 4 subject areas with minimum class requirements similar to Physical Education and Library. Please also address maximum class loads in the arts that vary for discipline and developmental level. Mandating that schools with 300 or more students should have full-time Arts Instructors would help this.

Sincerely,  
Rebecca Carleton  
Vermont Art Educator  
VAEA/NAEA Member

To: Chair Jenny Samuelson and members of the VT State Board of Education  
From: Rebecca Holcombe, current state representative, former VT secretary of education  
Date: Oct 3, 2023  
Re: Public comment: the state board must ensure equitable opportunity in private schools funded by vouchers from the public education fund

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Thank you for giving your time to serve the state of Vermont and our children. I know you care about the state and its children, or you would not give of your time this way.

As you reopen the 2000 series (and subsequently, the connected 2200 series), I am writing to respectfully request the state board of education to:

1. apply all the same education quality rules and standards to both public schools and to private schools that are paid tuition vouchers that are funded by the public education fund
2. require open enrollment in any private school that receives funding from the public education fund.
3. require publication of the same performance data for taxpayer-funded private schools that is published for public schools, including assessment scores, and
4. ensure state rules comply with federal law.

As the state board has learned, the 2000 series is linked to the 2200 series, so one cannot be treated without consideration of the other. Of immediate concern: the rules as proposed are out of compliance with federal and state law. Moreover, they fail to protect the right of publicly-funded students in private schools to equitable education opportunities.

A. **The state board must comply with federal law for students with disabilities, and the proposed rules do not,** Federal regulations related to implementation of the federal Individuals with Disabilities Education Act (IDEA) require that **students with disabilities that Local Education Agencies (LEAs) place in private schools must have access to the same standards of education that those students would have in a public school.** 34 CFR 300.146 requires the state educational agency (SEA) to ensure each child with a disability placed in or referred to a private school "is provided an education that meets the standards that apply to education provided by the SEA and LEAs." The state agency cannot do this if the state board rules set a lower standard for private schools as it currently does. As the state board, you are required by Vermont law to implement and continually update the standards for student performance and methods of assessment, and "The standards shall be rigorous, challenging, and designed to prepare students to participate in and contribute to the democratic process and to compete in the global



marketplace." 16 VSA 164(9). Allowing separate and lesser standards for private schools means students with disabilities who are placed in these private schools by their LEAs will not have access to the equitable opportunities to which they are entitled under federal law.

**B. The Vermont Constitution requires that the rules approved by the state board for voucher-funded private schools must be the same as the rules for public schools.** The rules you are now considering are an effectuation of statute. However, statute is an effectuation of our Vermont constitution. Article seven of our Vermont Constitution states "That government is, or ought to be, instituted for the **common benefit**, protection, and security of the people, nation, or community, and not for the particular emolument or advantage of any single person, family, or set of persons, who are a part only of that community." As defined by the Brigham case, public education is instituted for the common benefit of all of us, and public education dollars should not be used for the particular advantage of any set of people who are a part only of our communities. Allowing any private school to receive tax dollars from the public education fund is simply a means to the end of equal public education. These public education tax dollars cannot be used for private purposes. Approving separate and unequal rules for taxpayer-funded private schools is a violation of this constitutional command.

**C. Since the 80's, the state board raised standards for public schools, but left students in voucher-private schools behind, under separate and lower standards.** This denies students in those private schools of equitable opportunity.

Vermont did not always have such separate and unequal standards for taxpayer-funded private and public schools. For example, in 1982, 16 V.S.A. § 906 was amended to read:

§ 906. COURSE OF STUDY

(a) In public schools, approved and reporting private schools and in home study programs, learning experiences shall be provided for pupils in the minimum course of study.

(b) For purposes of this title, the minimum course of study means learning experiences adapted to a pupil's age and ability in the fields of:

- (1) Basic communication skills, including reading, writing, and the use of numbers;
- (2) Citizenship, history, and government in Vermont and the United States;
- (3) Physical education and principles of health including the effects of tobacco, alcoholic drinks, and drugs on the human system and on society;

- (4) English, American and other literature; and
- (5) The natural sciences.

**Note that at this time, the same standards were applied to all taxpayer-funded schools, both public and private.** Please note also that the “minimum course of study” lacks references to outcomes related to technology, physical and data sciences, global studies, sex education, and 21st century skills. **A minimum course of study is not aspirational nor transformational; it is a floor. We need to raise the floor to raise performance.**

Since that time, on numerous occasions, the State Board of Education raised the bar for public schools by imposing more expansive standards for them. However, **it left students in private schools behind, including in settings with outdated and lower minimum expectations and no transparency,** as well as no clear right to due process for students (as opposed to schools) and fewer constitutional protections.

Same dollars, same rules used to be expected. It should be again, to protect children in these private settings, just as we do in public settings.

**D. A lower, outdated, separate, and unequal standard for taxpayer-funded private schools disadvantages all students in these schools and undermines civic unity.**

All the public school standards the state board has adopted over the years, all the emphasis on preparing youth for both civic and economic life: these are not just good ideas and worthy goals for our students. **They also are binding mandates for all students in schools funded by our public education fund, because our constitution requires equitable education opportunities for all students, including in the taxpayer-funded private settings the state allows to be maintained as an alternative to public schools in every town.**

Although standards for public schools have been raised and modernized, a dated “minimum course of studies” remains the standard (albeit a low one) for private schools that are funded by public education dollars in Vermont. This separate and unequal lower standard for private schools raises questions about whether students in those schools have access to the same rich, future-oriented and civic sets of experiences to which students in public schools are entitled. Consider:

1. Some schools choose to not teach a rich and representative history, in one case because –as the head of school said– their students are “mostly white.” This deprives students of the opportunity to learn about the richness and breadth of the

American experience, or even about how racism and antisemitism have been exploited to preserve advantage. Given this, how will students learn to live constructively in the more diverse communities of our future, or in a pluralist democracy?

2. How can children be prepared for a future in which comfort with math and science are highly valued, when private schools are not required to provide access to advanced math or physical science?
3. What is the long-term consequence, especially in more rural areas with lower population density, of allowing families to divert public education dollars to private schools that teach that: “God created the heavens and the earth in six literal days” or that “reject the man-made theory of evolution occurring over millions of years?” How does this not drive fragmentation and segregation based on religious identity?<sup>1</sup>
4. What is the consequence of diversion of precious public education dollars, as we currently do, to schools that teach that “God created man and woman in His own image, and instituted marriage between one biological man and one biological woman (Gen. 2:18-24)” or that equate “homosexuality” and “bisexuality” to crimes like incest and bestiality? What is the consequence of public education dollars being used to promote one faith practice while denigrating another? What is the consequence of a system that allows diversion of public tax dollars to private schools that use a curriculum that suggests slavery is not so bad if it brought people to religion, as one popular curriculum does? **The consequences are not benign. These practices foster fear, hatred and violence against people who are entitled to dignity and protection under the Vermont constitution.**
5. How can children be prepared to collaborate in civic life when they are educated in private schools that make statements or require signing of pledges that are openly hostile or censorious towards entire groups of children, whether they are children with disabilities, children of other faiths, or people of a certain gender?
6. How can parents know if kids are prepared for college and careers, let alone civic life, if there is **no public data** on the performance of students in the private school their child attends?

**E. Given the lack of transparency for voucher-funded private schools, parents, communities and the state have no way of evaluating whether students are receiving education that is comparable to that provided by public schools.**

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<sup>1</sup> It goes without saying that this is also unaffordable, because it compels taxpayers across the state to support more small schools at higher per pupil cost, to ensure kids have access to a school.

**In addition to concerns about what students learn under the lower standards applied to private schools, taxpayers have no way of knowing how well they are learning in these environments.** By law, these private schools are required to have voucher-funded students take the same tests administered to students in public schools. However, none of this data is public. When you look at the data snapshots on the VT Agency of Education website, you'll find data on multiple aspects of school quality for every public school in the state. However, **there is no information available at all for students enrolled at taxpayer expense in private schools,** even at the district level.

The last time private school data was available, the performance of the four historical academies on average was almost identical to the overall scores for all students. This was true despite the use by some of these academies of admissions procedures that in national research have been demonstrated to suppress enrollment of less-advantaged students, including economically disadvantaged students and students with disabilities.

No data is currently available for smaller voucher-funded private schools. **Despite numerous records requests of the AOE, some dating back to last winter, legislative colleagues have been unable to obtain data related to student performance in private schools.** I would be happy to share these requests with you.

However, I do have access to assessment data from prior to 2015 for the four biggest private academies- the historical academies. Three of these historical academies were incorporated by the legislature for the purpose of public education. Data for the historical academies that are now public schools are public. Data for the four historical academies used to be public. These data below are for Thetford Academy, Lyndon Institute, St. Johnsbury Academy and Burr and Burton. These data suggest the same variability we see in public schools also exists in independent schools that are funded by taxpayers. Other data I have seen suggests that performance in the smaller private schools is weaker on average than at the larger academies, something interested parties have been unable to explore because the AOE has not made this data available in response to requests.

For this table below, created in 2015, the AOE converted scores on the Smarter Balanced assessment to "z scores," which measure how much the average score on a given test in a given school varies from the average score for schools overall. This conversion gives us a way to compare across schools with different grade levels in terms of how they score compared to schools on average. Two of the historical academies scored above average and two scored below average for schools overall. As a group, their scores were basically identical to the average scores for the state overall.

School	Z score average (negative is below average, positive is above average)	Z score ranking (out of 269, higher = higher scoring)
Lyndon Institute	-0.59	55
Burr And Burton Academy	-0.23	109
Thetford Academy	0.44	174
St. Johnsbury Academy	0.60	193

Again, at present, test scores for taxpayer-funded students in private schools are **not available**. And, the scores of the private sector as a whole, separate from the public sector overall, have never been publicly reported. **This means taxpayers have no evidence to speak to the outcomes of students in taxpayer-funded private schools.** National data suggest that once researchers control for demographics, private schools underperform relative to public schools. Taxpayers have a right to know if that is true in Vermont as well.

**F. The potential harm caused by lower standards for taxpayer-funded private schools outweighs any hypothetical risk of expecting them to provide an education that meets public education standards at a minimum.**

Lobbyists and others have argued that requiring private schools that get public education dollars to follow public school rules would destroy those schools.

I am the elected state representative from Windsor-Orange 2, a district that is home to the only two private independent schools in the state that have committed to meeting Vermont’s education quality standards. One of these schools, Thetford Academy, is the only private school in the state that has consistently committed to a public mission– to a role in lifting up the **entire community of children**, and not just some children– and it has done so while following public school rules and embracing open enrollment. As seen in the data above, it held true to this mission while posting above average results. It succeeded in doing so without excluding students and while embracing the challenge of providing a robust and representative curriculum, as do public schools. It did this while serving a disproportionate number of students with disabilities from neighboring towns, as many public schools do. Thetford Academy is proof that requiring taxpayer-funded private schools to follow the same rules and to be open-enrollment does not represent a threat to these schools. Thetford Academy is proof that private schools can be inclusive and still be excellent. In fact, **requiring other private schools to meet higher**

**standards, practice open enrollment, and provide greater transparency would likely increase the quality of the private programs these schools offer at taxpayer expense.**

At the most basic level, data on performance in private schools must be transparent. Public budgets are available for public review and vote, and all public school performance data is presented online in AOE data portals, alongside demographic information on students. **All schools that are ostensibly “meeting EQS” must have their performance data published through the same reporting systems as public schools.** This is how we can attempt to ensure that students in voucher-funded private schools have access to the same quality of opportunity as students in public schools.

**F. Any system that uses public education dollars to fund private schools that cull students they don’t want to serve is inherently unjust, and harms both students and inclusive schools on which most students depend.**

A system that makes parents pay education property tax for private schools their children would not be allowed to attend is unjust. Taxpayer-funded private schools must also practice open enrollment. **So long as private schools choose their students using tools like test scores, grades, faith pledges, discipline records, mental health records, and interviews, they are curating enrollment – culling students and families they see as undesirable – in ways that are inconsistent with the Education Quality Standards and the state’s constitutional commitment to giving every child a fair chance.**

Students who “aren’t a good fit” because of political views, demeanor, disruption, lower grades or test scores, inability to pay additional fees, pregnancy, discipline, and so on can be excluded, even if these characteristics are correlated with eligibility for IEPs, religion, socioeconomic status or race. Even the existence of admissions devices like these has been proven to segregate students in a community, including based on wealth, race, identity and religion, and depriving our state’s children of equal access and opportunities to build the habits of democratic citizenship. As I mentioned in previous public comment to the state board, this is why California prohibits charter schools from requesting information other than name and contact information prior to enrollment. Requesting more has been shown to suppress enrollment of marginalized students.

**By permitting voucher-based sorting and culling, the State Board enables social and economic sorting and polarization. It fosters a parallel set of publicly-funded but unaccountable private institutions that undermine shared opportunity and a shared future.** This segregation is particularly dangerous to the goals of giving everyone a fair chance and affordability in rural states like Vermont, because most Vermont communities do not have enough students to support more than one robust school at an affordable cost.

The lack of rules abets creation of local, private monopolies that may or may not serve a public purpose.

Data cleaned a few years ago by then Dep. Sec. Bouchey found that while 49% of students in tuition voucher towns attend public schools, 59% of students who are economically disadvantaged in these towns attend public schools, and 69% of students with disabilities in these towns are placed in public schools. This suggests that some **voucher towns depend on public schools operated by nearby towns to serve a disproportionate number of their disadvantaged students, while diverting tax dollars and advantaged students to private settings.**

As one proponent of vouchers told me a few weeks ago, “why should my kid have to go to school with those kids?” Our failure to require open enrollment means we will gut the public or inclusive schools on which the majority of Vermont children depend to fund private schools for people who don’t want their kids going to school with “those kids,” whomever those kids may be. Instead of fostering community, we are incentivizing people to opt out on common cause with their neighbors.

Given that district funding is now weighted to support students who are disadvantaged but tuition vouchers are not, Bouchey’s statistics above also suggest that our voucher system effectively overfunds private schools relative to public schools. Raising standards for private schools and requiring open enrollment would be a small step towards rectifying this injustice.

### **G. Vermont’s failure of expectation**

To understand our current failure of expectation for taxpayer-funded private schools, consider the inverse. If these rules are truly so devastating to private schools that take public education dollars, why do we apply them to public schools? Why did some of the same people who now argue so vociferously to have private schools exempted from standards also work so hard to develop and apply these same rules and standards to public schools? What if we in the legislature said that “same dollars, same rules” should mean that public schools only have to follow the rules that apply to private schools? What if the state board decided that because the education quality standards are too onerous to impose on private schools, we should not impose them on public schools either? What would be the consequence?

**Anyone who advocates for tight rules on public schools but lesser regulation on private schools that receive vouchers from the public education fund is enabling,**

**wittingly or unwittingly, overt regulatory capture to protect a private benefit at taxpayer expense. In contrast, public education is a public good.**

In its decision in *Brown v. Board of Education*, the US Supreme Court concluded that denying student entry to the publicly-funded schools other students attend, because they are Black, “generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.” In Vermont, because of those who would turn public education into a private benefit, we now fund private schools that are openly homophobic and transphobic, which have refused to hire staff who they know are gay or lesbian, and who have suggested to the legislature that they should not have to teach a representative curriculum because their students are mostly “white,” as if racism has not played a role in preserving economic advantage throughout our history. We fund schools that reject students using tools and measures that are closely correlated with socioeconomic and disability status. We fund out-of-state private schools that don’t serve any students with disabilities or provide civil rights protections to LGBTQ students. We fund an in-state private school that went to court to assert its right to reject students with disabilities, based on “standards” set by the school, even when students were previously and successfully educated alongside peers of the same age. We fund another private school that said the reason it did not previously provide disability services is that it is a college-prep program, as if having a disability means college is not in your future. In all these cases, our tax dollars are being used to send a powerful message about who these schools feel are inferior– a message that affects hearts and minds in ways that are difficult to undo. These voucher-funded private schools can do these harms because they are not held to the same standard as public schools.

Some of the work ahead belongs to the legislature, but some of it belongs to the state board of education, which must protect our shared public interest and the value and rights of all Vermont children, and not just narrow private interests.

The state board should not set standards that are inconsistent with the rights of students with disabilities. And, no private school should receive public education dollars unless it commits to open enrollment, conforms to the same education quality standards that apply to public schools, embraces a truly public mission, and has fully transparent data as do public schools.



To Whom it May Concern,

I'm writing to **urge the Vermont Agency of Education to explicitly include ethnic groups “that have been historically subject to persecution or genocide” and to specify that the curriculum address “antisemitism” in its new State Education Quality Standards.** This new Curriculum **must include the Jewish experience** in the United States and around the world.

In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Swastikas were found painted on the side of buildings in my community, Norwich, VT. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,

Roseanne Kramer  
M. Ed C.A.G.S

Good day,

I am writing on behalf of the dance teachers in Vermont regarding the revisions to the Educational Quality Standards and arts education.

Please consider our voice in your work.

[EQS Revision Letter from VT Dance Teachers](#)

Sincerely,

Rebecca McGregor

.....

Vermont Board of Education

Oct 10, 2023

To Whom It May Concern,

We are writing to express our strong support for the inclusion and emphasis of arts education within the Educational Quality Standards. We advocate for a well-rounded education and firmly believe that arts education is integral to the overall development and success of our students. In reading through the proposed revisions, **we feel strongly that the revised EQS will waterdown the value of arts education (particularly the performing arts).**

Arts education encompasses a wide spectrum of creative disciplines, including visual arts, music, theater, dance, and more. These disciplines not only foster creativity and self-expression but also offer numerous benefits that significantly enhance the quality of education and the lives of our students.

Here are some key points highlighting the value of arts education in the Educational Quality Standards:

**Enhanced Critical Thinking:** Engaging in arts education encourages students to think critically, analyze information, and make informed decisions. This skill is transferable to other subjects and real-life situations, enabling students to become better problem solvers.

**Improved Academic Performance:** Numerous studies have shown that students who participate in arts education tend to perform better in other academic subjects. The discipline and focus required for artistic pursuits can positively impact students' overall academic achievements.

**Cultural Appreciation and Diversity:** Arts education introduces students to various cultures, traditions, and perspectives. It fosters an understanding and appreciation of diversity, promoting tolerance and empathy among students.

Emotional Expression and Well-being: The arts provide a unique outlet for emotional expression, helping students manage stress, anxiety, and other emotions. This can contribute to improved mental health and overall well-being.

Creativity and Innovation: The arts inspire creativity, innovation, and the ability to think outside the box. These skills are increasingly valuable in today's rapidly changing world.

Preparation for the Workforce: Many industries, including technology and business, value employees with creative problem-solving skills and the ability to work collaboratively. Arts education prepares students for these demands in the workforce.

Community and Civic Engagement: Participation in the arts often involves collaboration, teamwork, and community involvement. It fosters a sense of civic engagement and social responsibility.

**We feel strongly that the revised EQS will waterdown the value of arts education (particularly the performing arts).**

As written in the revised EQS document, "Each school shall ensure students are able to access academic and experiential learning opportunities that reflect their emerging abilities, and aspirations, as outlined in the students' Personalized Learning Plans and aspirations, as outlined in the students' Personalized Learning Plans."

This particular revision expresses the need to include a vibrant, inclusive and core arts education experience for all students.

**Tying "the arts" under global citizenship and having simply one mention of artistic expression does not address the intended goal of access to a well-rounded arts education. The arts should be a stand alone category under curriculum.**

Another line in the EQS revision document that touches closest to the value of arts education is, "Each school shall provide appropriate socially and culturally responsive learning opportunities to all students to support their attainment of the standards approved by the State Board of Education and each public school shall provide support for students who require additional assistance to succeed or be challenged in the general education environment."

The arts offer unique and valuable opportunities for socially and culturally responsive learning.

Cultural Expression and Representation: The arts encompass a wide range of cultural forms, including music, dance, visual art, literature, and theater. These art forms often serve as powerful means of expressing cultural identity, values, and experiences. By engaging with culturally diverse artworks and creating their own, students can explore and celebrate different cultures, fostering an appreciation for cultural diversity.

**Inclusive Curriculum:** Arts education can be intentionally designed to include artworks and practices from various cultures, both historical and contemporary. This inclusivity ensures that students from diverse backgrounds see themselves represented in the curriculum, which can enhance their sense of belonging and identity within the educational environment.

**Diverse Perspectives:** Through exposure to art from different cultures, students gain access to diverse perspectives and worldviews. They can explore how artists from various backgrounds interpret and respond to social and cultural issues. This exposure encourages open-mindedness and empathy as students learn to appreciate different points of view.

**Authentic Learning:** The arts provide opportunities for authentic and experiential learning. Students can engage in activities such as traditional dance, music, or visual art techniques that have deep cultural significance. This hands-on approach allows students to connect with cultural traditions on a personal level, promoting a deeper understanding of cultural practices.

**Socially Relevant Themes:** Many artworks in the arts address socially relevant themes, such as identity, social justice, inequality, and human rights. By analyzing and creating art that addresses these themes, students can engage in meaningful discussions and critical thinking about societal issues, promoting social awareness and activism.

**Community Engagement:** Arts education often extends beyond the classroom through community partnerships, cultural events, and exhibitions. Students can collaborate with local artists and community members to create art projects that address community needs and issues, fostering a sense of social responsibility and community engagement.

**Personal Connection:** Artmaking allows students to draw from their own cultural backgrounds and personal experiences. They can incorporate elements of their own heritage, traditions, and stories into their creative work, making their learning experiences more personally meaningful.

**Multimodal Learning:** The arts engage students in multimodal learning, where they use different senses and forms of expression. This can be especially beneficial for learners with diverse learning styles and abilities, as it provides multiple entry points for understanding and communication.

**Global Perspective:** Arts education can broaden students' understanding of the interconnectedness of the world. By exploring art from around the globe, students learn about the ways in which cultures influence and inspire one another, leading to a more global perspective.

Promoting Equity: Culturally responsive arts education can help bridge educational equity gaps by valuing and affirming the cultural backgrounds and identities of all students. It creates a more inclusive and equitable learning environment where every student's voice is valued.

**To develop a strongly supported well-rounded education that values all opportunities for student development, we propose the artistic expression portion be created into a similar category as PE.**

**For instance, arts education should be accessible to all students as a core curricular offering in at least 1 of the arts disciplines throughout PreK-12th grades (1 art class per week for all students PreK-8 and a minimum of 1 fine and/or performing art credit for all students grades 9-12). All students graduating from a VT high school should be required to obtain a minimum of 1 art credit from the fine/performing arts disciplines.**

I kindly urge you to consider these points as you deliberate on the importance of arts education within the Vermont Educational Quality Standards. Our students deserve a well-rounded education that includes the arts as a core curricular experience, as it not only enriches their lives but also equips them with skills and perspectives necessary for success in the 21st century.

Sincerely,

Taryn Colby, Dance Teacher North Country Union High School

Nichole Lefaiivre-Damon, Dance Teacher Lamoille Union High School

Rebecca McGregor, Dance Teacher Lyndon Institute

Colleen McHugh, Dance Teacher BFA St. Albans

To Whom it May Concern,

We just found out about this deadline-sensitive matter and hope that you will take our feedback into consideration.

We are writing to **urge the Vermont Agency of Education to explicitly include ethnic groups “that have been historically subject to persecution or genocide” and to specify that the curriculum address “antisemitism” in its new State Education Quality Standards.** This new Curriculum **must include the Jewish experience** in the United States and around the world.

In light of current events, being silent about antisemitism and the Jewish experience in the United States is akin to promoting prejudice.

Antisemitism is a rising problem in the US and is statistically the basis of the majority of religion-based hate crimes. **Vermont children not learning about who Jewish Americans are and our history here only feeds into antisemitism, racism, and hate. Students need to learn about this history to understand America and its relationship to ethnic minorities.** Antisemitism is an issue in Vermont just as much as it is around the country. Swastikas were found painted on the side of buildings in my community, Norwich, VT. Synagogues in VT have had to construct crash barriers, hire armed guards, and install bullet-proof glass in their buildings in response to concerns.

The White House has issued the National Strategy to Counter Antisemitism. Pillar 1 of that strategy reads, "Increase awareness and understanding of antisemitism, including its threat to America, and broaden appreciation of Jewish American heritage." Why would Vermont choose to deliberately remove Jews from this curriculum?

Vermont is known for being a loving, tolerant and liberal state. Please ensure that the new curriculum addresses antisemitism so that it stays that way.

Sincerely,  
The Rojansky Family  
Norwich, VT

Vermont Board of Education:

Please consider the following suggestions with your update to the Education Quality Standards.

- a.
- b. The integrated field review process should include site visits of all schools within a Supervisory Union / School District - not just
- c. the Supervisory Union office. The Agency of Education should not be allowed to make a determination that a school complies with EQS unless there has been an integrated field review that included a site visit by an external team to the school within the prior
- d. 5 years for which the determination is being made for.
- e.
  
- b.
- c. Require schools to conduct an annual survey of parents and guardians, using a standard format and method set by the Agency of Education,
- d. to measure parent / guardian assessment of the quality of instruction, diversity of educational opportunities, school safety, and support for students from historically marginalized groups. Survey results should be submitted to the Agency of Education (and
- e. IFR team) and made available to the public. Survey results should be used by the Agency as input to consider when determining whether a school meets EQS and whether a school is providing educational opportunities substantially equal to those provided in other
- f. schools.
- g.
  
- c.
- d. Establish a minimum number of full time equivalent professional staff required to be employed by a school. A suggested number to
- e. consider would be 5 FTE. With less than 5 staff, a school is likely to be too small to provide sufficient diversity of experiences for students to receive a quality education that is substantially equal to their peers in other schools. In addition to quality,
- f. there are also issues with capacity and safety with too few adults staffed in a building.
- g.

- d.
- e. Create a process for school board members, staff, students, parents, guardians, and other members of the public to request the Agency
- f. of Education to conduct a review of a school's compliance with EQS. If a request is based on credible allegations of noncompliance of EQS rules, the Agency would be required to initiate a compliance review and issue public findings that the Agency would rely
- g. on when making a determination of a school's compliance with EQS and whether a school is providing educational opportunities substantially equal to those provided in other schools.
- h.

Regards,  
Robert Smith (Taxpayer and Parent)



Dear Madams and Sirs:

We strongly support adopting new Rules to the State Education Quality Standards, mandating equitable, antiracist, culturally responsive, anti-discriminatory and inclusive curricula. We are aware that the standards include ethnic groups that have been historically subject to persecution or genocide, including antisemitism, as stated in Section B. This language unequivocally includes Jewish people.

We are concerned to learn that the drafting agency for the final Standards will no longer define the Jewish community as an Ethnic Group. This would be a serious mistake. As parents of three Jewish daughters, we have lived in Vermont since 1979. Our girls were raised in Woodstock and attended public school here. There have been upsetting incidents when our children and ourselves as adults have been confronted by ignorance of the ethnic Jewish community by other Vermonters. It is clear the adoption by the legislature of new rules should acknowledge this issue.

Ignorance is passed from generation to generation. Ignorance leads to hate and hate leads to violence. We are seeing too much violence against minority groups in today's world. Only through education can ignorance be stopped.

Thank you for your good work and consideration.

Respectfully submitted,

Susan & Barry Feinberg

802-457-3372