

# Act.1- Ethnic Studies and Social Equity Working Group Supplemental Guidance to Revised EQS Manual

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# Introduction

At the request of the EQS Subcommittee of the State Board of Education, the EQS Subcommittee of the Act 1 Working Group composed this supplemental guidance to the Working Group’s revised Educational Quality Standards Manual (hereafter, “Manual” or “EQS Manual”). This guidance is to provide more clarity and detail on what informed and influenced the group’s thinking, and how it arrived at major changes to the revised Manual over a two-year span, which included public contributions in late 2021 by readers who are not members of the Working Group but offered their insights when invited to do so.<sup>1</sup>

There are revisions to the Manual that are lengthy and involved. To a large degree, they reflect how much our society – and the field of education in Vermont – have changed in recent years, particularly in the last decade.

There are also proposed changes to the Manual that are limited in language and scope. They are primarily for the purpose of “alignment” with the principles and objectives of Act 1 (2019), the Working Group’s revised Statement of Purpose (Section 2100), or the new and amended definitions (Section 2114). In some cases, language was added or modified to express a point more precisely or clearly, or simply to recommend additional resources or material supports to accomplish an objective. More specifically, some proposed changes were deemed necessary to accent a particular section’s centrality to achieving desired curricular and pedagogical objectives, to building an inclusive, equitable, anti-racist, culturally responsive, and anti-discriminatory school environment and to assessing institutional success or correcting for deficiencies in this regard, and to cultivating strong, mutually respectful relationships between schools, families, students, and local communities. Where any of the above is in play, for brevity’s sake, we note it by the phrase “Alignment, Precision, Clarity and/or Material Support.” If this shorthand is not wholly sufficient, we provide more explanation.

A few words are in order in respect to Section 2114: Definitions. The new definitions, as a rule, necessitated a fair amount of research and reflection, dialogue, writing, and rewriting. The first step here began in 2020, when it became apparent a glossary of key terms was needed. Under the leadership of Professor Cynthia Reyes, the EQS Subcommittee created one via a shared Google document. It was very useful, but not exhaustive. It served chiefly as a prelude to the next stage of research on definitions by Mark Hage, the facilitator of the EQS Subcommittee and vice chairperson of the Working Group. His studies in this area were eclectic and wide ranging and were intended, along with the glossary, to be a starting point for the subcommittee’s more rigorous and complex group process over the next two years. Mr. Hage focused initially on the terms “race,” “racism,” “racial discrimination,” “restorative justice practices,” “ethnicity,” “ethnic group,”

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<sup>1</sup> You will find the contributions of public readers at [this link](#).

“ethnic studies,” “discrimination,” “caste,” “culture,” and “inclusion.” He looked for common definitional patterns and themes in the work of scholars, governmental agencies, educational institutions, civil rights groups, associations and foundations, and international organizations and conventions. He also sought examples of definitions that offered comprehensive protection against the multiple manifestations of discrimination and racism while avoiding the pitfalls of exceptionalism and exclusion.

Mr. Hage aspired, as did the committee, to keep new (and amended) definitions to a manageable length and to avoid jargon. No matter their point of origin, all proposed changes to Section 2114, as with other revised sections of the Manual, were shared with the EQS Subcommittee, the Working Group, with community readers in the late fall of 2021, and with members of the public that attended our meetings and read our work products. This, in turn, generated additional rounds of research, discussion, and language refinement. Changes to Section 2114 came into existence at different stages of the subcommittee’s deliberations, often after the Working Group’s acceptance of changes elsewhere in the Manual drew our attention to the need for additional or modified definitions.

We did not resort here to a side-by-side comparison of all our proposed changes with current Manual language because doing so would have made this document much longer.

Once again, the record of public documents and commentary that helped shape the recommendations for change in the Working Group’s Manual submission is found at [this link](#). It contains a wide range of opinions and perspectives.

## **Section 2110: Statement of Purpose**

In the first paragraph, we added the words “equitable,” “anti-racist,” “culturally responsive,” “anti-discriminatory,” and “inclusive,” because they are essential to achieving the objectives of Act 1 (2019) and to assuring that every child receives a high-quality, challenging, creative, and compassionate education. Their inclusion constitutes an indispensable conceptual, material, and moral foundation to the other recommended changes in the Manual. This is the heart and soul of the Working Group’s mission.

The addition of “approved independent schools” was the only revision in our revised Manual that did not receive consensus support. You can read a memo on this matter from the [Vermont Independent Schools Association](#) and a response to it from the [Vermont Superintendents Association](#). Overwhelmingly, the Working Group voted in favor of this language because it believes any educational institution that serves Vermont’s children and receives public funding should be required, unconditionally, to provide the kind of educational experiences our revised Statement of Purpose calls for.

**The second paragraph of section 2110 has been amended:**

<b>New Language Reads</b>	<b>Explanation</b>
<p>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, <u>both in traditional school-based settings and in extended learning opportunities, with the latter including, but not necessarily limited to, virtual, work-based, co-curricular, community-based and service-learning opportunities, community research and civic engagement projects, dual enrollment and early college.</u></p>	<p>Our purpose here is to emphasize that the pursuit of “continuous improvement” occurs in a variety of settings and venues and by a variety of means, and should be no less rigorous, creative, diverse, and quality driven for this reason.</p>

**The third paragraph of section 2110 has been amended:**

<b>New Language Reads</b>	<b>Explanation</b>
<p><u>In addition to the non-discriminatory protections in Section 2113, these rules strictly prohibit discrimination against any student pursuing an education or participating in the general life or activities of a public school or an approved independent 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.</u></p>	<p>With this language, the Working Group asserts the need to broaden <u>the categories of protection against discrimination</u> 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, anti-racist, 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.</p>

**The fourth paragraph of section 2110 and its four subsections (a. – d.) has been amended:**

<b>New Language Reads</b>	<b>Explanation</b>
<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> <ul style="list-style-type: none"> <li>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;</li> <li>b. why all persons should have equitable access to social and economic opportunity;</li> <li>c. why persons and institutions must identify and prevent individual, group, and systemic racism, discrimination and all forms of unfair treatment; and</li> </ul>	<p>A culturally responsive pedagogy is not just a set of ideas or practices – it has a social and material reality that arises from and engages with complex <u>historical and social forces</u>. Students must interrogate and critically examine these forces to understand themselves, their society, their nation, and their world. This entails, among other things, understanding the causes and effects of bias and discrimination and why individuals and institutions should strive to “identify and prevent” all manner of unfair treatment. To allow racism and discrimination, for example, to stand unexposed and unchallenged, especially in local communities and schools, would undermine or block any academic and social progress we seek to achieve through a culturally responsive pedagogy.</p> <p>Further, a culturally responsive pedagogy must elucidate the reasons why <u>equitable access to social and economic opportunity</u> is fundamental to the flowering of human development, to the wellbeing of families, communities, and social institutions, and to the cohesiveness of society at large. It is inconceivable that we could build a society free of racism, discrimination, and economic and social deprivation without an explicit, principled, and institutional commitment to the realization of equity in the social and economic spheres of life.</p>
<ul style="list-style-type: none"> <li>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</li> </ul>	<p>Section d. emerged from a discussion of the Working Group. It concluded with agreement that a culturally responsive pedagogy is highly beneficial not only because it seeks to prevent harm caused by bias, racism, and discrimination and because it can help to eliminate barriers to</p>

strengthening democracy in the United States and globally.	social and economic opportunity. It is also a powerful and effective means of discovering and expressing “the positive and multi-faceted contributions of different social, cultural, racial, linguistic ethnic and Indigenous groups....” to the evolution and expansion of democracy at home and abroad. This history and its current expressions – positive and multi-faceted – should not be overlooked or underappreciated. It should be studied and celebrated in its fullness.
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**The last paragraph of Section 2110:**

<b>New Language Reads</b>	<b>Explanation</b>
This manual adopts a definition of Discrimination that is broader than its legal definition. Nothing herein shall be construed as creating or recognizing any private right of action	This to clarify, first, that the Working Group is aware that its proposed changes are more extensive than the legal prohibitions on discrimination in Section 2113. The second sentence is more pointed on the matter of a “private right of action,” but it does not fundamentally alter the meaning and purpose of the original language. The changes to this section came to fruition in consultations between the Vermont School Boards Association and the Vermont Human Rights Commission.

**Section 2114: Definitions**

<b>Academic Record</b> may include standardized test scores, dates of attendance, alternate graduation plan, Personalized Learning Plan, rank in class, awards, activities, clubs and other	This definition was amended based on conversations by the EQS Subcommittee and input received from outside the Working Group during the period of public comment. The general thrust of both was that the disciplinary history of a student in school should not be conflated with a student’s Academic Record, nor should it “follow” the student after graduation. There was discussion, too, about racial disparities in school discipline:  <i>Vermont schools are 2 to 3 times more likely to suspend Black and Indigenous students than white students for the same behaviors.</i>
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<p>information not included in a student's transcript, as locally determined. <u>The “Academic Record” shall not include school records, documents, notes, or descriptions of a student’s disciplinary history with school staff or other students.</u></p>	<p><i>Black children make up just 3% of Vermont’s student population but represent 13% of school arrests and 9% of referrals to law enforcement.</i></p> <p><i>Compared to white girls, Vermont is 5 times as likely to arrest Black girls in school and 34 times as likely to arrest Black boys with disabilities in school (the highest overall arrest rate for students).</i></p> <p>Research sources:</p> <ul style="list-style-type: none"> <li>• <a href="http://vermont.gov">KICKED OUT! (vermont.gov)</a></li> <li>• <a href="http://aclvt.org">Armed Police Do Not Belong in our Schools   ACLU of Vermont (aclvt.org)</a></li> <li>• <a href="http://aclu.org">Remove Armed Cops From Our Schools   American Civil Liberties Union (aclu.org)</a></li> </ul>
<p><b>Anti-Racist</b> means actions, behaviors, programs, and policies by school staff, students, school boards, contractors, and community members involved in the daily operations of schools that are necessary to counter racism as defined in this Manual, and that promote a racially inclusive learning environment for all students.</p>	<p>This was crafted after the Working Group agreed on a definition of “racism.” Public commentators also recommended we add this definition.</p> <p>This speaks to the responsibility of those in charge of the daily operations of our schools and for the wellbeing of students <u>to actively identify and counter racism</u> no matter how it manifests, in individual or group behavior or via systemic and institutional causes.</p>
<p><b>Anti-Discrimination</b> means actions, behaviors,</p>	<p>This language was composed after the Working Group agreed on a definition for “discrimination.” As with the term “racism,” public commentators recommended we include this in the Manual.</p>

<p>programs and policies by school staff, students, school boards, contractors, and community members involved in the daily operations of schools that are necessary to counter discrimination as defined in this Manual, and that promote a fair, just and equitable learning environment for all students.</p>	<p>Here, too, the definition explicitly calls for <b><u>active measures and procedures</u></b> to prevent discrimination by those responsible for the operations of our schools and the care of students.</p>
<p><b>Applied Learning</b> means the presentation of subject matter in a way that integrates a particular academic discipline (such as mathematics, science, or English) with life experiences both in school and out of school and with personal workforce applications. Applications to life experiences should include the perspectives of</p>	<p>The Working Group places a high premium on the lived experiences of students and their families. We cannot create more inclusive, anti-racist, anti-discriminatory, and culturally responsive schools without acknowledging, respecting, and applying to learning and teaching the experiences and perspectives of the different ethnic, racial, linguistic, social and neurodivergent groups that make up a student body and members of a local community.</p>



<p>ethnic, racial, linguistic, and social groups and neurodivergent cultures.</p>	
<p><b>Career and Technical Education (CTE)</b> means an educational program that supports attainment of a high school diploma, designed to provide students with technical knowledge, skills, and aptitudes to prepare them for further education, enhance their employment options or lead to an industry-recognized credential, and strengthen their ability to work collaboratively in their chosen vocations with all persons.</p>	<p>The obligation to provide every student with an anti-racist, anti-discriminatory, culturally responsive, and inclusive education is not confined to a traditional school or classroom setting; it extends to career and technical education as well.</p> <p>The workplace, as we know, can be a site of discriminatory behaviors, rules, policies, and tensions, which manifest in multiple ways. It is imperative, therefore, that CTE institutions and teaching/training practices assist students in acquiring the professional and interpersonal skills required to work collaboratively with all persons in their chosen vocations and to prevent or mitigate the personal harm and social divisiveness caused by discrimination and racism.</p>
<p><b>Caste</b> refers to hierarchical social systems of exclusion and dehumanization based on invented</p>	<p>This definition was influenced by a report in 2016 on caste and caste systems worldwide, researched and written under the auspices of U.N. Special Rapporteur on Minority Issues <b>Rita Izsák-Ndiaye</b> of Hungary. (See <a href="https://www.ohchr.org/en/press-releases/2016/03/caste-systems-violate-human-rights-and-dignity-millions-worldwide-new-un?LangID=E&amp;NewsID=18497">https://www.ohchr.org/en/press-releases/2016/03/caste-systems-violate-human-rights-and-dignity-millions-worldwide-new-un?LangID=E&amp;NewsID=18497</a>.)</p>

<p>notions of purity and contamination. Those who suffer the stigma of caste are often deprived of or severely restricted in the enjoyment of their civil, political, economic, social, and cultural rights.</p>	<p>Additional research sources include:</p> <ul style="list-style-type: none"> <li>• <a href="#">Caste in the United States — EQUALITY LABS</a></li> <li>• <a href="#">The Movement to Outlaw Caste Discrimination in the U.S.   Time</a></li> <li>• <a href="#">HRW: Campaign Against Caste Discrimination &amp; WHAT WE DO - ICDR (icdrintl.org)</a></li> </ul>
<p><b>College and Career Readiness</b></p>	<p>Alignment, Precision, Clarity and/or Material Support</p>
<p><b>Culturally and Linguistically Diverse Students</b> are those who are members of home, cultural and social environments where languages other than English are spoken. The well-being and success of these students 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.</p>	<p>In general, “culturally and linguistically diverse” (CLD) is a broad term that the U.S. Department of Education uses to categorize students who have been <i>classified</i> (based on school designation) as needing support for English and are enrolled in education programs that will provide them with the support. Older terms such as non-English proficient (NEP) or limited-English proficient (LEP) were replaced by CLD because of the stigma and deficit descriptions associated with these terms. However, CLD is generally the term that is frequently used in the current academic literature.</p> <p><u>Caveat:</u> There is still little agreement about what name best describes students who are on a continuum of acquiring English as a language. Other terms have also been used in the literature, such as <i>English language learner (ELL)</i>, <i>English Learner (EL)</i>, <i>students with English Language Communication Barriers (ELCB)</i>, <i>English as a Second Language (ESL)</i>, <i>Language Minority (LM)</i>, <i>language minoritized</i>, <i>dual language learner</i>, or <i>bilingual/multilingual learner</i>. According to many scholars who study this topic (Flores &amp; Rosa, 2015; García &amp; Kleifen, 2018; Flores, Kleyne &amp; Menken, 2015; Kubota, 2014; Motha, 2014; Valdés, 1997), what is most insightful is how educational personnel use these terms to describe their students. Using these terms alongside culturally responsive pedagogy (see Definition 10) is beneficial.</p> <p>We, the EQS Subcommittee, settled on the term <i>culturally and linguistically diverse (CLD)</i>, recognizing that any of the previously mentioned terms are fluid and ever-changing, and that CLD is currently used in policy documents related to the education of multilingual learners</p>

<p>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.</p>	<p>(ML),* educational websites and curriculum reports. We use this term but also problematize its use, acknowledging that any term that categorizes students is a social construction that reflects the reality of running and managing public schools.</p> <p>*On May 18, 2022, the Vermont Standards Board of Professional Educators (VSBPE) approved a name change from “English Language Learner (ELL)” to “Multilingual Learner (ML).”</p>
<p><b>Culturally Responsive Teaching</b> is a research-based approach that incorporates knowledge of diverse cultures, languages, and perspectives into learning activities and curriculum design, including connecting students' life experiences and ways of learning. This approach helps students to both access</p>	<p>The only mention of culture in the existing Educational Quality Standards is a passing reference to “cultural studies” as an element of the “Global Studies” content area. It is now widely accepted that high-quality curriculum and instruction must include opportunities for students to reflect on and draw on their own cultural backgrounds, recognize diverse cultural perspectives, and critically examine cultural bias in source documents as they learn, hence the inclusion of “Culturally Responsive Teaching” as a critical element of Vermont’s Educational Quality Standards.</p> <p>Research sources:</p> <p>Gloria Ladson-Billings, <a href="#"><u><i>Toward a Theory of Culturally Relevant Pedagogy</i></u></a><sup>1</sup> (PDF), American Educational Research Journal, Vol. 32, No. 3, accessed January 2020.</p> <p>Django Paris and H. Samy Alim eds., <i>Culturally Sustaining Pedagogies: Teaching and Learning for Justice in a Changing World</i>, Chapter 8, Teachers College Press (2017).</p>

<p>rigorous curriculum and to develop higher-order thinking skills.</p>	<p><i>Culturally Responsive Teaching: Theory, Research, and Practice, Third Edition</i>, Geneva Gay.</p> <p><i>Culturally Responsive Teaching and The Brain: Promoting Authentic Engagement and Rigor Among Culturally and Linguistically Diverse Students 1st Edition</i>, <a href="#">Zaretta L. Hammond</a>.</p> <p><i>Cultivating Genius: An Equity Framework for Culturally and Historically Responsive Literacy</i>, <a href="#">Gholdy Muhammad</a>.</p> <p>Race After Technology: Abolitionist Tools for the New Jim Code, 1st Edition, <a href="#">Ruha Benjamin</a>.</p> <p><i>Troublemakers: Lessons in Freedom from Young Children at School</i>, <a href="#">Carla Shalaby</a>.</p>
<p><b>Culture</b> means a set of distinctive spiritual, material, religious, intellectual, creative, and emotional attributes of a society or social group, and encompasses, in addition to art and literature, lifestyles, ways of living together, values, traditions, and beliefs.</p>	<p>Research sources:</p> <ul style="list-style-type: none"> <li>• The United Nations Educational, Scientific and Cultural Organization’s (UNESCO) <a href="#">Universal Declaration on Cultural Diversity   OHCHR</a>, 2001.</li> <li>• <a href="#">UNESCO Framework for Cultural Statistics</a>, prepared by the Institute for Statistics of the United Nations Educational, Scientific and Cultural Organization:</li> </ul> <p><i>“The UNESCO Institute for Statistics (UIS) is the statistical office of UNESCO and is the UN depository for global statistics in the fields of education, science and technology, culture and communication. The UIS was established in 1999. The 2009 UNESCO Framework for Cultural Statistics (FCS) is a collaborative effort by the UNESCO Institute for Statistics (UIS) and the UNESCO Culture Sector. Based on the 1986 Framework for Cultural Statistics, this [2009] revised version of UNESCO’s cultural statistics methodology takes into account new concepts that have emerged since 1986 in the field of culture, including those related to new technologies – which have so drastically transformed culture and the ways it is accessed – intangible heritage, and evolving cultural practices and policies.”</i></p>
<p><b>Discrimination</b> means any distinction, exclusion, classification, restriction or</p>	<p>Our definition of “discrimination” protects <u>all children and adults</u> and offers a broad sweep of anti-discrimination protection, without delineating by name the many groups now experiencing discrimination for singular or multiple reasons, or which might experience it in the future. It was conceived and structured in a manner consistent with what we</p>

<p>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</p>	<p>learned from a several sources, including Vermont’s institutions of higher learning and state government.</p> <p>Research sources:</p> <ul style="list-style-type: none"> <li>• Anti-discrimination policies of the <a href="#">University of Vermont</a>, <a href="#">Middlebury College</a>, <a href="#">Vermont State Colleges</a>, and <a href="#">Vermont’s Department of Children and Families</a> and <a href="#">Agency of Human Services</a>.</li> <li>• <a href="#">State of Vermont’s What Is Workplace Discrimination?   Workplaces For All (vermont.gov)</a>.</li> <li>• <a href="#">Statement on Equity and Racism by the Vermont State Board of Education   Agency of Education</a></li> <li>• <a href="#">Civil Rights Requirements Title VI of the Civil Rights Act   HHS.gov</a></li> <li>• <a href="#">Title VII of the Civil Rights Act of 1964</a>.</li> <li>• <a href="#">Title IX Education Amendments   HHS.gov</a>.</li> <li>• <a href="#">Civil Rights Division   Department of Justice</a>; mission of the Civil Rights Division of the U.S. Department of Justice, plus these subsections: <ul style="list-style-type: none"> <li>❖ <a href="#">The Fair Housing Act (justice.gov)</a></li> <li>❖ <a href="#">The Equal Credit Opportunity Act (justice.gov)</a></li> <li>❖ <a href="#">Title II Info Sheet - English (justice.gov)</a></li> </ul> </li> <li>• <a href="#">Americans with Disabilities Act   U.S. Department of Labor (dol.gov)</a></li> <li>• <a href="#">ADAAA - NCLD</a>, National Center for Learning Disabilities.</li> <li>• <a href="#">Discrimination by Type   U.S. Equal Employment Opportunity Commission (eoc.gov)</a>.</li> </ul>
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<p>institutions, employers, and organizations.</p>	<ul style="list-style-type: none"> <li>• <a href="#">“Memorandum on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World”</a> issued by President Joseph Biden in 2021</li> <li>• <a href="#">For Individuals   HHS.gov</a>, “Civil Rights for Individuals and Advocates,” U.S. Department of Health and Human Services’ resources on protection against discrimination and enforcement of civil rights: <i>“We enforce laws against discrimination based on race, color, national origin, disability, age, religion, and sex (including pregnancy, sexual orientation, and gender identity) by certain health care and human services.”</i></li> <li>• <a href="#">All Cal State universities add caste to anti-discrimination policy (nbcnews.com)</a></li> <li>• <a href="#">Universal Declaration of Human Rights</a></li> <li>• <a href="#">International Covenant on Civil and Political Rights</a></li> <li>• <a href="#">International Covenant on Economic, Social, and Cultural Rights</a></li> <li>• <a href="#">International Convention on the Elimination of All Forms of Racial Discrimination</a></li> <li>• <a href="#">Convention against Discrimination in Education   OHCHR</a></li> <li>• <a href="#">Convention on the Elimination of All Forms of Discrimination against Women</a></li> <li>• <a href="#">Convention on the Rights of Persons with Disabilities</a></li> <li>• <a href="#">Convention on the Rights of the Child</a></li> </ul>
<p><b>Educational Technology</b> means instruction and/or preparation in the appropriate use of current technology to provide students with equitable access to the knowledge and skills needed to communicate, solve problems, and to access, manage, integrate,</p>	<p>Alignment, Precision, Clarity and/or Material Support</p>

<p>evaluate, and create information</p>	
<p><b>Educator Mentoring</b> means the pairing of a mentor with an educator who is either new to the profession or new to the school in order to provide training, orientation, assistance and support. Further, for the purposes of this rule, a “mentor” is an educator who has demonstrated high-quality instructional practice and who has been provided training in mentoring.</p>	<p>We changed the title of this definition from “Mentoring” to “Educator Mentoring” because the latter is both more precise and broader in professional scope. The term “educator” is also preferred today, especially those who play an indispensable role in the provision of academic, co-curricular, vocational, and support service programs but do not practice their profession routinely or consistently in a traditional classroom.</p>
<p><b>Equity/Equitable</b> means that each student receives the resources and educational opportunities needed to learn and thrive in the classroom and in all aspects of learning and school life, in vocational training, and in community-</p>	<p>Research sources:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.vtvsba.org">Educational Equity   VSBA (vtvsba.org)</a> and VSBA Model Policy on Equity: <a href="https://www.usfiles.com/b44bfd_d8cf5ce210f64d77bd575f186e04c333.pdf">b44bfd_d8cf5ce210f64d77bd575f186e04c333.pdf (usfiles.com)</a></li> <li>• <a href="https://www.vpaonline.org">Equity Initiative – Vermont Principals' Association (vpaonline.org)</a></li> <li>• <a href="https://www.vermont.gov">Educational Equity   Agency of Education (vermont.gov).</a></li> <li>• <a href="https://www.vermont.gov">Statement on Equity and Racism by the Vermont State Board of Education   Agency of Education</a></li> </ul>

<p>school interactions, and to discover and cultivate their talents and interests. Equity goes beyond formal equality where all students are treated the same. 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.</p>	<ul style="list-style-type: none"> <li>• University of Vermont: <a href="https://www.uvm.edu/cals/cals-commitment-diversity-equity-and-inclusion">https://www.uvm.edu/cals/cals-commitment-diversity-equity-and-inclusion</a>.</li> <li>• Stanford Social Innovation Review: <a href="https://ssir.org/articles/entry/what_the_heck_does_equity_mean">https://ssir.org/articles/entry/what_the_heck_does_equity_mean</a>.</li> <li>• Anne E. Casey Foundation: <a href="#">Equity vs. Equality and Other Racial Justice Definitions - The Annie E. Casey Foundation (aecf.org)</a> and <a href="#">Racial Equity &amp; Inclusion Framework - The Annie E. Casey Foundation (aecf.org)</a>.</li> <li>• National Association of Colleges and Employers: <a href="#">Equity Definition (naceweb.org)</a>.</li> <li>• Global Citizen: <a href="https://www.globalcitizen.org/en/content/equity-equality-whats-the-difference-global-goals/">https://www.globalcitizen.org/en/content/equity-equality-whats-the-difference-global-goals/</a>.</li> <li>• The American Journal of Law and Equality: <a href="https://direct.mit.edu/ajle/article/doi/10.1162/ajle_a_00019/107229/EQUALITY-VS-EQUITY">https://direct.mit.edu/ajle/article/doi/10.1162/ajle_a_00019/107229/EQUALITY-VS-EQUITY</a>.</li> <li>• The University of Iowa: <a href="https://diversity.uiowa.edu/resources/dei-definitions">https://diversity.uiowa.edu/resources/dei-definitions</a>.</li> <li>• The Education Trust: <a href="https://edtrust.org/the-equity-line/equity-and-equality-are-not-equal/">https://edtrust.org/the-equity-line/equity-and-equality-are-not-equal/</a>.</li> <li>• The University of British Columbia: <a href="https://equity.ubc.ca/resources/equity-inclusion-glossary-of-terms/">https://equity.ubc.ca/resources/equity-inclusion-glossary-of-terms/</a>).</li> </ul>
<p><b>Ethnic Group</b> means a group whose members identify with each other based on certain criteria, including a common history, ancestry or culture, religion, national, social, or</p>	<p>Research sources:</p> <ul style="list-style-type: none"> <li>• <a href="#">Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities   OHCHR</a>.</li> <li>• <a href="#">Ethnocultural characteristics' research by the United Nations: United Nations Statistics Division - Demographic and Social Statistics</a>.</li> </ul> <p>This is also consistent with our definition of “ethnicity.”</p>



<p>geographic origin, skin color, language, and experiences of discrimination and social exclusion.</p>	
<p><b>Ethnicity</b> 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, the Abenaki, Mahican, Pennacook, Pocomtuc and others), or various combinations of these characteristics.</p>	<p>Research sources:</p> <ul style="list-style-type: none"> <li>• Anne E. Casey Foundation: <a href="http://cover.indd(casey.org)">cover.indd (casey.org)</a></li> <li>• <a href="http://Microsoft Word - Ethnicitypaper.doc(un.org)">Microsoft Word - Ethnicitypaper.doc (un.org)</a></li> <li>• <a href="http://Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities   OHCHR">Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities   OHCHR</a></li> <li>• <a href="http://Defining ethnicity and race - ScotPHO">Defining ethnicity and race - ScotPHO</a></li> <li>• <a href="http://Ethnic and Racial Identity Development - Adolescence - ACT for Youth">Ethnic and Racial Identity Development - Adolescence - ACT for Youth</a></li> <li>• <a href="http://Oxford Reference Dictionary">Oxford Reference Dictionary</a></li> <li>• <a href="http://Cambridge Dictionary">Cambridge Dictionary</a></li> <li>• <a href="http://Merriam-Webster">Merriam-Webster</a></li> </ul>
<p><b>Ethnic Studies</b> means interdisciplinary, age appropriate and grade-appropriate curricula and programs</p>	<p>The EQS Subcommittee and Working Group spent considerable time on this definition.</p> <p>The wording is also informed by a review of definitions of and statements on “ethnic studies” by different universities, including the <a href="http://Department of Ethnic Studies">Department of Ethnic Studies</a> at the University of California at Berkeley and San Francisco State University: <a href="http://Ethnic Studies &lt; San Francisco State University(sfsu.edu)">Ethnic Studies &lt; San Francisco State University (sfsu.edu)</a>.</p>

<p>dedicated to the historical and contemporary study of race, ethnicity, and Indigenous Peoples (including the Indigenous People of Vermont, the Abenaki, Mahican, Pennacook, Pocomtuc, and others) with a critical focus on the experiences and perspectives of racial and ethnic groups and Indigenous Peoples that have suffered systemic oppression, marginalization, and discrimination within and outside the United States.</p> <p>“Ethnic Studies” may involve a critical examination of these experiences and perspectives not only through the lens of race, ethnicity, and Indigenous People’s history and cultures, but</p>	<p>Additional resources:</p> <ul style="list-style-type: none"><li>• Northern Arizona University: <a href="#">“Ethnic Studies Is...”</a></li><li>• <a href="#">What the Research Says About Ethnic Studies   NEA.</a></li><li>• The Stockton Unified School District’s <a href="#">Ethnic Studies: Program Definition.</a></li><li>• The St. Paul Public Schools’ <a href="#">What is Ethnic Studies?</a></li><li>• Boston Public Schools: <a href="#">Intro to Ethnic Studies Course</a></li></ul>
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<p>of sex, sexual orientation, gender identification, disability, and class.</p>	
<p><b>Inclusion</b> or <b>Inclusive</b> means school-based curricula, programs, activities, resources, and policies that ensure that academic learning, co-curricular and social offerings, and all other aspects of school life are based on the values of equality, equity, social and cultural diversity, freedom and dignity, so that all students are valued as unique individuals and can achieve their full academic and social potential.</p>	<p>This speaks to the plain meaning and importance of “inclusion” in an educational and social context. We cannot foster and strengthen learning environments in and outside our schools unless all children feel like they belong and that they are accepted and respected in the fullness of their humanity.</p> <p>Research sources:</p> <ul style="list-style-type: none"> <li>• <a href="#">Equity Plan.pdf (hsdvt.com)</a></li> <li>• Anne E. Casey Foundation’s <a href="#">AECF EmbracingEquity7Steps-2014.pdf</a></li> <li>• UNICEF’s <a href="#">Inclusive Education</a></li> <li>• The United Nations’ <a href="#">Convention on the Rights of the Child   OHCHR</a></li> <li>• UNESCO’s <a href="#">Convention against Discrimination in Education   OHCHR</a></li> <li>• The United Nations’ <a href="#">Convention on the Rights of Persons with Disabilities – Articles   United Nations Enable</a></li> </ul>
<p><b>Interdisciplinary</b> means the practice of examining and teaching a subject from multiple academic perspectives and encouraging students to</p>	<p>This was the product of conversations by the EQS Subcommittee, and largely comes out of the teaching, learning, and research experiences of its members.</p> <p>An online posting by Carleton University, <a href="#">What is Interdisciplinary Teaching?</a>, was also instructive.</p>

<p>engage with and to synthesize alternative perspectives and narratives, including those from their lived experiences, into a coherent understanding or analysis.</p>	
<p><b>Language</b> means systems of conventional and unconventional spoken, visual-manual, technological, and written symbols which human beings use personally and as members of social and cultural groups to express themselves, to shape identity, to acquire knowledge, to mediate power, to play, create, and imagine, to build and sustain familial, social, and cultural bonds, and to express a wide range of personal needs, aspirations, and emotions.</p>	<p>The EQS Subcommittee wrestled with the complexity of defining “language,” a term that has evolved beyond the surface level of its properties. For example, we discussed its principles:</p> <ul style="list-style-type: none"> <li>• Language (singular) is more difficult to define than the plural word “languages” (roughly defined as systems or tools used for communication and associated with different countries/communities and associated with different forms).</li> <li>• Language can be described through the field of communications, philosophy, logic, or science, which becomes too limiting.</li> <li>• Language has been described as a discourse associated with power (Fairclough, 2015; Foucault, 1994), which is significant because this perspective informs definitions of literacy and inclusivity in the field of education (e.g., April Baker-Bell &amp; linguistic justice, David Barton, Mary Hamilton, and Roz Ivanič and situated literacies, James Gee and literacy discourses; Hilary Janks and literacy and power).</li> </ul> <p>As a result of our discussions, we decided to describe the term as broadly and inclusively as possible (<a href="https://www.apa.org/about/apa/equity-diversity-inclusion/language-guidelines">https://www.apa.org/about/apa/equity-diversity-inclusion/language-guidelines</a>), recognizing the complexity but also considering the way that language is generally defined or perceived in educational spaces.</p> <p>There are numerous websites and organizations that describe inclusive language from a Diversity, Equity, &amp; Inclusion (DEI) perspective.</p>

<p><b>Linguistic Diversity</b> means that “Language,” as defined in this Manual and inclusive of nonofficial languages, endangered languages, Indigenous and minority languages, and dialects, constitutes an immense body of diverse and complex systems of communication and expression. Respect for and preservation of linguistic diversity is fundamental to the well-being and academic success of all students, to eradicating bias, racism, and discrimination, and to fostering practices and systems of inclusion, equality, equity, and diversity in our schools and communities</p>	<p>For the term “linguistic diversity,” we draw from the same literature on cultural and linguistic diversity that focuses on speakers of additional languages (e.g., Chinese, Korean, Spanish, French, Nepali Bhutanese, Mai Mai). We also include other dialects, such as Black Vernacular English (African American Vernacular English), American Sign Language (ASL), as well as acknowledge other regional dialectal differences to update the current language in the EQS document. Many scholars have written on the importance of schools recognizing the language(s) that children speak at home with their families and communities, as well as AAVE, Indigenous, and other sign languages (Anzaldúa, 1987; Baker-Bell, 2020; Cuauhtin et. al., 2019; McCarty, 2005). We aim to broaden this definition so that families who speak multiple languages and/or dialects or were raised with communicative skills other than acquiring English will feel included in the school, gain a sense of belonging, and feel more motivated to partner with their children’s schools.</p> <p>Research sources:</p> <p>Anzaldúa, G. (1987). <i>Borderlands: La Frontera</i>. Aunt Lute</p> <p>Baker-Bell, A. (2020). <i>Linguistic justice: Black language, literacy, Identity, and pedagogy</i>. Routledge</p> <p>Cuauhtin, R.T., Zavala, M., Sleeter, C., &amp; Au, W. (2019). <i>Rethinking Ethnic Studies</i>. A Rethinking Schools Publication</p> <p>Fairclough, N. (2015). <i>Language and power</i>. 3<sup>rd</sup> Ed. Routledge Flores, N., &amp; Rosa, J. (2015). Undoing Appropriateness: Raciolinguistic ideologies and language diversity in education. <i>Harvard Educational Review</i>, 85(2), 149-171</p> <p>Foucault, M. (1994). <i>The Order of Things</i>. Vintage</p> <p>Kleyn, T., Menken, K. (2015). Looking holistically in a Climate of partiality: Identities of students labeled long-term English language learners. <i>Journal of Language, Identity &amp; Education</i>, 14(2), 113-132</p> <p>García, O., &amp; Kleifgen, J.A. (2018). <i>Educating Emergent Bilinguals</i>. Teachers College Press</p>
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	<p>Kubota, R. (2014). Race and language learning in multicultural Canada: Toward critical anti-racism. <i>Journal of Multilingual And Multicultural Development</i>, 36(1), 3-12</p> <p>Motha, S. (2014). <i>Race, empire, and English language teaching: Creating responsible and ethical anti-racist practice</i>. Teachers College Press</p> <p>McCarty, T. (2005). <i>Language, literacy, and power in schooling</i>. Routledge</p> <p>Smitherman, G. (1977). <i>Talkin and testifyin: The language of Black America</i>. Houghton Mifflin</p> <p>Valdés, G. (1997). Dual language immersion programs: A Cautionary note concerning the education of language-Minority students. <i>Harvard Educational Review</i>, 67, 391-429</p>
<p><b>Needs-based Professional Learning</b></p>	<p>Alignment, Precision, Clarity and/or Material Support</p>
<p><b>Personalized Learning Plan</b> means a plan developed on behalf of a student by the student, a representative of the school, and, if the student is a minor, the student's parents, or legal guardian(s), and updated at least annually. The plan shall be developmentally appropriate and consistent with a school's universally</p>	<p>Personalized Learning Plans (PLPs) must be accessible to students and their families, no matter their home language or technology resources. For PLPs to be <i>personalized</i>, they should incorporate the lived experiences and cultural perspectives of the young people they are intended to serve.</p> <p>Culturally relevant PLPs will better serve the aspirational purpose of Act 77 because they will be meaningful to students and families.</p>

<p>designed instruction. It shall also reflect the student's emerging abilities, aspirations, interests and dispositions, linguistic resources, and, to the extent desired and expressly requested by the student and the student's parents or legal guardian(s), the student's ethnic, cultural or racial heritage and social group identity, and any experiences of discrimination or unfair treatment for the reasons set forth in Section 2113 and the Statement of Purpose of this Manual. Beginning no later than in the seventh grade, the plan shall define the scope and rigor of academic and experiential opportunities necessary for the student to successfully</p>	
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<p>complete secondary school and attain college and career readiness</p>	
<p><b>Proficiency-Based learning and "proficiency-based graduation"</b> refers to clear, shared learning objectives and common assessment tools for effective cycles of practice, feedback, assessment, and reflection with students, who are empowered by choice in their learning experiences and who are accorded multiple ways to demonstrate their new learning. In this system, "proficiencies" are district-wide learning objectives used by educators and students to drive instruction and assess growth in new learning. "Proficiency-based graduation" refers</p>	<p>The existing definition of "Proficiency-Based Learning" overemphasizes the role of pacing and grade-level promotion and fails to mention the importance of <u>learner agency</u> in this pedagogical approach. The new definition rectifies this and identifies the critical elements that are required for this teaching and grading reform to be successful in Vermont schools.</p>



<p>to a system that requires all students to demonstrate significant evidence of learning as measured by the district's proficiencies in order to graduate.</p>	
<p><b>Race</b> means any invented or socially constructed concept that is used to categorize groups and cultures on the basis of physical differences transmitted through descent, like skin color.</p>	<p>Research sources:</p> <ul style="list-style-type: none"> <li>• The American Association of Biological Anthropologists' <a href="http://physanth.org">AABA Statement on Race &amp; Racism (physanth.org)</a>.</li> <li>• The American Anthropology Association's "<a href="#">Statement on Race.</a>"</li> <li>• The Vermont Department of Health's "<a href="#">Health Equity Terms.</a>"</li> <li>• <a href="#">Race: The Power of an Illusion</a> (California Newsreel) and <a href="#">supplementary guidance</a> from the same source.</li> <li>• <a href="http://aecf.org">Equity vs. Equality and Other Racial Justice Definitions - The Annie E. Casey Foundation (aecf.org)</a>.</li> <li>• <a href="#">Race Is a Social Construct, Scientists Argue - Scientific American.</a></li> <li>• <a href="http://nationalgeographic.com">Race and ethnicity facts and information (nationalgeographic.com)</a>.</li> <li>• <a href="http://nih.gov">Understanding Racial Terms and Differences   Office of Equity, Diversity and Inclusion (nih.gov)</a>.</li> </ul>
<p><b>Racial Discrimination</b></p>	<p>This definition essentially mirrors that of "discrimination."</p>
<p><b>Racism</b> means any theory in which value judgements are based on racial, ethnic, or cultural differences, or which advances</p>	<p>Research sources include:</p> <ul style="list-style-type: none"> <li>• The Vermont Department of Health's "<a href="#">Health Equity Terms.</a>"</li> <li>• The Center for Health and Wellbeing at the University of Vermont's "<a href="#">Dismantling Systems of Racial Oppression</a>" and "<a href="#">Statement on Systemic Racism.</a>"</li> </ul>

<p>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.</p>	<ul style="list-style-type: none"> <li>• <a href="#">“Defining Racism”</a> by The National Commission to Address Racism in Nursing and a collaboration by multiple authors on <a href="#">systemic and structural racism</a> in health care published by the journal “Health Affairs.”</li> <li>• <a href="#">Structural Racism Explainer Collection   Urban Institute.</a></li> <li>• <a href="#">Equity vs. Equality and Other Racial Justice Definitions - The Annie E. Casey Foundation (aecf.org).</a></li> </ul> <p>The United Nation’s:</p> <ul style="list-style-type: none"> <li>• <a href="#">Declaration on Race and Racial Prejudice</a></li> <li>• <a href="#">International Convention on the Elimination of all Forms of Racial Discrimination</a></li> <li>• <a href="#">International Convention on the Suppression and Punishment of the Crime of Apartheid</a></li> </ul>
<p><b>Research-Based</b> means practices and activities that are consistent with research on how children learn in ways that are developmentally and socially appropriate and have positive and</p>	<p>The definition is intended to be broader than clinical trials or the federal requirement of “evidence-based research” for federal grant investments. The intention is for theoretical research and applied research to also serve as knowledge bases for curriculum development and continuous improvement in schools.</p>

<p>lasting effects on their education and personal growth.</p>	
<p><b>Restorative Justice Practices</b> refer to whole-school, relational approaches to building school climate and addressing student behavior that fosters belonging over exclusion, social engagement over control, and meaningful accountability over punishment. It encourages members of the school community to be constantly present, attending to needs as they arise. It exercises their ability to be dynamic rather than static in their responses. Restorative approaches also begin with proactive structures to build positive relationships and communication and create a</p>	<p>This definition evolved after studying how the term was used by certain educational organizations and resources, including:</p> <ul style="list-style-type: none"> <li>• <a href="#">We Are Teachers</a>, an organization of teachers that address a variety of topics, including classroom management, school culture, and support systems for teachers.</li> <li>• The <a href="#">Oakland Unified School District</a>, which has utilized Restorative Justice theories and practices since 2006.</li> <li>• <a href="https://www.upforlearning.org/initiatives/restorative-practices/">https://www.upforlearning.org/initiatives/restorative-practices/</a></li> <li>• <a href="#">Restorative and Racial Justice (google.com)</a></li> <li>• <a href="https://www.monash.edu/education/teachspace/articles/how-to-use-restorative-justice-in-your-classroom-and-school">https://www.monash.edu/education/teachspace/articles/how-to-use-restorative-justice-in-your-classroom-and-school</a></li> </ul> <p>A member of the EQS Subcommittee spoke with <b>Lindsey Halman</b>, Executive Director of <i>Up for Learning</i>, an organization that trains Vermont schools on understanding and using Restorative Justice practices. Ms. Halman is also an appointee to the <i>S.16 (Act 35) Task Force</i>.</p>

<p>space for people to express themselves—their strengths, assets, responsibilities, and also, their vulnerability. Restorative Justice processes and programs shall not remove from a school district or lessen to any degree its mandatory responsibility under Vermont law and policy to investigate, call out, name, and discipline behaviors that violate the Vermont Agency of Education’s “Policy for the Prevention of Harassment, Hazing and Bullying” (HHB) and Federal Title IX.</p>	
<p><b>School</b></p>	<p>Alignment, Precision, Clarity and/or Material Support.</p> <p>Public commentary also shaped this definition.</p>
<p><b>Social Identity Group</b> means a group of people who share common</p>	<p>This emerged from conversations within the EQS Subcommittee and the Working Group. It started with a basic and relatively common definition of “social group”; and later was rephrased and honed to emphasize “identity,” which is a core concern of the Working Group.</p>

<p>characteristics that shape their identity and promote a sense of unity. The characteristics can be innate and unchangeable, or otherwise fundamental to identity and to the exercise of rights and freedoms in political, economic, social, civil, or any other field</p>	<p>Moreover, commentary from inside and outside the Working Group called for the language to clarify that attributes which define a “social identity group” can be immutable or voluntarily elected.</p>
<p><b>Superintendent</b></p>	<p>Alignment, Precision, Clarity and/or Material Support</p>
<p><b>Technology Integration</b></p>	<p>Alignment, Precision, Clarity and/or Material Support</p>
<p><b>Transcript</b></p>	<p>Alignment, Precision, Clarity and/or Material Support</p>
<p><b>Transferable Skills</b>  refers to lifelong learning skills such as, but not limited to, creativity, communication, collaboration, critical thinking, and intercultural competency. Transferable skills are interdisciplinary skills that are vitally important for students’ personal agency and contributions as members of a diverse and</p>	<p>“Transferable Skills” were a focal point of EQS updates in 2013. The addition at that time as to “what” will be learned was an important component of that update. Our 2022 revision is intended to make the definition more inclusive and includes the phrase “intercultural competence.” The subcommittee deliberated at length about the phrase and conducted research to determine the pros and cons of alternative-related phrases, such as “cultural competence” or “critical consciousness.” Ultimately, we selected “intercultural competence.” The goals of transferable skill development also shift from solely a workforce focus to one that emphasizes student agency and citizenship development in with line with the democratic mission of public schools.</p> <p>Research sources:</p> <ul style="list-style-type: none"> <li>• <a href="#">World Economic Forum-21st Century Skills</a></li> <li>• <a href="#">Vermont Agency of Education on Transferable Skills</a></li> <li>• <a href="#">The 6 C’s of Deeper Learning by Michael Fullan</a></li> <li>• <a href="#">The 4 C’s, Partnership for 21st Century</a></li> <li>• <a href="#">Equity Literacy Definition, Going Past Cultural Competence</a></li> <li>• <a href="#">Erasmus+ Resource Center</a></li> </ul>

<p>democratic society.</p>	
<p><b>Universally Designed Instruction</b> is an educational framework based on research in the learning sciences, including cognitive neuroscience, that guides the development of flexible learning activities and environments that can accommodate individual learning differences. This framework incorporates the principles and practices of “Universal Design for Learning,” which teachers utilize to develop instructional strategies to meet the diverse needs of all learners, specifically, but not limited to: multiple means of representation to give learners various ways of acquiring information and knowledge,</p>	<p>Universal Design for Learning (UDL) is a well-established, research-based approach, which is implied but rarely cited explicitly in Vermont AOE guidance. For example, the “VTmtss Field Guide” repeatedly refers to “universal instruction” and “universal education environment” without explicitly referencing this research-based framework. As Vermont schools struggle to implement Act 173, it is more important than ever to directly and concretely define “universal instruction” (formerly known as “Tier 1 Instruction”).</p> <p>Research sources:</p> <ul style="list-style-type: none"> <li>• <a href="https://udlguidelines.cast.org/">https://udlguidelines.cast.org/</a></li> <li>• <i>UDL Playbook for School and District Leaders</i>, <u>Mike Woodlock</u> and <u>Katie Novak</u></li> <li>• <i>UDL Now!: A Teacher's Guide to Applying Universal Design for Learning</i>, 3rd Edition, <u>Katie Novak</u></li> <li>• <u><i>Equity by Design: Delivering on the Power and Promise of UDL</i></u>, <u>Mirko Chardin</u> and <u>Katie R. Novak</u></li> <li>• <i>Design and Deliver: Planning and Teaching Using Universal Design for Learning 2nd Edition</i>, <u>Loui Lord Nelson</u></li> </ul>

<p>multiple means of expression to provide learners alternatives for demonstrating what they know, and multiple means of engagement to tap into learners' interests, challenge them appropriately, and motivate them to learn.</p>	
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## Section 2120.1 Instructional Practices

The change from “Instructional practices shall...” to “Educators shall...” is a more direct construction intended to emphasize teacher, administrator and paraeducator agency, to convey that Vermont educators can and do make a difference. The strategies that follow are still broad (e.g., “communicating in culturally and linguistically responsive ways”) and are intended to provide a clearer picture of what effective instruction looks like in the classroom. The Act 1 Working Group found the existing language – “Classroom instruction shall include a range of research-based instructional practices that most effectively improve student learning as identified by national and Vermont guidance and locally collected and analyzed student data” – to be so expansive as to be of little help to Vermont educators. In addition, the wording “shall include” implies that there may be other instructional practices in use that are not research based. Lastly, “Educators shall be supported in...” emphasizes the importance of school support for professional learning and continuous improvement.

## Section 2120.2 Flexible Pathways

The Flexible Pathways section of the [2013 EQS](#) was conceived in conjunction with the adoption of the Flexible Pathways Law, commonly referred to as Act 77, which continues to be adapted and incorporated in schools around the state. However, with Vermont educators reporting that many students who would benefit from Flexible Pathways still are not accessing these opportunities at school, the Act 1 Committee found it important

to provide school districts with a clear policy mandate to improve access for *all* students to Flexible Pathways, as per the intent of Act 77: notably, “to increase the rates of secondary school completion and postsecondary continuation in Vermont.” Uneven access to Act 77 has to do with a variety of factors: for example, individual resources, such as a student having a car to drive to an internship or being able to travel outside of the country with family as a learning opportunity; or more simply, school schedule planning. At present, students with the most personal agency and resources are accessing the opportunities offered by Act 77 the most routinely.

This section was discussed at length in the subcommittee and in the full Working Group to add this necessary inclusive context and to meet the objectives of the corresponding statute. Representatives from the Vermont School Boards Association were active collaborators in helping to develop and refine this revised language.

Research sources:

[https://education.vermont.gov/student-learning/flexible-pathways.](https://education.vermont.gov/student-learning/flexible-pathways)

## **Section 2120.3 Career and Technical Education**

Alignment, Precision, Clarity and/or Material Support.

## **Section 2120.4 Personalized Learning Plans**

Alignment, Precision, Clarity and/or Material Support.

## **Section 2120.5 Curriculum Content**

Alignment, Precision, Clarity and/or Material Support.

Additionally, the Working Group added the discipline of “the arts” to subsection “d.” because it is a critical part of a well-rounded, holistic education.

The most substantive changes are found in subsection “a.” Here, recommended changes to the literacy provisions were informed by literary reviews, interviews, policy advocacy, and community and school organizing experiences in recent years (see details below on this page and pages 26-27). We also spoke with **Gwen Carmolli**, the Director of Instruction and Curriculum for the Colchester school district and chairperson of The Advisory Council on Literacy.



A substantial effort in this area was led by Working Group member **Infinite Culcleasure**. Below is commentary he wrote on his personal discovery process, practical and theoretical, which helped to drive and frame rich discussions by the Working Group and members of the broader education community. The content of those discussions was ultimately distilled into the language found in our revised Manual:

*As a community organizer and policy advocate with Voices for Vermont's Children since 2013, one of the issues that I have spent a significant amount of time working on was Restorative Practices (also known as Restorative and/or Transformative Justice). In my role as a lead organizer, I worked closely with families in the Burlington School District (BSD) to address concerns regarding the disproportionate number of students who qualify for free and reduced lunch, students with Individualized Education Plans (I.E.P.s) and students of color experiencing exclusionary discipline in the BSD. While that work was instrumental in compelling the district to move resources toward restorative approaches, many were unsatisfied with the implementation phase of it.*

*For this section of the EQS, I consulted with Lindsey Halman, an appointee of the S.16 (Act 35) task force, for feedback on proposed language in this area. Understanding "discipline issues" as being symptomatic of something more fundamental was a critical lesson that led me to the area of literacy and comprehension. It was in my first full year of classroom experience as a mentor for a multi-racial group of fifth-grade boys with abilities that ranged from having already identified which college to attend to failing every standardized test they were given. It was in that context that we could predict disruptive behavior patterns based on how students were doing academically. Behavioral issues were often symptomatic of kids falling behind academically, especially when it came to being unable to read proficiently. Behavior issues aside, it should not be presumed that a culturally responsive/relevant curriculum can be accessed without fundamental literacy skills.*

*Almost one year after this experience, the same elementary school principal who invited me to work with the fifth-grade boys introduced me to literacy as a "constitutional right." I soon learned that like many other states across the country, Vermont was experiencing a legitimate crisis in terms of reading proficiency. Both in terms of all students in Vermont's schools and Black students. Only about half of all students were proficient in grade-level reading, while just thirty percent of Black students were. These staggering data led me to embark on a deeper inquiry into the issue, which included hundreds of pages of studies and a series of podcast interviews examining the topic more deeply, with a wide range of stakeholders that included practitioners and people directly impacted by the issue. The podcast was recently submitted for the Hometown Media Award, presented by the Alliance for Community Media.*

*In addition to participatory action research, as a member of the Act 1 working group, I led a subcommittee that convened four times on 1/29/2021, 2/26/2021, 3/26/2021 and 5/7/2021. Members of the Act 1 Working Group who participated in at least one meeting included Barbara Marden, Bruce Pandya, Chelsea Myers, Cynthia Reyes, and Heather Bouchey. Members of the public included Dorinne Dorfman, Brittany Lovejoy, and Ted Hobson; detailed written minutes were recorded. This work took place alongside policy advocacy in the legislature for resources toward improving reading instructional practices, which included the passage of S.114 (Act 28), “an act relating to improving prekindergarten through grade 12 literacy within the State.”*

*Advice from a literacy interventionist in Vermont led me to a workshop series called “Becoming a Literacy Leader - Creating a Culture Shift Towards the Science of Reading,” which was held on August 18, September 22, October 27, and November 24, 2021. One compelling case for structured literacy approaches explained, “Before we can comprehend what we read, we must read the actual words themselves. This is known as decoding. If you can’t properly decode, context isn’t going to help you make much sense of what you’re reading. Research has shown that people who are successful readers automatically process all the letters of a word as they are decoding. They do so because at some point they learned how to sound out the words using letters.”*

- *Typical literacy practices commonly used in Vermont schools include: Guided Reading (Burkins & Croft, 2010), Reader’s Workshop (Calkins, 2000), Balanced Literacy, Four Blocks Literacy (Cunningham, Hall, & Sigmon, 1999), Reading Recovery (Clay, 1994), and the Leveled Literacy Intervention (Fountas & Pinnell, 2009). These are considered “non-literacy” approaches (Spear-Swerling 2018).*
- *Decades of evidence-based research supports structured literacy instruction as a means of strong reading instruction.*
- *Reading instruction in kindergarten through third grade should have a greater focus on word decoding until students become fluent readers. Novice readers in grades K through 1 should be aware of orthographic conventions, spelling patterns. (EAB - Narrowing the Third Grade Reading Gap, Embracing the Science of Reading, District Leadership Forum, Research Briefing, 2019).*
- *Knowledge of phonology and its role in learning to speak, read and spell is essential for teachers of literacy. With this background (“phonological awareness), we can evaluate how closely children’s spelling errors approximate the sound patterns in speech (Moats, 2020).*
- *Explicit instruction means that important skills and concepts are taught clearly and directly by the teacher; students are not expected to infer them simply from exposure or incidental learning (Archer & Hughes, 2011).*

- *In her book “Cultivating Genius, an Equity Framework for Culturally Responsive Literacy,” author Dr. Gholnecsar “Gholdy” Muhammad calls for “a push for literacy amid racial hostility,” and offers the Historically Responsive Literacy (HRL) framework as a means for rethinking and redesigning curriculum and pedagogy. The framework includes identity, skills, intellect, and criticality as learning goals. HRL as a theory teaches the whole child and is a framework for scaffolding learning that was designed for people of color and all underserved students (Mumammad, 2020).*

- *Recommendations for “structured literacy” approaches to reading instruction may only be a starting point for understanding the breadth and depth of literacy issues in the state. Deeper discussions of pragmatics, discourse structure, social uses of language, and language acquisition contribute to the complexity of related literacy issues (Moats 2020), as does the seldom discussed underlying issues addressed in Linguistic Justice: Black Language, Literacy, Identity and Pedagogy, where an “Antiracist Black Language Pedagogy” is proposed (Baker-Bell, 2020).*

Other research sources:

- “Strengthening and Streamlining Local Comprehensive Assessment Systems: Guidelines and Support for Leadership Teams” from the State of Vermont Agency of Education:

[https://education.vermont.gov/sites/aoe/files/documents/edu-student-learning-assessments-state-assessments-strengthening-and-streamlining-local-comprehensive-assessment-systems\\_0.pdf](https://education.vermont.gov/sites/aoe/files/documents/edu-student-learning-assessments-state-assessments-strengthening-and-streamlining-local-comprehensive-assessment-systems_0.pdf)

- “Common Core State Standards for Literacy”:

<http://www.corestandards.org/ELA-Literacy/CCRA/R/>

## **Section 2120.6 Curricular Coordination**

The language in this section went through multiple iterations, with input from members of the EQS Subcommittee, the Working Group, and public readers. It reached its current state near the end of the revision process and involved extensive conversations with the Vermont School Boards Association. Consistent with our mandate to recommend ways to help school boards advance policies consistent with Act 1 (2019) and the development of Ethnic Studies’ programming and resources, Pre-K – Grade 12, the Working Group approved these new guidelines for conceptualizing, drafting and implementing school policies, evaluating the performance of schools, and involving local communities in the policy-making process in a manner that includes “the voices and experiences” of those

who are “often underrepresented in this work and in school decision-making.” A robust and democratic process of reflection, study, debate, and deliberation that actively incorporates the “voices and experiences” of parents, caregivers, students, and community members who have not been at the center of school policy work historically will be critical to developing school policies that advance Ethnic Studies and other reforms.

## **Section 2120.7 Graduation Requirements**

Alignment, Precision, Clarity and/or Material Support.

The group felt, too, that the words “non-disabled peers” could foster the biased perspective that a hierarchical division of ability, talent and potential exists between students who qualify for special education services and those who do not. Moreover, the phrase is not needed to express the purpose of this section.

Commentators in and outside the Working Group wanted to emphasize the need to provide unique programs and accommodations for English Language (EL) students and to document such in a student’s Personalized Learning Plan. This is consistent with the Working Group’s commitment to equity, cultural responsiveness, personalized learning, and linguistic diversity.

This section was also informed by the January 7, 2015, “Dear Colleague Letter from the U.S. Department of Justice and U.S. Department of Education”:

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>.

## **Section 2121.1 School Leadership**

Alignment, Precision, Clarity and/or Material Support.

The reason for the inclusion of language on the linkage between professional development coursework, professional learning opportunities and the advancement of educational equity is self-explanatory, we hope. An equity-driven educational system must be grounded to and shaped by the professional development programs that school leaders and staff elect.

## **Section 2121.3 Needs-based Professional Learning**

Alignment, Precision, Clarity and/or Material Support.

## **Section 2121.4 Staff Evaluation**

Alignment, Precision, Clarity and/or Material Support.

## **Section 2121.5 : Tiered System of Support**

Alignment, Precision, Clarity and/or Material Support.

The Working Group also desired language that added the requirement to support students who either experience or witness racism and discrimination. This is consistent with our definitions of “anti-racist,” “anti-discrimination,” and “restorative justice practices.”

Further, the Working Group added language at the request of its members to provide confidential counseling and resources on gender identity and gender transition to students who need it. This was done in consultation with Outright Vermont, an organization that serves LGBTQ+ youth.

## **Section 2122.2: Access to Instructional Materials**

Alignment, Precision, Clarity and/or Material Support.

The revisions to this section expand the range of technical materials and learning aids to advance the work of our schools. Again, this is critically important to the pursuit of equity in a wide range of learning contexts. The changes are also intended to update the section to encompass more recent or contemporary advances in instructional materials. As in Section 2120.7, there is a reference to English Language (EL) students, for the same reasons as noted earlier.

## **Section 2123.2: Development and Implementation of Local Comprehensive Assessment System**

Alignment, Precision, Clarity and/or Material Support.

# Section 2125: Continuous Improvement Plan

Alignment, Precision, Clarity and/or Material Support.

It is imperative that any school improvement plan, if needed, include comprehensive data not only on school practices and leadership, but on student experiences with discrimination and bias, and on specific programs intended to achieve an anti-racist, anti-discriminatory, inclusive education or remove obstacles to it.

## Conclusion

The process of revisiting, framing, and condensing into a cogent narrative the many months of research, conversations, public commentary, writing and editing that produced our EQS Manual submission proved to be illuminating and challenging. We hope the State Board of Education finds this guidance helpful.

Like any document of this sort, it will not answer every question, and is likely to generate new lines of inquiry. The Working Group's EQS Subcommittee will assist you in any capacity you need.

Thank you.

**Amanda Garces, Chairperson, Act 1 Working Group**

**Mark Hage, Vice Chairperson, Act 1 Working Group**