

EQS Edits for Act 1 Working Group Review

In our last few meetings, the EQS Committee has been conducting a full document review for consistency and clarity of language. We welcome feedback from the Act 1 Working Group, as we are wrapping up our committee work in preparation for presentation to and approval of the full State Board of Education. We wanted to highlight the following several changes to the EQS Committee Working Draft that are most directly related to the focus of the Act 1 Working Group proposed language:

- 1.) The EQS Committee edited the Statement of Purpose as follows:
 - a.) *The purpose of these rules is to ensure that all Vermont students are afforded educational opportunities that are equitable, anti-racist, culturally responsive, anti-discriminatory, inclusive, and substantially equal in quality, thus enabling each student to achieve or exceed the standards approved by the State Board of Education.*
 - i.) Our intention was to focus the purpose on the Vermont student/learner, rather than the institutions that the students attend. In this way, we may be able to reference the guiding statute later in the document, and should the statute change, to whom the rules apply would be automatically changed.
 - ii.) Reordering the characteristics of education opportunities was intended to streamline the sentence and was updated and incorporated throughout the document.
- 2.) The EQS Committee edited Section 2112 as follows:
 - a.) **2112 EDUCATION QUALITY STANDARDS**
To carry out Vermont's policy that all students will be afforded educational opportunities that are equitable, anti-racist, culturally responsive, anti-discriminatory, inclusive and substantially equal in quality, and to ensure continuous improvement in student performance, SU/SDs and schools to which this rule applies pursuant to 16 VSA Section 165 shall meet the following education quality standards, and annually report to their communities in an understandable, inclusive and comprehensive form as required in 16 VSA Section 165(a)(2).
 - i.) Here we are referencing the full list of educational characteristics and deferring back to statute. There may be additional statutory reference specific to different sections of the EQS, after further legal review.
- 3.) The EQS Committee edited Section 2114 (Definitions) as follows:
 - a.) *Academic Record - ...(at the end of the definition).... An academic record is not the same as a student's education record, as referenced in the Family Educational Rights and Privacy Act (FERPA).*
 - i.) This was in response to a recommendation of the Special Education Advisory Panel (SEAP)
 - b.) *Anti-Discrimination & Anti-Racist - for both of these definitions " ...actions, behaviors, programs and policies designed and/or implemented by school staff, students...."*
 - i.) This was to streamline the sentence.
 - c.) *Applied Learning - EQS Committee wanted to confirm the use of "neurodivergent cultures" (vs. "groups" or "learners"), and would like to know if a definition of neurodivergent would be beneficial for this document.*

- d.) “Culturally and Linguistically Diverse Students” are those who are members of home, cultural and social environments where languages other than English are spoken and whose experience and success is enhanced by schools demonstrating respect for a multitude of linguistic competencies and fostering systems of academic and social inclusion that acknowledge the fundamental importance of such competencies. Linguistic competencies are cultural and linguistic resources that students, families and communities draw upon, including, but not limited to, a variety of languages, including Indigenous languages, multiple-sign languages, and African American Vernacular English and other dialects.
- i.) This change was to streamline the language of the definition.
- e.) “Equity” means that each student receives opportunities needed to learn and thrive in the classroom and in all aspects of learning and school life, in career and occupational training, and in community-school interactions, and to discover and cultivate their talents and interests. To be achieved, equity requires an inclusive school environment and may necessitate an unequal distribution of resources and services based on the needs of each student.
- i.) This change was made to remove redundancy and to frame the definition to indicate what Equity is, rather than what it is not.
- f.) “Ethnic Studies” and “Ethnicity” - The EQS Committee reviewed capitalization of “indigenous” and will capitalize when used as a proper noun. (Source: Editorial Guide/Indian Affairs, <https://www.bia.gov/guide/editorial-guide>)
- i.) “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, - e.g., Abenaki, Mahican, Pennacook, Pocomtuc, and others). 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.
- ii.) “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 – e.g., the Abenaki, Mahican, Pennacook, Pocomtuc and others), or various combinations of these characteristics.
- g.) “Interdisciplinary” means examining and teaching a subject from multiple academic perspectives and encouraging students to engage with and to synthesize diverse perspectives and narratives, including those from their lived experiences, into a coherent understanding or analysis...
- i.) These changes were to clarify and streamline the language
- h.) “Linguistic diversity” means the immense body of diverse and complex systems of communication and expression (e.g., official languages, endangered languages, Indigenous and minority languages, dialects, and non-verbal languages and communication), the respect for and preservation of which is fundamental to students’ experience and academic success; eradicating bias, racism, and discrimination; and fostering practices and systems of inclusion, equality, equity, and diversity in our schools and communities.

- i.) The edits were to streamline the sentence and clarify the definition.
 - i.) *"Racism" means the theory, belief, or act of making value judgements that are based on racial, ethnic, or cultural differences, or which advances the claim that racial, ethnic, or cultural groups are inherently superior or inferior, thus explicitly arguing or implying that some groups are entitled to dominate, exploit, exclude, or eliminate others presumed to be inferior. Racism is practiced by individuals and groups, and it is expressed systematically through the structures, laws, regulations, practices and policies of public and private institutions, employers, and organizations.*
 - i.) This change was made to expand beyond "theory", and offer clarity for administration and staff in implementation of these rules.
 - j.) *"Supervisory union/Supervisory District (SU/SD)" means an administrative, planning, and educational service unit created by the State Board of Education. A Supervisory Union (SU) consists of two or more school districts, and/or supervisory districts. A Supervisory District (SD) consists of only one school district and may be an unified union school district, inclusive of multiple towns.*
 - i.) This definition was changed to align with the statute. And the use of SU/SD was referenced throughout the document.
- 4.) 2120.2 (d) - The EQS Committee did not have a clear understanding of what the term "center" means in the context of this sentence for those trying to operationalize the rules. The Committee offered the following placeholder, for Act 1 Working Group review:
 - a.) *"...offer resources and learning opportunities that provide experiences that give exposure to disability-related issues."*
- 5.) 2120.5. CURRICULUM CONTENT.

Each SU/SD board shall ensure the written and delivered curriculum within their SU/SD is aligned with the standards approved by the State Board of Education. The curriculum shall be equitable, anti-racist, culturally responsive, anti-discriminatory, inclusive and accessible to families and community members.

 - The EQS Committee made this change to be consistent with this language throughout the document.
- 6.) 2221.5 *...Health services, including health appraisal and counseling, communicable disease control, mental health services, ~~and~~ emergency and first aid care, and access to professional counseling, shall be made available in a confidential manner to students in each school. These health services shall be respectful of the lived experiences and unique identities of students, including gender identity and gender transition, and be delivered in accordance with the school district's written policies and procedures, which shall be developed in collaboration with parents and community health resources.*
 - a.) This change was made to ensure that professional counseling wasn't limited to matters regarding gender identity and gender transition, and that students seeking support regarding gender identity and gender transition would have support from the perspective of all services, not just professional counseling (i.e., health appraisal and counseling, mental health services, etc.)
- 7.) **2122.1. School Facilities and the Learning Environment.**

Each school shall maintain a safe, orderly, civil, flexible, and positive learning environment, which is equitable, anti-racist, culturally responsive, anti-discriminatory, and inclusive; free from hazing, harassment, and bullying; and based on sound instructional and classroom management practices and clear discipline and attendance policies that are consistently and effectively enforced.

- The EQS Committee made this change to be consistent with this language throughout the document.

I believe this list captures the more substantive changes made by the EQS Committee since beginning our full document review in January. There are other minor/technical changes that have been made, but those listed above are highlighted for the Act 1 Working Group attention to ensure our edits did not have unintended consequences on the meaning or impact of the rules as proposed.