

# Equity Policies Toolkit for School Boards

MARCH 2023



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SCHOOL  
BOARD  
TOOLBOX

# Equity Policies Toolkit for School Boards

A Toolbox Resource from HEAL Together

MARCH 2023



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Please note that this toolkit is in its first version, which some call a “beta.” Input is welcome for future revisions, additions, and improvements. Contact [healtogether@raceforward.org](mailto:healtogether@raceforward.org) to provide feedback and additional resources.

This report has been formatted for accessibility. The full report can be accessed online at [www.raceforward.org/practice/tools/equity-policies-toolkit-school-boards](http://www.raceforward.org/practice/tools/equity-policies-toolkit-school-boards).

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# Introduction

When asked in recent polling what is the purpose of public education, Americans said that it exists to impart the skills needed to pursue good careers, ensure that children in low-income families get the same education as children in wealthy families, and to help us learn from historical mistakes so that we may navigate challenges and create a better future.

At HEAL Together, we think that public education is all that and more. We are united in our belief that an honest, accurate, and fully funded public education is fundamental to building a just, multiracial, democracy — a society in which everyone can thrive.

Public education can prepare students to become fully engaged citizens by creating spaces where students of all backgrounds learn how to work with one another toward common goals. Our public schools can also create connected communities that are united in their purpose to provide the next generation with the knowledge and skills to create a better world for us all.

Because our public schools are the embodiment of hope across generations and often serve as the heart of our communities, the stakes are high for the people formally entrusted with their care — not least of which include school board members.

School board members carry a lot of responsibility, and their decisions have long-lasting consequences. They decide on the policies, budgets, and curriculum that either make our public schools the best they can be or support institutional power that limits and often criminalizes young people. Many school board members express an interest in running for elected office because they are driven to make changes to their local school system to improve not just academic outcomes, but the well-being of the students and families they serve. Their work is challenging and requires a commitment to equity to meet the myriad needs of students now and for years to come.

Yet even the most progressive, equity-focused school boards cannot do this work alone. It takes a village to raise our children, and it takes a village to make sure that our public schools center belonging and equity to create opportunity for all.

HEAL Together is working closely with parents, educators, youth, and school board members to ensure that our public schools help our communities fulfill their dreams of a better future. We know that the fight to strengthen our public schools by making them more equitable and inclusive is part of a larger fight to reclaim all our public goods and spaces, which have been increasingly under threat of privatization and budget cuts. And only by working together at local and national levels can we fend off the widespread, politicized focus on public education that is targeting equity and anti-racism in our schools.

We created this toolkit in collaboration with our many partners so that equity-building efforts in our local schools are backed by policy and implementation. The development of equity-based policy is more than checking a box — it’s thinking very concretely about the youth a school district serves and asking, “Why and how will this policy advance our accountability to youth from the most historically excluded identities in our school district community?”

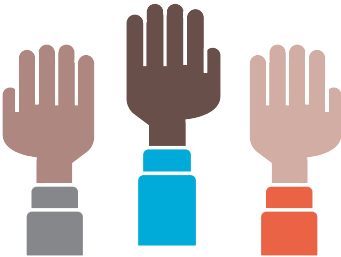
Answering the question above with intention involves including youth and community, particularly those from historically excluded groups, throughout the policymaking process so that the resulting policies drive the district’s actual practices. Our public education system works best when it is accessible and accountable to the school community, and proactive in meeting the needs and strengths of the students who have been harmed throughout history and into the present moment.



Equity policy is not just about what happens in the classroom. To advance real equity, we must consider all the spaces that are curated around youth and those who serve them.

**NATALIE MCCABE ZWERGER**, RE-Center for Race and Equity in Education

HEAL Together follows the lead of the many community-led education justice organizations and advocates who promote full engagement of the community throughout the educational process — from budgeting, to policy making, to daily instruction. When equity-driven policies and practices are core to a school district and developed in collaboration with its community, every student benefits.



# School Board Charge: Policymaking, Evaluations & Budgeting

Local school boards are a critical component behind real equity happening in our public schools. School board members determine local school policy and ensure it is implemented effectively and judiciously. They are primary touch points for community input and can determine just how intentionally local families, students and neighbors are engaged. They recruit, support, and retain superintendents and set expectations for performance. They are elected as public servants to advocate and work on behalf of children and families in their communities, and they bring their steadfast commitment to this leadership role day in and day out.

Community members typically decide to run for elected school board when they are passionate about an issue that can make a difference for students, but being a policy or budgeting expert isn't a prerequisite for the position. That means school board members often encounter a steep learning curve when it comes to school board policy, evaluation, and budgeting practices. Meanwhile, frustration can arise when state associations and policymakers aren't on the same page with a district's equity goals, are silent, or oppositional.

Also, school district leaders may discover that their district hasn't critically reviewed their policies in years. No policy will remain effective without periodic revisions informed by regular input from the community to understand how policies are impacting students. Out-of-date policies that don't align with state and federal laws related to equity can cause unnecessary harm to students.

Districts can get ahead of the curve with up-to-date equity policies that benefit all students. This kind of approach usually occurs when there are already structures and people in place in the district who are leading on equity, such as a diversity, equity, and inclusion (DEIJ) director or a dedicated equity committee who can explore what works and what does not. Advancing equity policy begins with research and examples from places where strong policies and practices exist — and that's one way this toolkit can help. Establishing equity policy requires the school board to exhibit courage, build strong working relationships, test strategic interventions, and express vocal support for those already leading on equity in the district.

When a school district commits to equity-based policies, they build trust in their community, avoid legal hardship, and can even save money. School districts who lead on adequate, equitable policymaking find that it helps students thrive and protects the district from bigger challenges, like high profile bullying incidents or lawsuits. If a school board is hesitant to become an early adopter or follow the lead of other districts, it's important

to consider that equitable policy and budgeting is a legally and fiscally responsible role that a school board can play in any district.

It's also the responsibility of an elected body to capture a community's diverse perspectives, experiences, and backgrounds. School boards are most successful when they bring diverse points of view together to get on the same page about the community experience and purpose of equity in education. The most effective school boards pay especially close attention to those they are not hearing from — reaching out to them regularly and saying, "I was elected to represent you. How can I strengthen this relationship? What are your feelings and concerns?"

In districts where advancing equitable policy, evaluations, and budgeting is a challenge because not everyone is on the same page, it may be important to start from a place of values and solutions. This toolkit offers some talking points and suggested messaging that can help keep the focus on benefiting students and the wider school community. Additionally, school boards wanting to develop equity-based policies may want to consider coalition building, leveraging community advocates, and even federal legislation to build support for their efforts.<sup>1</sup>

Finally, a note about budgets. Budgets and the appropriation of resources determine both effectiveness and commitment by leadership. No matter how progressive a district's policies are, if budgeting does not literally account for adequate resources, then policies will not get implemented. The section on budgeting provides in-depth information on how participatory budgeting and other similar practices can support equity.

Of equal importance to financial support is leadership accountability and understanding, including equity frameworks based on the policies that affect the superintendent's evaluation. Given that the school board decides on superintendents' contracts and sets expectations for performance, asking deep questions about equity can make a big difference: "How are you supporting an inclusive culture within your district, and what do you need in order to do that?" and "How do you ensure your administrators and educator teams are also advancing the values of equity and inclusion?"

The following pages hold an abundance of model equity policies, case studies, and information that can be useful to school administrators, communities, and boards as they carry out this range of roles and responsibilities.



# Model Equity Policies & Case Studies

We intended to create a toolkit in support of thoughtful policymaking, so we approached this work with three questions in mind:

1. What are researchers finding through analysis and data about the needs and opportunities for students most traditionally sidelined?
2. What are advocates asking for and hearing from local communities?
3. What role do school board members have in threading the needle between these challenges and opportunities?

This toolkit need not be read from cover to cover — rather, school board members and district leaders should refer to the sections they need for sample language and resources. The following sections are organized first by groups of students served, i.e., supporting learners with disabilities and immigrant youth, and then by broader topics, such as advancing equitable policies in procurement and contracting.

Each section includes a concise summary of timely research and data trends, recommendations from advocates, and sample policies from local school districts that policymakers can adapt to their own needs. Given the specificity in policymaking, we recommend using this toolkit together with a district's legal counsel to determine the best and most accurate language to fit the district and meet state law.



**INTERSECTIONALITY INSPIRATION:** While the policies in the sections below address specific communities of students based on the type of exclusion or oppression they have experienced, there are few current examples of strong policies that acknowledge the intersections of student identities across ability, gender, race, and other factors. When creating policy, if there are opportunities to address multiple student identities, then the whole picture of policy in a district can be more comprehensive and effective. Pop-outs like this one are included in places where innovation and intersectional thinking is needed in future policy development.

We also want to note the importance of intersectionality in considering how to best advance equitable policies for meaningful change. In some sections, there is discussion around the intersections of race, gender, sexual orientation, immigration status, and disability, and just how these different identities when taken together can compound inequalities. For example, we include timely research that highlights the need for more differentiation in English learner education for Indigenous students since roughly one in ten American Indian, Alaska Native, and Native Hawaiian students are classified as English learners in U.S. schools even though many of them primarily speak English. Equity in the classroom and in the school district depends on considering how multiple identities and experiences converge to impact an individual.

It is important to highlight that effective policy making for equity must intentionally and proactively engage and partner with students and families in your district. This toolkit includes some recommendations on how to best do this, but even if not explicitly stated in every section, this is considered a critical principle across all topical areas.

While the policy information is focused on specific topics, there are many more ways to implement equity through policy. There are also many examples of broader equity and anti-racism policies and resolutions that districts adopt to set a strong tone for their work as a whole. Here are some examples:

- [Montclair Public Schools, New Jersey - Educational Equity and Anti-Racism Policy](#)
- [Hillsboro School District, Oregon - Educational Equity Policy](#)
- [Seattle Public Schools, Washington - Ensuring Educational and Racial Equity](#)
- [Ossining Union Free School District, New York - Equity Policy](#)
- [Portland Public Schools, Oregon - Equity Policy](#)
- [Minneapolis Public Schools, Minnesota - Policy on Equity & Diversity](#)
- [Bainbridge Island, Washington - District Improvement Plan](#)
- [Anti-Racist Policies and Resolutions](#) from School Board Partners



## Supporting Learners with Disabilities<sup>2</sup>

There are approximately 7.2 million students with disabilities in the U.S. today, but this number may not represent all students needing special education services. For example, one in five has a learning and attention issue such as dyslexia and ADHD; only a small subset of these students is identified with a disability in school.<sup>3</sup> We know that when these learners receive the right interventions and supports, they can thrive academically, socially, and emotionally. Without the appropriate support, however, learners with unidentified disabilities may not reach their full potential and risk falling behind, failing a course, missing school, and dropping out. Furthermore, schools are legally required to support learners with disabilities and special needs in accordance with the [Individuals with Disabilities Education Act \(IDEA\), Section 504](#) and the [Every Student Succeeds Act \(ESSA\)](#).



**INTERSECTIONALITY INSPIRATION:** Consider how your discipline policies can address and support students across disability and race. Did you know that students with disabilities are more likely to get suspended than students without disabilities? Similar disciplinary measures impact students with other excluded and marginalized identities. Discipline policies can be overt when it comes to disability and race, such as this [policy](#) addressing punishment of students with disabilities by Clover Park School District in Washington. Read this [blog post](#) by Rasheera Dopson to learn more about intersectionality and get inspired to address the many identities students with disabilities may hold in both policy and practice.

At the same time, while all students regardless of race, ethnicity, or income can have learning and attention issues, researchers continue to show that “[low-income children, students of color](#) and [English learners](#) are more likely to be identified for special education, placed in more restrictive educational settings, and disciplined at higher rates than their peers [and that] bias plays a key role in over- and underrepresentation.”<sup>4</sup> Moreover, studies show that learners with disabilities are more than twice as likely to be suspended than those without disabilities, and that the loss of instructional time increases the risk of repeating a grade and experiencing an aversion to school among other negative outcomes.<sup>5</sup> Clearly the challenges are multi-faceted and the intersectionality of race, ethnicity, and income with disabilities must receive close attention or we risk further excluding and negatively impacting many children.

Local school policies play the utmost role in protecting and strengthening the opportunities for learners with disabilities. Together with federal safeguards and protections found in

federal laws referenced previously, local school boards can proactively contribute to ongoing improvements and opportunities for learners with disabilities in their review and creation of local policies.

## **CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT**

When creating district policies for supporting students with disabilities, we draw on the following guiding principles from the National Center for Learning Disabilities and the varying inherent policies that amount from each recommendation.<sup>6</sup> We include sample policies for consideration but encourage special attention on students with disabilities who come from low-income families, are students of color, or are English learners. This intersectionality is critical.

### **Principle 1: Student and Educator Supports & Health and Safety**

- Invest in and expand early screening: Identifying and addressing children’s learning and attention issues early can set them on a path for future success in school and in life.
- Build expertise of educators and healthcare providers to recognize early signs: often learners with learning and attention issues are undiagnosed until their elementary years, when evaluations can occur as early as the pre-school years.
- Focus on Social and Emotional Learning (SEL).
- Create policies that erase discipline disparities.
- Adhere to federal guidelines, that require that students with disabilities be in the least restrictive environment.
- Promote personalized learning and use Universal Design for Learning (UDL) and a multi-tier system of support (MTSS).

### **Principle 2: Informed and Responsive Planning**

- Collaborate with families of students with disabilities to develop plans for instruction and services that fully meet the needs of students with disabilities.
- Consider the academic, behavioral, and emotional needs of students with disabilities to support them in making progress in grade-level, developmentally appropriate, standards-based curriculum.
- Provide appropriate accommodations for students with disabilities.

### **Principle 3: Data Collection and Reporting**

- Review data disaggregated for students with disabilities and the intersectionality with other factors such as race, ethnicity, income, and English learner status.

### **Principle 4: Promotion, Transition, and Graduation**

- Develop policies that lead to equitable pathways for grade promotion, graduation, and postsecondary education or employment for students with disabilities.

## **SAMPLE TEMPLATE FOR GENERAL POLICY <sup>7</sup>**

### Purpose

The district shall offer each student with the disability education programs and services that appropriately meet the student's needs for educational, instructional, transitional, and related services. A student who requires special education shall receive programs and services according to an individualized education program (IEP). The IEP shall provide access to the district's general curriculum and participation in state and local assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with nondisabled peers. The district shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.

### Definitions

*Students with disabilities:* School-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education, and related services. School-aged children who have identified disabilities but do not require special education may be entitled to accommodations or services or to enroll in courses of study in the district which serve students with disabilities pursuant to other law or Board policy.

*Individualized Education Program (IEP):* The written educational statement for each student with a disability that is developed, reviewed, and revised in accordance with federal and state laws and regulations.

*Family/Guardian:* For purposes of this policy and Board policies related to special education, family/guardian shall have the definition of family in IDEA statute and regulations, which includes a biological or adoptive family of a child; a foster family, unless prohibited by state law or regulations; a guardian authorized to act as the child's family, in accordance with law or regulations; an individual acting in the place of a family, including a grandparent or other relative, with whom the child lives or an individual legally responsible for the child's welfare; or an appointed surrogate family, in accordance with law and regulations.

### Authority

The Board directs that all students with disabilities shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state laws and regulations. The district shall establish and implement a system of procedural safeguards and family/guardian notification as part of its special education plan.

The district shall develop and submit a special education plan to the Department of Education for approval every three (3) years, and shall implement such plan as required by law and regulations. The district's special education plan shall include procedures for identifying and educating students with disabilities and describe the elements required by law, regulations, and Board policy. Prior to approval by the Board and submission to the Department of Education, the special education plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.

The district's special education plan shall comply with the requirements of state and federal laws and regulations, and shall be submitted in accordance with the guidelines and in the form established by the Department of Education. The district shall establish procedures to ensure the plan is updated and implemented as necessary.

The Board shall determine the facilities, programs, services, and staff that shall be provided by the district for the instruction of students with disabilities, based upon the identified needs of the district's special education population.

### Delegation of Responsibility

The Superintendent or designee is directed to annually recommend to the Board the employment and retention of necessary, qualified staff and provision of required facilities, programs, and services to provide for the needs of students with disabilities.

The Superintendent or designee shall develop procedures for evaluating the effectiveness of the district's special education plan and shall periodically report to the Board the criteria and results of such evaluation.

### Guidelines

Each student with a disability shall be educated pursuant to an IEP, which shall provide an appropriate education in the least restrictive environment, in accordance with federal and state laws and regulations.

The district prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in district programs, services and activities as required by law.

If the district is identified with significant disproportionality, the special education plan shall include prevention measures for inappropriate overidentification and disproportionate representation by race or ethnicity of children with disabilities.

### Fiscal and Program Compliance

The Superintendent or designee shall establish procedures to ensure that the district complies with all federal and state laws and regulations and program requirements for special education-related funding and reimbursement.

### Child Find/Outreach

The Superintendent or designee shall ensure that the district annually conducts awareness and outreach programs and activities designed to reach district residents including families/guardians of students with disabilities who are enrolled in the district, preschool-aged children, students who attend private schools, homeless children and children who are wards of the state.

The district's public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents about child identification activities; available special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. Written information shall be published in district handbooks and on the district website. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.

The Intermediate Unit shall be responsible for conducting child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their families/guardians in private schools.

### Screening

The district shall establish a system of screening, including hearing and vision screenings. Screenings shall be conducted at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

## Confidentiality

The district shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing, and destroying student records.

District staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations, and Board policy.

## Recording of Meetings

Except as specifically provided for within this policy, the district prohibits audio, video, and electronic recording of meetings between families/guardians and district teachers, paraprofessionals, program specialists, consultants, or administrators.

An attempt to record a meeting by a family/guardian after a verbal prohibition by district staff shall result in immediate termination of the meeting and may result in ejection from district property and possible prosecution.

The district shall permit audio recording of a meeting when a participant submits, at least five (5) days prior to the meeting, documentation that substantiates:

1. Participant has a disability or limited English proficiency that significantly limits his/her ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of accommodating the limitation.
2. Individual has a legitimate interest in attending the meeting but for good cause is unable to do so, and recording is the only feasible means by which s/he can meaningfully understand and participate in the decision-making.

When permission to record a meeting is granted, the district employee responsible for the meeting shall arrange to record the meeting by similar means. Such recording shall be considered part of the student's educational record and be subject to relevant law and regulations.

The district may permit videotaping of a meeting when written consent is given by all participants at the meeting.

## EXAMPLE POLICIES

- [Special Education Policy](#), Northeast Bradford School District, Pennsylvania
- [School District Special Education Policies and Procedures Manual](#), SAU #9, New Hampshire
- [Graduation Requirements, Students with Disabilities](#), Public Schools of the Tarrytowns, New York

## RELATED RESEARCH

- [Fulfilling the Promise of IDEA](#), American Institutes for Research
- [Protecting Students with Disabilities](#), Office of Civil Rights, U.S. Department of Education Tarrytowns, New York

## RECOMMENDATIONS FROM ADVOCATES

- [Forward Together: Pandemic Lessons for Effective Teaching Practices](#), National Center for Learning Disabilities
- [The State of Learning Disabilities: Understanding the 1 in 5](#), National Center for Learning Disabilities





## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Federal law mandates our district's compliance with established IDEA, 504, and ESSA standards.

- Though we may not agree on the level of policy we engage in, is it safe to say that we can agree on the legal liability we saddle the district with when we do not comply with these federal guidelines?
- Would you be interested in exploring what our existing policy is with me?
- Would you be willing to meet some of these students to understand their experiences?

### NEUTRAL

I've noticed our district's commitment to all our students, no matter what their needs may be.

- I wonder if exploring how our policies might be affecting our disabled students would enhance the overall learning experience within our district?
- Would you be interested in having that conversation with me?

### ALIGNED

I'm so grateful we agree on the importance of our district's policies as they apply to our disabled students.

- How can you and I best work together to get this conversation off the ground?

## Supporting English Learners

English learners (ELs)<sup>8</sup> represent a growing share of the student population with over five million students enrolled in schools today — close to 10 percent of the total student body.<sup>9</sup> Within the EL category, there is important heterogeneity to consider. More than 75 percent of ELs in 2015-2016 were Latinx and 10 percent identified as Asian. Spanish was the most common home language for ELs (76.6 percent), followed by Arabic (2.6 percent), Chinese (2.1 percent), and Vietnamese (1.6 percent).

Unfortunately, despite the prevalence of English learners and their many linguistic abilities and cultural assets, often policy decisions do not take ELs' needs and assets into account. This results in inconsistent approaches to supporting their language development, academic outcomes, and holistic student development.<sup>10</sup>

Furthermore, we know that the COVID-19 pandemic exacerbated many long standing issues schools face in meeting the needs of ELs, ranging from inadequate funding to educator and staff support and training. Today we see the impact the pandemic had on ELs with learning loss and higher absentee rates, compounded with negative trends that predated the pandemic, such as ELs being more likely to be suspended or expelled than other non-EL students in elementary and middle school.<sup>11</sup>

Sound data collection, reporting, identification and assessments for ELs are required in compliance with the [Every Student Succeeds Act \(ESSA\)](#), which mandates that states annually assess the English language proficiency of ELs, provide reasonable accommodations for testing, and develop new accountability systems that include long-term goals and measures of progress. In addition to meeting federal regulations, school board members should also consider in their policymaking the high levels of trauma and stress experienced by many English learners today.<sup>12</sup> According to researchers at New America, education leaders are advocating more and more for restorative practices, which are shown to support ELs' academic success.<sup>13</sup>

Finally, we note recent research that highlights the need for more differentiation in English learner education for Indigenous students since roughly one in ten American Indian, Alaska Native, and Native Hawaiian students are [classified](#) as English learners in U.S. schools, even though many of them primarily speak English.<sup>14</sup>

### CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

Education policy for ELs varies from state to state as the federal government does not recognize an official language.<sup>15</sup> Some states restrict the implementation of bilingual programs, others require bilingual instruction and others have adopted value statements that promote dual language or bilingual education programs. The most comprehensive policies come from districts that promote bilingualism/biliteracy who know that with the right supports in place, ELs can even outperform their English-speaking counterparts.

The U.S. Department of Education provides two major resources to help states and school districts educate English learner students:

1. Formula grant programs: Two grant programs of note are related to the 2015 Every Student Succeeds Act (ESSA): Title I, Part A, provides funding for disadvantaged populations and Title III provides formula grants to state education agencies, which are then provided to local education agencies to support the education of English learners, including instruction, family engagement, and professional development.
2. Guidance materials and professional networking assistance through the [National Clearinghouse for English Language Acquisition](#): This resource hub helps school administrators navigate the complex federal policy landscape and access content specific toolkits for supporting newcomer children, including English learners.

Together with your local context, consider including the following broad categories in your local policies. We also include a comprehensive policy example below.

### **Principle 1: Staff and Educator Training**

- Support professional development opportunities that are culturally and linguistically competent to meet the needs of ELs.
- Provide training to staff and educators on the historical impact of assessments on advancing equity for English learners, and the need to use appropriate assessment tools to build on the legacy.

### **Principle 2: Community Engagement**

- Create policies that meaningfully engage families using culturally relevant frameworks and approaches.
- Ensure translation of school correspondence and provide interpretation for family-teacher conferences.
- Prioritize partnering with known trusted community-based partners that are already serving EL families. This may include local nonprofits and religious centers.

### **Principle 3: Data Collection and Reporting**

- Strengthen and protect accountability systems by reviewing and analyzing data for current ELs.

Ensure there is detailed and disaggregated data to review that takes into account the heterogeneity within the EL classification, including being in compliance with ESSA and reporting on English learners with disabilities, recently arrived ELs, and long-term ELs.

## SAMPLE TEMPLATE FOR COMPREHENSIVE POLICY <sup>16</sup>

### Purpose

The purpose of this policy is to ensure that students in Pre-Kindergarten through grade 12 whose home language is not English have equity in education and language acquisition opportunities through the [insert relevant office]. The Board acknowledges that cultural identity is inseparable from language and recognizes bilingualism as a desirable goal and a reflection of cultural heritage. This Policy further strengthens the Board's commitment to recognize students' home languages and cultures as assets to build upon and to support academic success while they acquire English in preparation for success in college, career, and life. The Board is committed to bilingual education as an effective vehicle for providing English Learners (ELs) with a full measure of access to an equitable educational opportunity as required by federal and state law.

This policy reflects the Board's emphasis on:

- Services for English Learners which are aligned to federal and state legal standards,
- Clarity and guidance on effective instructional design for English Learners,
- Research-based instructional practices for English Learners, and
- Meaningful family/guardian participation

### Policy Text

This policy applies to [insert details]. For purposes of this policy, "English Learners" means students, whether born in the United States or born elsewhere, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English may be insufficient to allow them (a) the ability to meet the State's proficient level of achievement on state assessments; (b) the ability to successfully achieve in classrooms where the language of instruction is English; or (c) the opportunity to participate fully in the school setting.

### Identification of English Learners Upon School Enrollment

#### *Home Language Survey*

Every student, Pre-Kindergarten through grade 12, newly enrolling in a [insert name] must complete a Home Language Survey.

- A.** EL Screening and Placement: Every student whose Home Language Survey response includes "yes" to one or more of the questions must be screened for English language proficiency to determine eligibility and placement in Bilingual Education Services. For K-12 grade level students, screening shall utilize the state-prescribed screener. For Pre-K students, screening shall utilize the screener specified in the Bilingual Education Handbook. All students enrolled in Pre-Kindergarten whose Home Language Survey response includes "yes," must be rescreened upon enrollment in kindergarten. A student shall be deemed eligible for enrollment in [insert name] based on his or her screening results.
- B.** Incoming Transfer Students: Program eligibility and placement of transfer students shall be based on the most recent state-prescribed English language proficiency assessment from the transferring school district if available AND only if the score was obtained during the current or previous school year. If assessment scores are not available or are available but out-of-date, eligibility and placement shall be based on the state-prescribed Screener results from the transferring school district, provided that the score was obtained within the previous 12 months. A student shall be re-screened if no valid screener results are provided by the transferring school district.

## Family/Guardian Requests

The family/guardian of any student within the District who has not been identified as an English Learner has the right to request that the student be considered for placement in [insert name]. If this request is made, the school must screen and place the student in an appropriate program based on the student's screening results.

## Enrollment and Duration of Participation

An English Learner shall be enrolled and participate in [insert name] until such time as the student achieves a level of English language proficiency on the state-prescribed assessment that enables the student to perform successfully in classes in which instruction is only conducted in English. ELs must be assessed annually with the state-prescribed English language proficiency assessment to monitor their progress in listening, speaking, reading, and writing. A student shall be transitioned from the [insert name] when he or she has demonstrated a level of English language proficiency at or above the state-designated exit criteria, as provided in the Bilingual Education Handbook.

- A. Monitoring Transitioned Students:** The principal shall ensure the monitoring and documentation of progress made by students in meeting the state academic standards following their transition to the General Program of Instruction as specified in the Bilingual Education Handbook. If academic evidence later suggests that a transferred student is still in need of English language support, the student may be re-enrolled into Bilingual Education Services.
- B. Family/Guardian Notification:** The principal shall ensure that the required annual [insert name] eligibility notices, as provided in the [insert handbook or policy reference if applicable], are issued to the family's/guardians no later than 30 calendar days after the beginning of the school year (or within 14 calendar days of enrollment for students who enroll after the 30th calendar day from the first day of school). The annual notifications will be provided in both English and the family/guardian's preferred language.
- C. Bilingual Education Services Refusal or Withdrawal by Family/Guardian**
  - a. Program Refusal:** A family/guardian may elect to refuse enrollment of his or her child in the Bilingual Education Program after the child is determined to be eligible but before the child has received any [insert name].
  - b. Program Withdrawal:** A family/guardian may elect to withdraw his or her child from receiving Bilingual Education Services at any time during the child's participation in the program.
  - c. Procedure for Program Refusal or Withdrawal from [Service]:** A family/guardian requesting a refusal or withdrawal must submit a handwritten, signed, and dated request to the school.
  - d. Monitoring Progress of Students Refused or Withdrawn:** Schools must monitor the academic progress of all students whose family/guardian has refused or withdrawn his or her child's enrollment from [insert name] and ensure such students continue to have access to appropriate English Learner supports as set out in the [insert name of handbook if relevant].

### Staffing and Qualifications

The Principal shall ensure that all teachers who are programmed to instruct ELs hold the appropriate Professional Educator license and the school is adequately staffed to serve all English Learners enrolled.

### Grading Protocol for English Learners

The Board has high expectations for all students regardless of the language they speak and their cultural background. No English Learner shall receive a failing grade due to limited English proficiency. A failing grade must be based solely on the English Learner's level of academic performance in the appropriate bilingual education programs if the student's academic language dominance is proven to be in his or her home language.

### English Learners with Disabilities

- A.** IEP Evaluation: The principal or designee shall ensure that the language(s) used to evaluate a child to determine eligibility for an Individualized Education Program (IEP) shall be consistent with the child's native language or other mode of communication. If the language use pattern involves two or more languages or modes of communication, the student shall be evaluated by qualified specialists using each of the languages or modes of communication used by the student.
- B.** IEP and Related Services: The IEPs developed and implemented should reflect the linguistic, cultural, and instructional needs of students and, to the maximum extent appropriate, students will be placed in non-restrictive environments which provide for integration with nondisabled peers in bilingual classrooms. Bilingual or ESL endorsed personnel will participate in all IEP meeting(s) for English Learners.
- C.** Family Involvement: [Insert details for family involvement committees and local advisory boards]

## EXAMPLE POLICIES

- [Bilingual Education](#), Chicago Public Schools, Illinois
- [Goal For All Students to Graduate Bilingual and Biliterate](#), Highline Public Schools, Washington
  - [Transitional Bilingual Instruction Policy](#)
  - [Bilingualism and Biliteracy](#)

## RELATED RESEARCH

- [Pandemic Learning: Teachers Reported Many Obstacles for High-Poverty Students and English Learners as Well as Some Mitigating Strategies](#), Government Accountability Office (GAO)
- [A Federal Policy Agenda for English Learner Education](#), New America
- [Fast Facts 2020: Latino Students and English Learners](#), Unidos US

## RECOMMENDATIONS FROM ADVOCATES

- [Toward Comprehensive Effective Literacy Policy and Instruction for English Learner/ Emergent Bilingual Students](#), National Committee for Effective Literacy for Emergent Bilingual Students
- [Re-starting and Strengthening Accountability for English Learners: Part One of a Two-part Series](#), New America Blog
- [Reimagine and Rebuild: Restarting School with Equity at the Center](#), Policy Analysis for California Education
- [A Restorative Approach for Equitable Education](#), Learning Policy Institute



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Our district has an obligation to accommodate the needs of all our learners, including our students who are English learners.

- Can you share with me what some of your concerns might be if we do more to accommodate these students?
- Would you be willing to meet some of these students to get to know them better?
- Are you interested in having a conversation with me about how those students experience their education within our district?

### NEUTRAL

I've noticed our district is fortunate enough to have a population of English learning students.

- I wonder if you would like to meet some of them with me?
- Learning about their experiences in our district might help us establish policy on their behalf that can improve that experience, for themselves and the rest of our district.

### ALIGNED

Our English learners are an important part of our school district community.

- Would you be willing to work with me on bringing their voices to the table during policy conversations?
- How can we best work together to move forward on policies that benefit our English learners?



## Immigrant and Undocumented Students<sup>17</sup>

Approximately [1 in 4 children](#) today, or approximately 18 million students, are children of at least one immigrant family; [90 percent](#) of those children are born in the United States.<sup>18</sup> The stories of how these children arrived and the families they come from varies and indeed impacts the way we think about serving them.

In some cases, immigrant children were born in another country; in others, students were born in the U.S but come from families of immigrants and may identify as immigrants themselves. Some children may be undocumented (with an expired visa or never registering with Immigration Services) or have family members with undocumented status.<sup>19</sup> Finally, some students and their families may be in the process of accessing asylum protections. The complexity of these statuses demands attention and provides an opportunity for learning and embracing the cultural and linguistic assets of newcomer children and their families in our communities and schools.<sup>20</sup>



**INTERSECTIONALITY INSPIRATION:** Immigrant status and race can interplay and cause layers of inequity that students experience every day in schools. But schools are finding that culturally responsive and sustaining education (CRSE) offers ways of bringing equity, understanding, and excitement across cultures and languages into classrooms. Policies in strong support of CRSE can demonstrate support for students across their identities, alongside other intersectional policies and practices. The Northshore School District in Washington has an [equity handbook](#) that does this, beginning with a diagram of many intersecting identities.

Today's politics and rhetoric around immigration contribute additional layers that impact both students and their families. This was especially noticeable during the enactment of the Family/Child Separation Policies, from which many immigrant families are still recovering.

Tracking the rhetoric of national, statewide, and local leaders regarding immigration is key to being responsive to student and family needs. For example, there are [statewide leaders](#) threatening to attempt to repeal [Plyler v. Doe](#) (the Supreme Court case provides access to public education regardless of immigration status).

The media coverage about these efforts may confuse families regarding their rights and access to public schools, so school boards must be proactive in communicating the rights

afforded to all students. For example, one way that schools can assuage community fears and strengthen school community is by communicating to families that all students are welcome in district schools, including through the adoption of a resolution.

## CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

Together with the federal resources in the section on supporting English learners (ELs), local school board members should craft policies to ensure immigrant, undocumented, and asylum-seeking children are provided the following rights:<sup>21</sup>

- **A Right to Enroll:** All children in the U.S have a right to a free, public K-12 education regardless of their or their family's national origin, citizenship, or immigration status. This includes recently arrived unaccompanied children, who are in immigration proceedings while residing in local communities with a family, family member, or other appropriate adult sponsor.<sup>22</sup> This right was codified by the landmark decision in [Plyler v. Doe](#) ensuring equal access to education for all students regardless of their immigration status.
- **A Right to Privacy:** The federal Family Educational Rights and Privacy Act (FERPA) prevents schools from sharing students' personal information without a guardian's consent, including information that could reveal a student's immigration status.<sup>23</sup>
- **A Right to Safety:** Immigration and Customs Enforcement (ICE) policy considers schools and universities "protected areas" where ICE agents and officers are prohibited from entering except in special circumstances.<sup>24</sup>

It's also important to note [other federal laws](#) that underscore these rights, including:

(1) **Title VI of the Civil Rights Act of 1964** which prohibits discrimination by recipients of federal financial assistance, which includes states and districts, on the basis of race, color, or national origin; and (2) **The McKinney-Vento Act**, which provides education rights to students experiencing homelessness, including unaccompanied youth, regardless of their immigration status.

State and district policy will differ but below are recommended principles to consider in the development of local policies.

### Principle 1: Incorporation of culturally responsive and reflective frameworks

- Adopt an assets-based approach in expanding and strengthening opportunities for bi-cultural and linguistic contributions from immigrant students and their families.
- Immigrant youth are often learning two languages. Consider the role schools play in supporting students with multiple forms of communication in the classroom, including native language assessments (see section on English learners above). Encourage, embrace, and celebrate the bi-cultural assets immigrant students bring (see sections on culturally responsive curricula and reforming school culture on policies regarding race and equity).

## Principle 2: Establish a welcoming school community for immigrant students

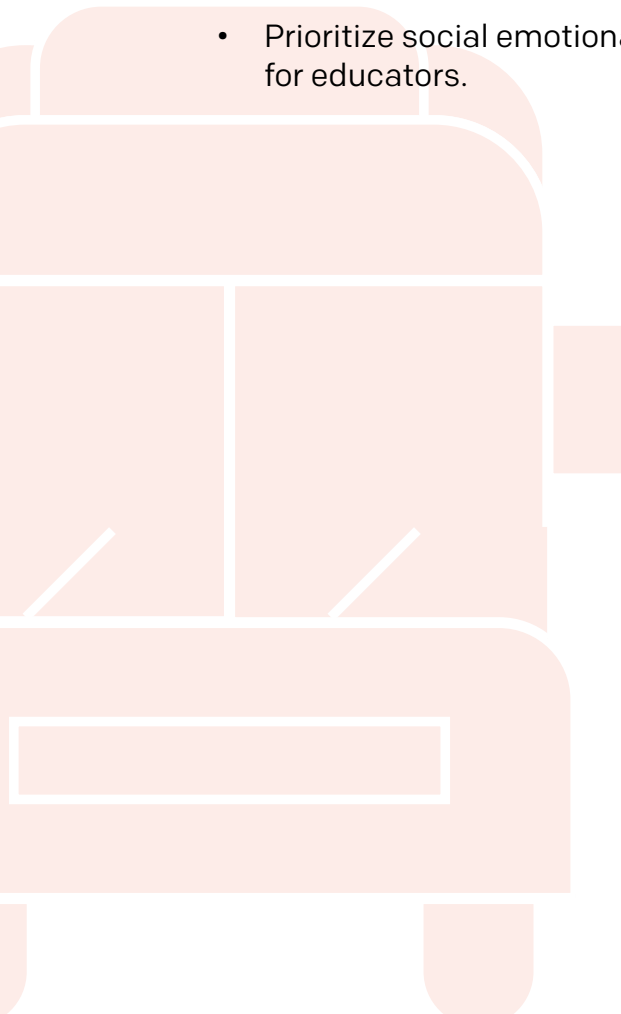
- Proactively share & connect all students and families to resources on immigration policies in the languages spoken in your school community.
- Partner with a local organization to host [Know Your Rights](#) sessions, Family Preparedness plans and [pro-bono legal support](#) in person or virtually.
- Ensure that the materials families are receiving are in multiple languages and formats (written and spoken) that families use. Share a main contact person that families can reach out to if they have any questions about the materials sent home.
- Ensure there are interpretation services available to families at no cost for family meetings and all other services at the school.

## Principle 3: Advance equity for immigrant students

- Proactively remove barriers to enrollment by limiting the information required to enroll to proof of residency, proof of age, and immunization records, and request any other information after enrollment.
- Provide immigrant students with the academic support to thrive in schools and after in careers or post-secondary education.

## Principle 4: Implement holistic student support initiatives

- Prioritize social emotional skill development, and training and support for educators.



## **SAMPLE TEMPLATE FOR LOCAL POLICY<sup>25</sup>**

This Board Policy applies to the [insert School District name].

### General Principles

The [School District] is a safe haven for all students regardless of citizenship status. Every student has the right to attend school regardless of the immigration status of the child or of the child's family members. All students, if they meet the federal and state criteria, are entitled to receive school services including free/reduced price school meals, transportation, and other educational services. [insert relevant references and/or resolutions related].

### Enrollment Documentation

District personnel shall not treat students disparately for residency determination purposes on the basis of their undocumented status. District personnel shall not inquire about a student's immigration status, including requiring documentation of a student's legal status, such as asking for a green card or citizenship papers.

District personnel shall not make unreasonable inquiries from a student or his/her family for the purpose of exposing the immigration status of the child or his/her family. District personnel shall not require students to apply for social security numbers nor should the District require students to supply a social security number for any purpose.

District personnel shall not ask students for information such as place of birth that may indicate a student's immigration status.

### Access to Records or Information

If a family/student voluntarily shares information or documents that reveal citizenship status, the school shall refrain from recording or maintaining any information about such status in any written student records. Schools and district personnel shall take immediate action to remove any information regarding immigration status of any student or family/guardian.

[School District] prohibits employees from disclosing any student records or information. Disclosure of such information absent written family consent or court order may result in a violation of the Family Education Rights and Privacy Act (20 USC 1232g) and Board Policy. Any requests for student information by ICE Officials shall be referred to the Legal Office to ensure compliance with federal and state law.

A student's birthplace shall not be included in the [school district's] definition of "Directory Information." The [annual handbook] shall annually notify families of this definition of Directory Information. This amended definition shall be effective immediately upon approval by the Board of Education.

Records Requests/Court Orders: All requests, court orders or subpoenas from United States Immigration and Customs Enforcement (ICE) officials or any other immigration enforcement agency ("Immigration Officials or Representatives") seeking documents shall be forwarded to the Legal Office which in consultation with the Superintendent will determine if the documents can be released.

### Access to Students on Campus

The School Board has found that the presence of Immigration Officials or Representatives on a school site is likely to lead to a disruption of the educational setting. Therefore, any Immigration Officials or Representatives intending to enter a [School District] property should first notify the Superintendent's Office or Legal Office of its intention, with adequate notice so that the District can take steps to provide for the emotional and physical safety of its students and staff; and to allow the Superintendent and Legal Office an opportunity to review the request to determine whether access will be approved.

Immigration Officials or Representatives that contact a school site directly shall be asked to go to the [enter central office name] to seek approval for access to the school site from the Superintendent's Office or Legal Office. Immigration Officials or Representatives that do not agree to go to the Central Offices shall be directed to remain in the main office/reception area of the school while the Central Office reviews the request.

At a minimum, Immigration Officials or Representatives shall be expected to comply with their agency's applicable guidelines and limitations regarding access to schools or students. However, in addition to compliance with such policy the Superintendent and Legal Office review shall protect student privacy and limit access to the fullest extent permissible under the law.

### Process When Families Have Been Detained or Deported

If the school learns that a student's family/guardian<sup>26</sup> has been detained and/or deported, the school shall contact all numbers on the student's emergency card to identify a relative or caregiver authorized to take care of the student in the family's absence.

### Referrals

If families and/or students have questions about their immigration status, school personnel shall not refer them to the Immigration and Customs Enforcement Office.

## EXAMPLE POLICIES AND RESOURCES

- [Protection of the rights of undocumented students](#), San Francisco Unified School District, California
- [Protection of students from immigrant families](#) (policy in English and Spanish), Berkeley Unified School District, California
- [Info Hub, Immigration One-Pagers for Families](#), New York City Department of Education, New York
- [Educators Resources: Dreamers and Undocumented Students](#), Los Angeles Unified, California

## RELATED RESEARCH

- [Fact Sheet: Information on Rights of All Children to Enroll in Schools](#), U.S. Department of Education
- [What Teachers Supporting Undocumented Students Should Know](#), Teach for America
- [Lifting the Lamp Beside the Schoolhouse Door: A Legal Guide to Serving Undocumented Students in Public Schools](#), National School Boards Association

## RECOMMENDATIONS FROM ADVOCATES

- [Immigrant Students' Rights to Attend Public Schools](#), Intercultural Development Research Association
  - [Welcoming Immigrant Students IDRA Infographic \(Bilingual\)](#)
- [Mental Health Is an Immigration Issue](#), RAICES
- [K-12 Educator DACA Decision Resource](#), United We Dream
- [FAQ for Educators on Immigrant Students in Public Schools](#), ACLU



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Every member of our community deserves opportunities to participate in civic life and that starts in the classroom.

- Undocumented students are unable to change their circumstances and it is our district's obligation to educate them in a safe environment.
- Our policies can ensure safety and allow learning to thrive.

### NEUTRAL

Every student needs a safe environment, a place where they feel they belong, for them to learn to their fullest capacity — and that includes our undocumented student population.

- I wonder how we can work together to start this conversation in a meaningful way?
- What can I bring to the table to help move this conversation forward?

### ALIGNED

I'm grateful we're aligned around the safety and support of our undocumented student population.

- How can we best work together to start this conversation within the district?
- How can I be supportive of you during this process?

## Supporting LGBTQIA+ and Gender Affirming Policies

Young people spend most of their waking time in our school system. Thus, our education environments play a significant role in the experiences of LGBTQIA+ youth. The lack of affirming and inclusive policies that support LGBTQIA+ youth and their families leave potential gaps for harmful environments and dangerous outcomes. For example, according to [GLSEN 2021 School Climate Report](#), "Most LGBTQ+ students (58.9%) had experienced LGBTQ+-related discriminatory policies or practices at school. Some of the most common discriminatory policies and practices experienced by LGBTQ+ students were those that targeted students' gender, potentially limiting their ability to make gender-affirming choices and negatively impacting their school experience."<sup>27</sup>

Proactively developing and implementing affirming and supportive policies have been demonstrated to be impactful; the Trevor Report published findings showed that "LGBTQ youth in affirming schools had nearly 40% lower odds of attempting suicide compared to LGBTQ youth in non-affirming schools (The Trevor Project, 2020)."<sup>28</sup>



**INTERSECTIONALITY INSPIRATION:** Policies that address data inclusivity are crucial for students who have LGBTQ+ and other intersecting identities to reveal and solve disparities impacting young people. GLSEN's biennial National [School Climate Survey](#) (NSCS) has demonstrated time and again that "LGBTQ+" young people who are transgender; nonbinary; Black; Indigenous, people of color (BIPOC); and people with disabilities experience starker disparities and intersecting marginalization." GLSEN has provided **recommendations** that can serve as policy inspiration, including allowing students to self-report their sexual orientation and gender identity on surveys, measuring harassment or bullying based on these identity factors, and issuing nondiscrimination and privacy protections related to the data collected.

Federal policies are also important considerations when considering policies regarding LGBTQIA+ youth. For example, the Supreme Court determined that [Title IX](#) provides protections based on [sexuality and gender identity](#). Additionally, some, though not all, transgender students may have additional rights under [Individuals with Disabilities Education Act \(IDEA\)](#) and [Section 504](#) of the Rehabilitation Act, based on a diagnosis of gender dysphoria or related conditions such as anxiety or depressive disorders. These students may be entitled to Individualized Education Plans (IEPs) that address



their gender-related needs. Lastly, according to the US Department of Education, the [Equal Access Act](#) protects student organizations like Gay Straight Alliances.

## **CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT**

Across the country, school boards are developing and implementing inclusive and affirming policies to support and promote the health and safety of LGBTQIA+ students and the community as a whole. State and district policy will differ but below are recommended principles to consider in the development of local policies:

**Principle 1: Adopt a broad nondiscrimination policy that includes sexual identity, gender identity, and gender expression.**

**Principle 2: Protect privacy and confidentiality by reviewing all policies with special considerations of LGBTQIA + youth experience.**

**Principle 3: Provide welcoming schools and classrooms for LGBTQIA+ students and their families.**

**Principle 4: Establish policies and required training regarding names, family/guardian notification, school records, and pronouns.**

**Principle 5: Conduct a school facilities audit and prioritize accessible and inclusive school facilities.**

**Principle 6: Uphold legal protections.**

**Principle 7: Prioritize social emotional skill development and training and support for educators.**

**Principle 8: Notify and Engage K-12 Learning Communities on Policies to Support LGBTQIA+ students.**

**Principle 9: Ensure all classes, sports, and extracurricular activities are inclusive, healthy, and affirming environments for LGBTQIA+ students.**

**Principle 10: Center intersectional frameworks in policy development to ensure inclusive and relevant policies.**

## **SAMPLE TEMPLATE FOR GENERAL POLICY** <sup>29</sup>

### Purpose

The purpose of this policy is to protect and support LGBTQIA+ students and their families from discrimination and harmful environments. This includes:

- Fostering an educational environment from PreK through Adult Education that is safe, welcoming, and free from stigma and discrimination for all students, regardless of gender identity or expression
- Compliance with local, state, and federal laws concerning bullying, harassment, privacy, and discrimination, ensuring that all students have the opportunity to express themselves and live authentically.

### General Statement of Policy

It is the responsibility of each school and the District to ensure that LGBTQIA+ students have a safe school environment. This includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing all students and staff with appropriate resources. Complaints alleging discrimination or harassment based on a person's actual or perceived sexuality, gender, and gender expression are to be handled in the same manner as other discrimination or harassment complaints.

### Coordinator

Persons who have questions or comments should contact the [insert title]. This person supervises the school district's anti-discrimination policy. Persons who wish to make a complaint regarding a LGBTQIA+ discrimination matter may use the accompanying Discrimination Grievance Report Form. The form should be given to the [insert title].

## EXAMPLE POLICIES

- [Transgender and gender nonconforming students](#), Berkeley Unified School District, California
- [Gender identity and access](#), Berkeley Unified School District, California
- [Sexual health education policy](#), Chicago Public Schools, Illinois

## RELATED RESEARCH

- [NEA Sample School Board LGBTQ Youth Resolution](#), NEA
- [Fairfax Public Schools LGBTQ Resource Page](#), Fairfax County Public Schools
- [The Trevor Project Research Brief: LGBTQ Youth Suicide Prevention in Schools](#), The Trevor Project
- [Resources for LGBTQ+ Students](#), U.S. Department of Education

## RECOMMENDATIONS FROM ADVOCATES

- [2021 GLSEN School Climate Survey](#) and [Policy Recommendations](#), GLSEN
- [LGBTQ Youth and Schools Resources Library](#), ACLU
- [Best Practices for Serving LGBTQ Students](#), Learning for Justice
- [Free to be me: A Toolkit to Protect LGBTQIA+ Student Rights](#), TXTransKids.org



### START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

#### CHALLENGING

1 in every 5 LGBTQ+ students seriously consider suicide when they do not have their pronouns or experiences validated. When schools affirm student experiences, that number drops by half.

- Our district is responsible for ensuring safe and affirming educational environments for every student, including gender expansive students. I want to discuss how our policies can do that better.

#### NEUTRAL

Supporting young people across gender identities and sexualities doesn't need to be a partisan issue. It's about students — what they are saying, what they need, and what that means for them to learn and thrive in our district.

#### ALIGNED

Our policy decisions should be driven by an authentic desire to support the needs of students who are LGBTQIA+, based on what we hear directly from them about what they want and need. [Describe student input and benefits of policies to all families and students.]



## Promoting Culturally Responsive Curricula

Schools are important places where young people learn to appreciate diverse experiences and perspectives in their community, to understand history and experiences through an accurate, current, and empathetic lens. That's the cornerstone of education — to learn and exchange thoughts and ideas with others.

At its best, a public education ensures that every student has equal opportunities to succeed in school. This potential is made even more powerful when the unique backgrounds and experiences of students themselves are elevated. That's what a culturally responsive curriculum is all about. When schools honor the many rich cultures and identities within and beyond their school community, students benefit from a high-quality education that prepares them to thrive in a diverse world — and to know their own communities better, too.

Many states have incorporated culturally responsive curriculum into their recommended practices. School districts and educators across the country have also been using this approach in classrooms with great success. But to achieve student success, educators must be well prepared to teach from an accurate and comprehensive curriculum that draws from the many cultures of students who are in the classroom.

### CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

The following recommendations are for district leaders who are considering culturally responsive education and come from the [National Association of Secondary School Principals \(NASSP\)](#) and the [New York State Education Department \(NYSED\)](#). To begin, consider the following questions:

1. Does the school district have a policy statement about your commitment to culturally responsive education? If so, when was it last updated? Include educators, staff, students, committees, administration, and community members in writing or rewriting the statement.
2. Does the school district have a process to periodically review your school policies as they relate to cultural responsiveness in collaboration with the school community? Policies to review with this lens could include dress code, discipline code, conduct code, and other codes in this toolkit.
3. Has the district established a baseline of cultural competency and a way of assessing whether the school climate is welcoming and affirming?
4. Has the school district adopted curricula that (1) include culturally relevant and sustaining learning experiences; (2) respond to different ways of learning, understanding, communicating, and engaging in content; (3) draw in materials and lessons that reflect the varied identities of students?

5. Does the district hold high expectations for rigorous instruction and enriched learning opportunities that correspond with the demographics and cultures of the school community, including Indigenous, immigrant, linguistically diverse, and other groups, that are consistently part of the curricula and conversation?
6. Do district staff and board members have professional development opportunities in which they can safely reflect on their own identities, beliefs, biases, and values that may influence decisions they make about the district they serve? Do they have time in their schedules for family and community engagement and input related to culturally responsive education?



**INTERSECTIONALITY INSPIRATION:** Culturally Responsive-Sustaining Education (CRSE) is **described** by The Education Justice Research and Organizing Collaborative (EJ-ROC) at NYU Steinhardt as “an education philosophy that calls for deliberately embedding students’ cultures into the very processes, inputs, and outputs of school.” Because not all cultures have been treated equitably in schools, embracing cultural richness of students and the entire school community means going beyond appreciation for culture towards healing historical inequities.

Culturally responsive and sustaining curricula cannot be approached in a simplistic way, and there are several frameworks developed by scholars like Gloria Ladson-Billings, who introduced the term “culturally relevant pedagogy” [two decades ago](#) to “describe a form of teaching that calls for engaging learners whose experiences and cultures are traditionally excluded from mainstream settings.” Over time the phrasing has changed to become Culturally Responsive-Sustaining Education (CRSE). Principles for local and state policy development include:

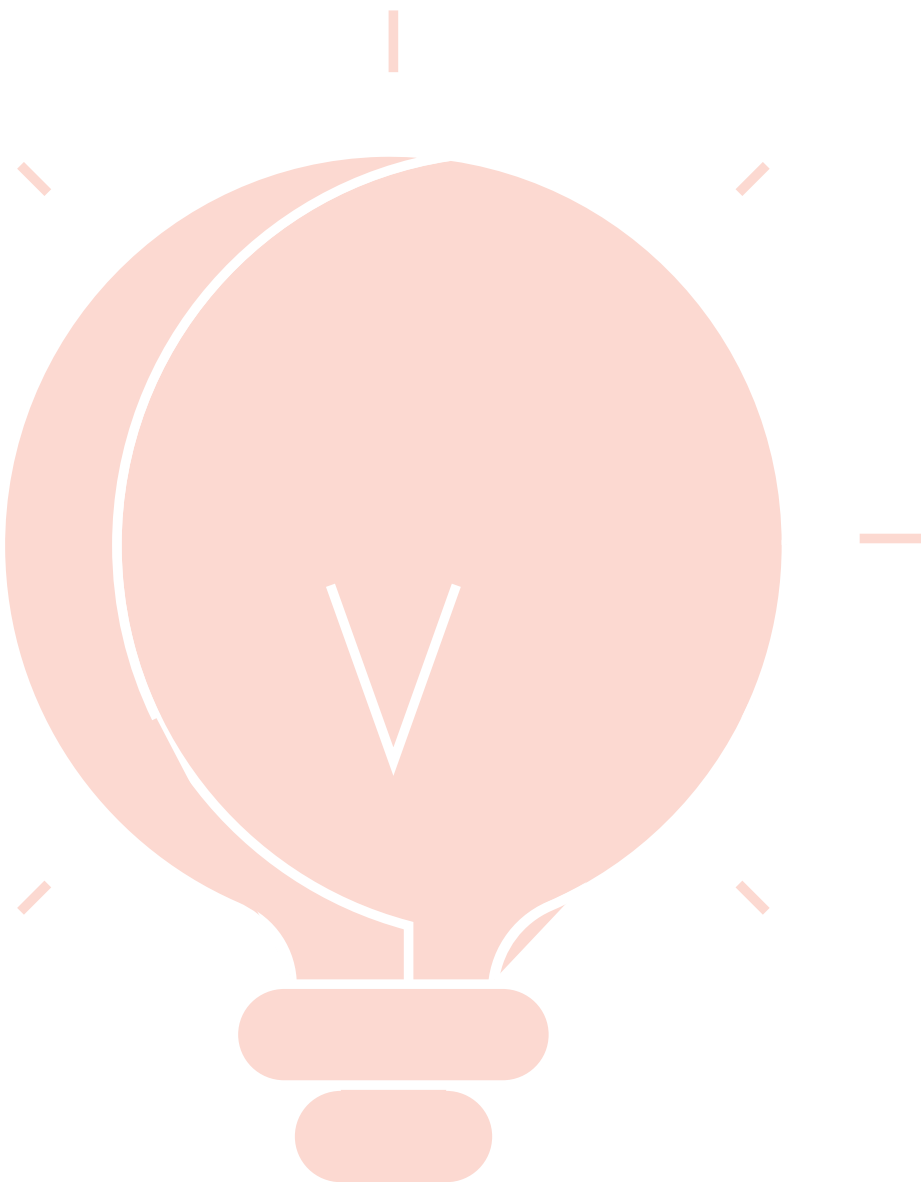
**Principle 1: Affirming student identities has academic, social, emotional, and behavioral benefits..**

**Principle 2: Culturally responsive education can help students understand other cultures, identities, and perspectives and sustain their own sense of identity and culture..**

**Principle 3: Culturally responsive education should have a multi-layered approach that includes but is not limited to instruction.**

**Principle 4: A strengths- and assets-based approach is important to move away from deficit-based language of “needs” and “challenges.”**

**Principle 5: The past is important, but current experiences and stories are just as important to culturally responsive education. Similarly, culturally responsive education can happen in history class, but is appropriate across topics.**



## **SAMPLE TEMPLATE FOR LOCAL POLICY**<sup>30</sup>

### General Principles

The purpose of this administrative procedure is to outline specific actions and strategies to support the Board of Education's commitment to promote and sustain culturally proficient schools, central offices, and school community support systems.

Culturally responsive education supports students in developing a lifelong appreciation for understanding and valuing of culture in all settings of life. The incorporation of culturally responsive education must be a critical component of all current curriculum, activities, and services. This responsive education empowers students intellectually, socially, emotionally, and politically by using cultural references to impart knowledge, skills, and attitudes.

Differences of opinion are a continuing and important part of life in a global society. It may be necessary for students to study issues which may be controversial to build and promote critical thinking.

### Procedures

The student shall have the right to the following without jeopardizing their relationship with their teacher or their school:

1. Study in a classroom atmosphere free from bias and prejudice.
2. Learn in an environment that acknowledges and responds to students' diverse learning styles.
3. Study thought-provoking issues which have political, economic, or social significance to increase his/her own cultural awareness and competence.
4. Have access to relevant information.
5. Form and express his/her/their own opinions on thought-provoking issues while adhering to [Name] School District Policies.
6. Develop close partnerships with families and communities as sources of knowledge, experience and skills, and leaders in shaping school priorities and deepening learning.
7. Develop restorative practices in schools, including using restorative justice as a response to harm, fostering trusting relationships among students, creating emotional safe spaces that recognize and nurture students' identities, and giving students a sense of ownership and belonging in the school.
8. Have the support to use and name preferred pronouns.
9. Choose to participate in activities, performances and patriotic exercises while remaining respectful of others' participation within such events.
10. Have the guidance of district employees who:
  - a. Maintain high expectations for all students and therefore ensure that instruction is challenging, relevant, and engaging.
  - b. Utilize examples and content from a variety of cultures and groups to illustrate key concepts.
  - c. Develop a classroom atmosphere in which pupils feel free to express opinions and to challenge ideas while adhering to [Name] School District Policies.



- d.** Teach respect for the opinions of others and develop skills of critical thinking.
  - e.** Choose instructional materials presenting varying points of view on issues being discussed.
  - f.** Demonstrate through actions rational methods of arriving at decisions.
  - g.** Always maintain respect for the dignity and worth of each individual.
  - h.** Confer with administration if there is doubt regarding the appropriateness of discussing a controversial issue.
  - i.** Undertake the presentation of a thought-provoking issue to pupils only after careful study and planning.
  - j.** Guide discussion toward constructive courses of action and determine whether an issue raised by pupils is to be considered the moment it arises.
  - k.** Withhold the expression of opinion, but if asked a direct question have the flexibility to answer if appropriate and educational.
  - l.** Minimize practices or activities that would exclude students from the school community.
- 11.** All curriculum and materials are reviewed to ensure they support a high-quality, inclusive, culturally relevant, and responsive instructional experience that reflects all students.
  - 12.** Issues discussed within the classrooms shall be relevant in terms of pre-designated course content. Families/Guardians/Students of the District have a right to file a complaint with the school administration if they believe a school activity or practice is unfair and prejudiced.

#### Expectations for Schools and Staff

- 1.** All staff will demonstrate respect for diversity in the workplace.
- 2.** All staff will work collaboratively to make a conscious effort to embrace, understand and be sensitive toward the cultural and linguistic differences of staff, families, and community members.
- 3.** Each school will identify one person in the building to serve as the [EXAMPLE: Equity Liaison (EL). The EL will chair the Executive Team meetings, attend central office trainings, and share information with the school community.].
- 4.** The principal will be a standing member on the Executive Team and support the work of the team..
- 5.** School staff will embrace and model respect for the uniqueness of all stakeholders, their experiences, their abilities, and learning potential.
- 6.** Instructional staff will differentiate instructional delivery, based on their knowledge, understanding and sensitivity of the needs of students, including the students' language proficiency, identifying cultural heritage, special needs, and the suitability of instructional outcomes for diverse learners.
- 7.** Staff will focus on establishing a culture of learning centering on respect, rapport, safety, and accessibility.
- 8.** Instructional staff will establish a classroom environment and utilize classroom management strategies that accommodate the culturally diverse needs and learning styles of students.

9. Staff will be provided opportunities for cross cultural conversations and be encouraged to engage co-workers in rich discussions about their experiences and beliefs about supporting culturally proficient practices system-wide to benefit schools and children in diverse environments.
10. The school administration will lead the efforts to reach out to all family members, caregivers, and members of the community to create an inclusive school.
11. The school team will analyze student data to address disproportionality in both achievement and disciplinary practices.
12. All staff will be provided with opportunities for professional development on the conceptual framework for culturally proficient practices and the five essential elements of cultural competency.
13. [School district] will have a dedicated site focused on educational equity. This site will house articles, PowerPoint presentations, internet resources, lesson plans, equity tools and links to information on professional development opportunities for schools and central offices.
14. Annually supervisors/principals will inform staff of the expectation to implement culturally responsive practices.

## EXAMPLE POLICIES

- [Equity policy](#) (highlights culturally responsive curricula), Ossining Union Free School District, New York
- [Administrative Procedure 0102](#), Culturally Responsive Schools and Central Offices, Prince George’s County Public Schools, Maryland
- [Culturally Responsive Practices](#), Baraboo School Board Policy, Wisconsin

## RELATED RESEARCH

- [CRE Hub](#), NYU Metro Center
- [Lessons in InEquity: An Evaluation of Cultural Responsiveness in Elementary ELA Curriculum](#), NYU Metro Center

## RECOMMENDATIONS FROM ADVOCATES

- [Culturally Responsive Education Resources for Federal, State, and Local Stakeholders](#), New America
  - Also see [Basics of culturally responsive curriculum](#) and [Impacts](#)
- [Culturally Responsive Teaching & Leading](#), Massachusetts Department of Education
- [Culturally responsive teaching](#), Education Northwest



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Talking about race and different cultures isn't about blame; it's about understanding each other.

- I know you care deeply about our students, or you wouldn't have run for this school board position.
- Would you be willing to engage with me in a conversation about what our own student body looks like and what cultures are represented in our district?
- Our policies can honor those students and create a richer learning experience for everyone.

### NEUTRAL

Learning about different histories, races, and cultures helps us build connections and fosters an environment where students draw from a wealth of diversity.

- Our district is fortunate to have many different cultures represented among our student population.
- Would you be willing to explore a policy that connects curriculum to students' experiences, perspectives, histories & cultures?

### ALIGNED

Our district centers the knowledge and unique lived experiences of the students in our classrooms.

- Our policy can ensure we have culturally relevant and sustaining curricula so that student learning draws from their unique experiences and identities.
- How can we support each other to get this process off the ground?
- What voices do we need to ensure are at the table while we are having these conversations?

# Advancing Equity in Contracting and Procurement

EContracting and procurement may not be the first thing that comes to mind for advancing equity, but it's one of the most practical ways that a school district can operationalize it. One of many critical roles played by school board members and superintendents is overseeing the business operations of our school districts — particularly how they contract for services. School districts spend billions of dollars of federal and local money on a multitude of services — school bus drivers, building maintenance, educational software, curriculum, food provision, teacher and staff professional development, and student services such as outside tutoring.

Through the process of contracting with vendors, schools have an opportunity to further advance equity in several ways. First, local policy can prioritize which local businesses and vendors are selected, such as in Amherst Regional Public Schools in Massachusetts, where school administrators are directed to require that all applicants and vendors provide a statement affirming their commitment to cultural diversity, as well as having a goal to contract where possible — and in accordance with fiscal requirements — with businesses owned or operated by culturally diverse groups. In the public school district of Tarrytown, New York, preference is given to vendors who provide instructional materials in alternative formats as a lever to provide equitable access to resources for its students with disabilities.

Zooming out, there is new research and evidence out of Harvard University Center for Education Policy Research (CEPR) and the Southern Education Foundation (SEF)<sup>31</sup> that outcomes-based contracting (also known as performance-based contracting) holds the promise of improving outcomes in K-12 education by focusing on specific student needs. Outcomes-based contracting focuses on driving public resources toward high-performing programs and services that achieve measurable, long-term student outcomes.<sup>32</sup> OBC requires tracking progress, sharing data across stakeholders, and working collaboratively to make changes that improve student outcomes. Current pilots focus on mathematics tutoring, so the applicability needs to be considered.

## CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

Every contract and service required by a local school is specific to local needs and goals. One way for school board members to drive equity in their procurement and contracting process is to review existing or draft policies with the following considerations in mind:

### Principle 1: Contractor workforce equity

- Vendors and applicants that are often engaged by the district are committed to cultural diversity or representative of those being served.

## Principle 2: Outcomes-based contracting

- Service or good will ideally help close equity gaps for the district's most vulnerable students.
- Goods and services received result in the equity outcomes district has defined.

## Principle 3: Intentional stakeholder engagement

- District collaborates with various stakeholders to determine the needs for the work (creation of RFP), the selection of vendors, and the performance of the work.

## EXAMPLE POLICIES

- [Contracting with vendors committed to cultural diversity](#), Amherst Regional Public School District, Massachusetts
- [Giving preference to vendors who provide instructional materials in alternative formats](#), Public Schools of the Tarrytowns, New York
- [Equity in Public Purchasing and Contracting](#), Portland Public Schools, Oregon

## RELATED RESEARCH

- ["School District Contracting Can Be a Lever for Equity"](#), Forbes

## RECOMMENDATIONS FROM ADVOCATES

- [New Opportunity for Districts: Outcomes Based Contracting Initiative](#), Harvard University Center for Education Policy Research
- [Outcomes Based Contracting \(OBC\) Resources 2022](#), Southern Education Foundation



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Keeping equity in mind while we are procuring contracts and services can mean an increase in outcomes for all of our students.

- This is both fiscally and socially responsible.
- Can you share what your concerns might be when we revisit our existing contracts or pursue new ones?

### NEUTRAL

Reassessing our existing contract policy is good maintenance for a healthy school district. .

- Are you open to including an examination of equity during this process?
- Would you believe that making equity a priority in this process could result in improved outcomes for our district, both from a social and financial standpoint?

### ALIGNED

Re-examining our existing contracts and correcting our policy to include equity is going to take some time.

- I'm glad we both agree this should be a priority.
- How would you feel comfortable starting this process?
- What skills do you bring to this effort that I can play a supporting role to?

# Diversity in Hiring Practices, Training, and Evaluations

Research continues to show just how critical a diverse educator workforce is for all students and especially students of color: their achievement and success improves the more representation they see in their schools.<sup>33</sup> And yet, it is worrisome that the education workforce does not reflect the racial, ethnic, and linguistic diversity of today's classrooms and communities.

As the district leader, the superintendent is responsible for making recommendations to hire, maintain, or terminate principals, teachers, coaches, and support personnel. While school boards are formally charged with recruiting, hiring, and evaluating school superintendents, they also play an important role in setting policies that span hiring, in-service professional development, and evaluation of staff and personnel. Some school boards have adopted affirmative declarations in support of diversifying their school district workforce and have codified this into policy related to employment practices.

## CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

The recommendations below can be useful in establishing or expanding policies related to a district's hiring, retention, training, and evaluation practices.

### Principle 1: Focus on intentional recruitment and hiring practices

- Track and monitor administrator of color recruitment and retention data
- Set clear goals to increase diversity
- Investing in and providing guidance on cultural competence and anti-bias trainings and resources for hiring managers
- Strengthen organizational capacity for providing mentoring and training support to superintendents of color.

### Principle 2: Take steps to improve retention

- Improve school board governance and leadership by mandating training and accountability for board members on equity-focused and culturally responsive legislation mandates, as well as COVID-19-related mandates.
- Invest in research driven retention strategies for educators of color
- Empower educators of color and prioritize professional development and learning that is culturally and linguistically competent

### Principle 3: Make educator diversity data visible and actionable to stakeholders

- Report and track educator diversity to improve visibility of the lack of educator diversity.
- Engage the school community and student body around these conversations



## EXAMPLE POLICIES AND RESOLUTIONS

- [Affirmative action on cultural diversity](#), Amherst Regional Public School District, Massachusetts
- [District employment practices](#), Ossining Union Free School District, New York
- [Staff involvement in decision making](#) (a factor in retention of BIPOC staff), Cambridge Public Schools, Massachusetts
- [Resolution: Black Student Excellence through Educator Diversity, Preparation and Retention](#), Los Angeles Unified School District, California

## RELATED RESEARCH

- [Within Reach: Racially Diverse Leadership and the K12 Educator Pipeline in Los Angeles County](#), Diversity in Leadership Institute
- [Why Is It Important to Have a Diverse Educator Workforce?](#) NC State University, College of Education News
- [Diversifying the Teacher Workforce](#), California Department of Education
- [How principals affect students and schools: A systematic synthesis of two decades of research](#), The Wallace Foundation.

## RECOMMENDATIONS FROM ADVOCATES

- [Educators of Color Make the Case for Teacher Diversity](#), Education Trust
- [5 Things to Advance Equity in Access to Strong and Diverse Educators](#), Education Trust



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Our district is committed to hiring and retaining the best possible educators for the benefit of our student body.

- Expanding the network that we draw those educators from will improve the quality of applicants we receive for open positions in our district.
- Studies show that a diverse staff leads to better outcomes for all of our students. If our goal is indeed educational excellence, a diverse staff is a necessary step in the right direction.
- Would you be willing to share any concerns you might have related to hiring more diverse staff members?

### NEUTRAL

A lack of policy that keeps our district committed to diverse hiring practices limits our ability to hire and retain the highest quality educators available to us, thus limiting the opportunities we offer to our students.

- Would you be willing to have a conversation with me about how hiring more diverse staff improves student outcomes?

### ALIGNED

A commitment to hiring more diverse staff will mean a school board aligned in the support of those individuals once they are brought into our school community.

- I'm glad we will both be supportive of those individuals, but it's important that we engage our fellow board members to ensure that they, too, will be supportive to the best of their ability.
- What do you feel would be the best approach to engaging with our fellow board members?
- Who do you feel you have a strong relationship with that would be willing to have this conversation with you?
- How can I be supportive of you during this process?

## **Reforming School Culture and Disciplinary Practices**

School culture and disciplinary practices go hand-in-hand, and as this topic is very broad, this section provides a starting point from which you can go deeper. There are many ways to affect school culture and to reform disciplinary practices in schools through policies and procedures. District policies and procedures shape both individual and communal experiences by guiding how members of a school community interact, recognizing and addressing historical trends, and communicating commitments to the school community. As a report from the Regional Educational Laboratory Northwest explains, “they play an important role in telling students and families about your district’s values and your commitment to keeping all students safe and in school.”<sup>34</sup>

In 2014, data collected by the Department of Education’s Office for Civil Rights identified two important facts regarding equity and school discipline. First, students of color were being disproportionately impacted by schools’ discipline policies. Second, the enforcement of policies, especially zero-tolerance policies, were resulting in the loss of instructional time.<sup>35</sup> The release of this data at a national level was the result of strong advocacy on the part of education justice activists, and prompted the shifting of school discipline policies to build a stronger, healthier, more equitable school culture in schools. The U.S. Department of Education and the U.S. Department of Justice issued Joint Discipline Guidance that same year. In 2018, the subsequent administration rescinded the guidance.<sup>36</sup>

The rescission of the Obama-era guidance did not change federal civil rights law or states and districts’ obligation to administer school discipline or enhance school safety free of discrimination — yet school discipline remains an area where inequities and disparities in impact are rampant, severely affecting children’s experiences in school.

School districts committed to advancing equity can make common sense adjustments to discipline policies to improve outcomes for young people. One important area to consider is what the district’s contracting looks like regarding School Resource Officers (SROs) and other security staff. When police are stationed in schools, they become part of disciplining students. This causes fear, anxiety, and worse — students being funneled into the prison system.

Instead, leaders can approach the topic of school culture and discipline from a place of (1) promoting holistic student development and positive outcomes, (2) examining district discipline policies for inequity and discrimination, and (3) incorporating evidence-based positive practices into how the district functions.

### **CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT**

Education leaders are recognizing the harm that zero tolerance policies have had on school environments and students. Recent research has identified effective frameworks that not

only interrupt the discriminatory patterns that traditional policies have perpetuated but also advance equity. Below is a collection of evidence-based principles:

**Principle 1: Center positive behavior interventions and supports**

**Principle 2: Implement restorative justice frameworks**

- Reduce suspensions and promote alternatives policies that promote safe and supportive learning environments.
- Eliminate out-of-school time to the extent possible without compromising the need to keep all students safe.

**Principle 3: Incorporate social-emotional learning principles**

**Principle 4: Support cultural competence trainings and practices**

**Principle 5: Conduct regular assessments of discipline policies and implementation trends**

- Continually monitor district progress in addressing the school suspension crisis by reviewing disaggregated data by student subgroups, as well as school, grade level, type of infraction and the number of days of missed instruction because of the suspension.

**Principle 6: Build relationships with relevant community stakeholders for student and family support**

**Principle 7: Prevention techniques are broadly understood by all campus personnel**

**Principle 8: Families/guardians are included in policy development and review of policy assessments**



## **SAMPLE TEMPLATE FOR GENERAL POLICY** <sup>37</sup>

### Purpose

The purpose of this policy is to establish a school discipline policy that recognizes the harmful historical patterns of school discipline policy and advances equity and holistic student development when addressing student behavior.

### General Statement of Policy

The Board believes strongly in creating a district-wide positive, relationship-based culture at all its schools that is supportive of all members of the [insert school district] community. The Board believes that the intentional development of a strong, supportive, positive school community will significantly decrease the need for official referrals, suspensions, expulsions, and time that students are excluded from instruction due to behavior infractions. To accomplish these goals, the Board calls for the use of a positive approach to student behavior, and the use of preventative and restorative practices to minimize the need for discipline and to maximize instruction for every student.

The District will implement School Wide Positive Behavior Interventions and Supports (SWPBIS) and Restorative Practices (RP) at all schools by the beginning of the (insert time frame here) school year. A school-based team will plan and guide implementation efforts.

The District will utilize the Behavioral Response to Intervention (BRTI) model to deliver and coordinate practices and strategies that create safe and supportive educational environments while minimizing the use of out of class referrals and suspensions. The strategies coordinated and delivered under the BRTI model include School-Wide Positive Behavior Intervention (SWPBIS), Restorative Practices (RP), trauma-sensitive services, behavior de-escalation, and cultural competency.

The district shall establish alternative school discipline policies that promote safe and supportive learning environments that: (1) eliminate out-of-school time to the extent possible without compromising the need to keep all students safe; (2) provide better supports to teachers and administrators to address disciplinary challenges; and (3) engage families, students and community-based organizations in the development and implementation of more educationally sound and equitable policies and practices.

### Coordinator

Persons who have questions or comments should contact the [insert title]. This person supervises the school district's [insert program name].

### Homeless Student Liaison

The District will designate a social worker as the Homeless Student Liaison. This individual must perform all duties required by law to ensure the educational stability of a homeless student.

## EXAMPLE POLICIES

- [Restorative Measures: School District Policy Examples](#), Department of Education, Minnesota
- [Student Discipline](#), San Francisco Unified School District, California
- [Student and Staff Well-being](#), Denver Public Schools, Colorado

## RELATED RESEARCH

- [Law and Order in School and Society: How Discipline and Policing Policies Harm Students of Color, and What We Can Do About It](#), National Education Policy Center
- [Implementing Restorative Justice in Rhode Island Schools](#), Urban Institute
- [Addressing the Out-of-School Suspension Crisis: A Policy Guide for School Board Members](#), National School Boards Association
- [Schoolwide Restorative Justice Practices – A Guided Tour](#), IDRA

## RECOMMENDATIONS FROM ADVOCATES

- [End Zero Tolerance](#)
- [Resources to End the School to Prison Pipeline](#), Gwinnett SToPP
- [Restorative Justice Implementation Guide: A Whole School Approach](#), Oakland Unified School District
- [Revising School Discipline Policies and Procedures to Promote Equity](#), Education Northwest



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

A critical element to student success is consecutive (and uninterrupted) in-person instructional time.

- Our disciplinary policies could be playing a detrimental role in how students access classroom time.
- Can we both agree that an examination of our disciplinary policies could lead to better outcomes for all students?

### NEUTRAL

Our district is responsible for setting expectations for student behavior, as well as forging strong student-teacher and administrator relationships.

- Those expectations and the support of strong relationship building starts with our disciplinary guidance policies.
- This due diligence can also improve educational outcomes for all our students, which is part of our district's commitment to quality education.
- Would you be willing to have a conversation with me about how equitable discipline practices that limit out-of-classroom time can create increased outcomes for our student body?

### ALIGNED

Our district's data collection around discipline can help us create more equitable and well-informed disciplinary policies.

- Would you be willing to review this data with me and help develop a strong argument for reviewing and rewriting our disciplinary policies to help fill the gaps and lessen the harm?

## Prohibiting Bullying, Bias Incidents, Harassment, and Hate

Students from every background benefit from a calm, collected, welcoming school environment, and every student should be free to receive their education without fear of hatred, racism, or violence. Unfortunately, we live in a highly racialized and politically divided time. Symbols that heighten racial and other prejudices in a school setting are not only disruptive — they hold the threat of physical violence against Black, Indigenous, and people of color, as well as against people of different genders, abilities, national origins, and more. Transgender youth have been especially targeted in recent years.

Bullying, hate speech, harassment, and hate symbols can take place anywhere, from parking lots to classrooms to public school board meetings. Truly caring for a student's ability to learn means ensuring that schools are safe through both policy and practice. Some new ways of doing this have been developed by education justice advocates in school districts and moving to a state and national level.



**INTERSECTIONALITY INSPIRATION:** The stoking of racism and bias for political gain has resulted in a significant increase in hate crimes and hate speech against communities of color, in particular Asian Americans and Black communities. There has also been a sharp uptick in reported attacks on LGBTQ+ individuals, especially those in the trans community. According to **data reported by the U.S. Department of Justice**, hate crimes in the United States rose in 2020 to the highest level reported in over 12 years. Students who share multiple racial, ethnic, gender, and other identities experience compounded trauma because of this violence. School boards and other district leaders who want to prevent these incidents must consider how aggression against certain groups are directed by external forces and take extra steps to protect vulnerable groups in and around school communities.

### CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

Anti-bullying regulations in schools are intended to establish boundaries in and around the learning environment for the safety and well-being of all students, educators, families, and staff.

**Principle 1: Schools exist as protected and regulated spaces to ensure that all students are safe, welcome, and can have equal access to education.**



- The policy ensures that schools provide environments that prioritize, protect, and assure the mental, physical, and social health and well-being of students, their families, staff, leaders, and visitors.
- The policy acknowledges the harm that bias incidents, bullying, and hate cause, materially and substantially impacting the mental, emotional, and social harm to students, families, staff, and leaders.
- The policy ensures that students, employees, and visitors can learn, work, and participate in school activities, occurring on and off school grounds free from discrimination, harassment, and intimidation, and that all students are welcomed and belong.

**Principle 2: School environments sometimes limit certain freedoms that are otherwise afforded by the U.S. Constitution (examples: weapons in schools, dress codes, codes of conduct, and a variety of prohibitions around bullying and harassment).**

- For example, many schools set dress codes already that say, “Clothing may not use or depict hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation or any other protected groups.”

**Principle 3: Use the policy to avoid unnecessary disruption**

- The policy acknowledges that these symbols significantly disrupt the operation of school and the learning environment by creating an atmosphere of fear and intimidation.
- The policy should prevent students from being denied full access to the services, activities, and opportunities offered by a school, and are isolated from their peers, adult supports, and the community at large.
- The policy makes it possible for teachers and students to address the history and current use of hate symbols as part of a planned lesson, not as part of a disruptive episode.

**Principle 4: The policy establishes procedures for addressing bias incidents through restorative, educational, and healing approaches.**



## SAMPLE TEMPLATE FOR GENERAL POLICY <sup>38</sup>

### Bias Incidents, Hate Speech, and Hate Symbols

The Board recognizes the diversity of the school district's students, staff members, and its community, and sees it as one of the district's greatest strengths. All students are entitled to a high-quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin. Similarly, all staff are entitled to work in an environment that is free from discrimination or harassment.

The Board recognizes historical injustices have been imposed upon certain populations, often based on race. The Board is committed to combatting racism in all its forms and being anti-racist. The Board recognizes that it cannot be silent when instances of racism occur within the school environment or its activities. Additionally, the board recognizes that it cannot be silent when incidents of prejudice against other protected classes and identities occur within the school environment or its activities. The superintendent is responsible for creating an environment where staff will actively and regularly review all aspects of programming and identify methods to ensure all students and staff members participate in a safe environment.

### Key Terms

**"Bias incident"** means a person's hostile expression of animus toward another person, relating to the other person's perceived race, color, religion, gender identity, sexual orientation, disability, or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups, including incidents of hate speech.

The district strictly prohibits bias incidents at all times.

**"Symbol of hate"** means a symbol, image, or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin including, but not limited to, the noose, swastika, Ku Klux Klan symbology and emblems, or confederate flag, and whose display:

1. Is reasonably likely to cause a disruption of or otherwise interfere with school activities; or
2. Is reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by a school; or
3. Is reasonably likely to cause mental or psychological harm..

The district prohibits the use or display of any symbols of hate on district grounds or in any district- or school-sponsored program, service, school, or activity that is funded in whole or in part by monies appropriated by the [name state and federal bodies]. This includes, but is not limited to, the use of personal communication devices, electronic communication systems, and district property as referenced in [other policies].

In responding to the use of any symbols of hate, the district will use non-disciplinary remedial action whenever appropriate.

### Reporting

If a student, staff member, or volunteer feels that they have been subjected to a bias incident or other inappropriate conduct based on race or any other protected class, they are encouraged to report this to a school or district employee. Any staff member who has knowledge of conduct in violation of this policy shall immediately report their concern to a building or district administrator. Any student who has knowledge of conduct in violation of this policy is encouraged to report their concern to a school or district employee.

Reports may be made anonymously.

The building administrator or designee will take reports, alert the district office, and conduct a prompt investigation of any reported bias incidents. The district will follow up on any complaint or report by utilizing the appropriate complaint process(es), depending on who was involved in the incident. All reports shall be tracked and filed with the district office.

Reports against a building administrator may be directed to the superintendent. Reports against the superintendent may be directed to the board chair. Upon receipt of a report, the superintendent or board chair will ensure that the appropriate complaint procedure is followed.

The district is committed to ongoing communication throughout the investigation. When the person making the report is known, they shall be notified when the investigation has been completed and, as appropriate and when authorized by law, the findings of the investigation and any remedial action that has been taken. The person may appeal the initial decision in accordance with the applicable complaint procedure. Retaliation against any person who is a victim of, who reports, who is thought to have reported, or who files a complaint about a Bias Incident in good faith, or otherwise participates in an investigation or inquiry, is also strictly prohibited and will be subject to discipline.

### Education and Engagement

The district shall regularly provide substantive educational opportunities and experiences to students, teachers, classified employees, administrators, board members, and community members on diversity, equity, inclusion, and anti-racism to prevent and address bias incidents. These educational opportunities and experiences shall include the topics of bias incidents, allyship, bystander intervention, the district's complaint process, and support resources for victims. They may occur both in a classroom setting and outside of a classroom setting, and shall be designed to develop skills in identifying, preventing, and responding to bias incidents. Furthermore, the educational opportunities and experiences should be developmentally appropriate and vary depending on the grades and ages of the students.

### Accountability for Implementation

It is critical that this policy be applied uniformly and with fidelity across the district.

### Anti-Bias E.A.S.H. Plans

The district and each school in the district shall complete an Anti-Bias Education, Accountability for Implementation, Solutions, and Healing (E.A.S.H.) Plan annually in a format determined by the superintendent. Plans will outline and describe each school's goals, strategies, and tactics for implementing this policy, and any other relevant anti-racist and anti-bias programs. Schools shall complete a mid-year check-in on their plan documenting their progress, in a format determined by the superintendent. Schools shall complete an end-of-year report in a format determined by the superintendent, including school-level data on reporting violations of this policy.

### Solutions

Solutions are responses to originators of bias incidents and may include required education, required participation in activities, restorative justice programming, removal of school privileges, and disciplinary action. All solutions should be age appropriate and developmentally appropriate, and to the extent practicable, use approaches that are shown through research to be effective to correct behavioral problems, while supporting a student's attendance to school and classes. The district will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program. Any disciplinary action prompted by a violation of this policy shall follow district policies on student discipline.

## Healing

When handling bias incidents, the responding building and district staff shall prioritize the safety and well-being of the victim. The board recognizes that in some situations, the victim of a bias incident may never fully heal. The district will strive to minimize and mitigate harm experienced by the victim.

The board encourages the use of restorative practices when appropriate and available, and discourages the use of "zero tolerance" approaches that have proven to be ineffective based on research and could inflame problems.

Victims of bias incidents are entitled to know that an investigation has been initiated, and they shall be notified when the investigation has been completed and, as appropriate and when authorized by law, the findings of the investigation and any action that has been taken. When the findings cannot be shared, the reason shall be communicated clearly to the victim and/or family. Victims will be provided with support and resources. This includes instances with multiple victims, including incidents that occur in the classroom.

When substantial disruption to a student's education could occur, accommodations to ensure the safety and well-being of the victim shall be made, as appropriate and with the support of the victim and/or the victim's family.

The district will strive to end inappropriate behavior by providing supportive measures and educating staff, students, and community members. This includes when conduct does not rise to the level of statutory or policy definitions or it is determined that discipline is not warranted.

Together, we must protect the mental, physical, and social health of all students, families, staff, and visitors in our schools. This includes removing all barriers that interfere with a student's wellbeing, belonging, and ability to learn and thrive.

The goal of this policy is to not only acknowledge that bias incidents and hate speech occur within our district, but also to work to educate all students and staff about this fact and to move forward to create a plan of action to address it to create a school environment that is healthy and safe for all our students and staff.

## EXAMPLE POLICIES AND RESOLUTIONS

- [Every Student Belongs](#), Medford School District, Oregon
- [Bullying, Prevention and Intervention Policy](#), Wellesley Public Schools, Massachusetts
- [Protection from Discriminatory Bias](#), Northampton Public Schools, Massachusetts
- [School Board Model Policy Template: Public Participation in Meetings & Student Representation](#), Partnership for the Future of Learning

## RELATED RESEARCH

- [Students Experiencing Bullying: An APA Primer](#), American Psychological Association
- [Bias-Based Bullying Pilot Study: Policies & Practices to Prevent Bias-Based Bullying in Schools](#), University of Minnesota
- [Discrimination: A Social Determinant of Health Inequities](#), Health Affairs Blog

## RECOMMENDATIONS FROM ADVOCATES

- [Confronting White Nationalism in Schools](#), Western States Center
- [Responding to Hate and Bias at School](#), Learning for Justice
- [Unpacking Whiteness & Antiracism in Community](#), Institute for Democratic Education in America
- [Preventing Racial Inequity in Schools and Beyond](#), Race Forward



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Safe, welcoming schools don't allow bullying and harassment.  
We cannot knowingly allow for students to be put in harm's way.

- How can we move our policies to reflect that stance better?
- Also see **Responses to racist comments** collected from the field.

### NEUTRAL

This isn't just about the impacts on students being targeted by racism - this is about the learning environment we want to create for all students. One that's full of possibilities, exploration, and dialogue.

- Do you feel like our policies are setting students up for success in this way?
- Are students well enough protected from disruption, hate, and discrimination, or is there more we can do?

### ALIGNED

Hate symbols and speech cause real damage, and we need to prevent that from happening in our schools and in our public meetings. I'm glad we agree that schools should be a place where all children can learn without distraction, without trauma, and without fear.

- What is our next step to preventing discrimination in the form of hate speech and symbols in our schools?
- What [additional] restorative practices might we consider putting in place for when bias incidents occur?

## Data Collection and Transparency

Every policy described in this toolkit hinges on a principle of sound data collection and transparency. What this means in practice is ensuring that as a school board, there are comprehensive data policies for both school-level practices and at the governance level for the school district. School board policies must also adhere to federal and state reporting requirements and privacy safeguards.

Data come in many forms and data systems exist at virtually every level of the education system. Data collection breeds curiosity and allows policymakers, school leaders, classroom teachers, and families to make informed decisions on changes needed in policy and practice. Civil rights advocates have long championed the power of data in advocating for greater equity for all students.<sup>39</sup>

Families can access data in school report cards and progress reports, in the results from state assessments, and in the resources found on school websites and in printed collateral. Educators and practitioners use data for day-to-day instruction and evaluation of the various needs in each classroom that emerge from diverse student learning styles. And administrators use both aggregate and disaggregated data (information about student performance broken down by different student groups) to see systems level gaps in student outcomes, as well as areas with promising practices and results. Are there groups of students who have very different outcomes than other learners? If so, why is this the case?

School boards today have an opportunity to approach all things related to data with intentionality to ensure the district knows exactly what information they are collecting, how they are sharing data, and how they will invite community input. Data remains a great conversation starter for both bringing communities into the fold of the school system and telling stories with the information collected. Public facing dashboards, for example, provide families with detailed reports and trends on how students are faring in their school and in comparison to neighboring districts.





**INTERSECTIONALITY INSPIRATION:** Given the rapid expansion of education technology, it is important for school district leaders to be clear about what student information is being collected, why they collect it, how they use it, and with whom they share it. For families, clear policies on data privacy, confidentiality, and security practices are increasingly important given known data breaches and **cyberattacks**, as well as some mistrust in data and **technology**. Mistrust in data can result in families opting out of state assessments or school climate surveys, which can leave groups of students behind. The good news is that often this mistrust in data is a result of incomplete information. According to the **Data Quality Campaign**, districts can overcome these barriers by proactively sharing the context, proximity, and purpose of data collection.

## CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

When considering school district level policies for data collection and transparency, it may be useful to review the U.S. Department of Education’s guidance for schools and districts on how to keep families and students better informed about what data is collected and how it is used. Note there are required privacy rights notifications under federal law titled FERPA and PPRA which should factor into policymaking in addition to any state mandates.<sup>40</sup>

The guidance recommends that schools and districts provide families with information, such as:

- What information are you collecting about students?
- Why are you collecting this information?
- How is the information protected?
- Do you share any personal information with third parties? If so, with whom and for what purpose(s)?
- Who should families contact if they have questions about your data practices?

To respond to family inquiries, the guidance recommends that schools:

- Keep the lines of communication open.
- Review family questions, concerns, and suggestions in a thoughtful and careful manner.
- Respond to family or student requests in a timely manner.
- Periodically review old inquiries and resolutions to evaluate and improve communication and transparency efforts.

The guidance also advises schools to make information about their student data policies clear, consistent, and easy to find on their public website.<sup>41</sup> Building off this, we have



compiled the following principles for consideration in identifying sound and evidence-based practices related to data:

### **Principle 1: Invest in staff and school board capacity on data policy**

- Provide professional development to staff on basics of data collection and analysis
- Be explicit in committing as a school board to understanding data as part of a strategic practice
- Partner with contractors/vendors who are experts on data and can guide the board and staff

### **Principle 2: Create internal accountability systems for the board around data**

- Instill a practice of data review and analysis among board members by committing to reviewing key data points in an agreed upon timeline (quarterly for example) and ensure the data are disaggregated as possible by student groups and with intersectionality mentioned in prior sections.

### **Principle 3: Engage in proactive family communication around data**

- Use data to communicate and partner with community members.

## **EXAMPLE POLICIES AND RESOURCES**

- [Basic Board Commitments: Equity](#) (pages 4-5), Baltimore County Public Schools, Maryland
- [Code of Conduct, Character, and Support](#) (the result of data collection efforts in Syracuse), Syracuse City Schools, New York

## **RELATED RESEARCH AND RESOURCES**

- [Collecting Data in Pursuit of Equity](#), The Learning Accelerator
- [Civil Rights Data Collection](#), U.S. Department of Education
- [Educators Use Data and Find Solutions to Improve Equity](#), MAEC
- [Re-Envisioning Data Processes for Educational Equity](#), Hanover Research

## **RECOMMENDATIONS FROM ADVOCATES**

- [Using Data to Advance Racial Equity](#), Edutopia
- [Disaggregated Data: Not Just a Box Checking Exercise](#), Data Quality Campaign

## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

By working together, we can help establish best practices when it comes to our district's data procurement policies. At the same time, we allow for a fuller view of how our students experience their education and interact within our learning community.

- Are you willing to share what some of your concerns might be in addressing the collection and use of student data?

### NEUTRAL

Data is an essential tool our district needs to evaluate and improve our learning environment, and ultimately student experiences and outcomes.

- We can improve the ways in which we collect, analyze, and share that data, and that starts with strong policies.
- Would you be willing to have a conversation with me about how our district collects and uses data?

### ALIGNED

Reviewing how our district collects and uses data will require a considerable effort on the part of the school board.

- What strengths do you feel you bring to this effort?
- How can I be supportive as we start this conversation with the district?



# Evaluating Your Superintendent

School boards have the fundamental responsibility of evaluating their district superintendents. This is a core function of the school board as well as a requirement of state laws. Evaluating superintendents fairly, intentionally, and with action-driven recommendations requires strategic planning and clear policies. School boards can view the process in a number of ways, including as: (1) a means for ensuring accountability; (2) an opportunity to strengthen the board/superintendent relationship; (3) a structured way for the board to impact superintendent professional development and thereby student achievement; and (4) as a tool for increasing transparency for the community.<sup>42</sup>

To evaluate the superintendent effectively, there needs to be a performance evaluation system built on clearly defined and agreed upon performance standards that detail the superintendent's role and responsibilities. There also needs to be policies that establish clear processes, set meaningful goals, identify focus indicators, collect and share evidence, and determine summative ratings.<sup>43</sup>

## CONSIDERATIONS FOR LOCAL POLICY DEVELOPMENT

As the employers to superintendents, school boards can use the superintendents' regular evaluations as opportunities to move beyond compliance. Below, we offer guiding principles as starting points for policy development based on the Massachusetts Department of Education and Secondary Education (DESE).

### Principle 1: Making the most of the opportunity

- Provide guidance to superintendent about yearly priorities
- Create a process for S.M.A.R.T. goal setting (Specific, Measurable, Achievable, Realistic, and Timebound)
- Establish a climate of continuous improvement by performing an annual self-evaluation<sup>44</sup>

### Principle 2: Organizing the process and putting goals at the center

- Ensure there is an evaluation subcommittee
- Identify focus indicators that are centered on goals
- Ensure the process is transparent for community members
- Align evaluation to state approved or sanctioned standards

### Principle 3: Assessing progress and performance and deciding and reporting ratings

- Evaluations are based on agreed upon goals – establish a strong working relationship with superintendent to ensure a clear process for goal setting
- Collect and share evidence of performance

## EXAMPLE POLICIES

- [Superintendent evaluation](#), Ossining Union Free School District, New York
- [Superintendent evaluation](#), Fitzgerald School District, Michigan

## RELATED RESEARCH

- [School District Leadership that Works: The Effect of Superintendent Leadership on Student Achievement](#), Mid-continent Research for Education and Learning
- [A Goals and Standards Based Superintendent Evaluation: A Resource for School Board Members and Superintendents](#), Minnesota School Boards Association
- [Evaluating the superintendent: The role of the school board](#), NCPEA Education Leadership Review

## RECOMMENDATIONS FROM ADVOCATES

- [Why Your Superintendent Evaluation Matters – And How You Can Help](#), School Board Partners
- [Leading for Equity: Opportunities for State Education Chiefs](#), CCSSO



## START THE CONVERSATION AND MANAGE TENSIONS

Choose a starting point for conversation based on the relevant individuals' current levels of support for equity. If alignment has not yet been established, start with what you can agree on and build from there. If alignment is strong, then you may be able to bring about positive action by sharing examples and providing clear community facilitation.

### CHALLENGING

Our district's commitment to educational excellence starts with our highest levels of leadership.

- Improving the ways in which we evaluate our superintendent can guarantee not only their satisfaction with and longevity in the role, but can also improve their leadership role with our educators and staff.
- Would you be willing to share your concerns around changing the ways in which we evaluate our superintendent?

### NEUTRAL

Improving our established process for evaluating our superintendent can create a more fulfilling experience for them, which translates into longevity and increased positive outcomes for our entire district.

- Would you be willing to discuss the ways in which we can improve our evaluation guidance?

### ALIGNED

The evaluation of our superintendent is one of the primary roles of the school board. It is important that we take the time to revisit, review, and improve that process.

- What skills do you feel you would bring to this process of evaluation?
- How can I be supportive as we address this aspect of our role as school board members?

# Budgeting for Implementation

A budget is a moral document, reflecting a community's priorities. A school board's primary and perhaps most time-intensive responsibility is the analysis and implementation of their school district's budget. The budget-setting power of school boards vary widely, with some having more direct control over budget line items than others, but all require the input of other community governance, such as a mayor or town council. Some parts of district budgets are also inflexible depending on the number of state-level mandates directed at public education, as well as staff compensation requirements dictated by the state and negotiated with local teacher and staff unions.

These complicated and sometimes confusing documents are easy for the public to ignore until the time to raise funds for education comes into focus — either because of budget cuts to programs or educator layoffs, or a request to raise funding for a particular project or program. For most public school systems in the United States, an outsized portion of funding for schools is raised through property taxes. This dynamic often creates deep rifts between a school district and its surrounding communities, and is also the source of deep inequity in public education nationwide where wealthier communities can afford more staffing and services.

Throughout the budgeting process, it is critical that the school board and district engage in dialogue with the wider community about district priorities. Budget decisions cannot be made in a vacuum and have wider implications than those the administration sees and communicates to the school board. For example, the need to protect staff like bus drivers, janitorial staff, and paraprofessionals from annual budget cuts may not be immediately apparent, but those are the staff that can make or break how equity plays out for students who need support and wraparound services at school. Budgetary priorities should reflect the needs and expectations of the wider community to establish equity for all but can only be achieved through strong and consistent dialogue between the community and the school district.

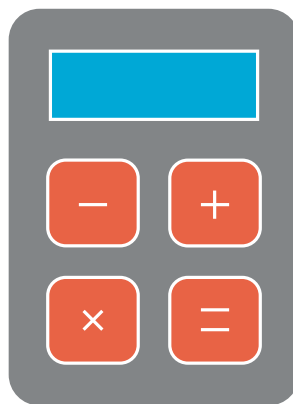
Participatory budgeting (PB) is one way that districts can create opportunities for more community involvement in deciding how district funds are utilized. PB is a process by which community members are asked to make decisions around the use of specific district funds.

At its core, PB is intended to reverse power imbalances, improve community decision making, increase transparency, and restore financial authority to the groups that can benefit most from the reallocation of valuable education resources. When the whole school community has the chance for real input in the allocation of school resources, their expertise is reflected in the budget and the most urgent student needs are prioritized.

PB also helps to build the skills, knowledge, and capacity of district leaders to ensure strong community representation and the continued focus on student needs. The myriad benefits that PB presents can make an easy argument for a district to begin the practice. Whatever the motivators, and whatever the entry point, there are case-studies and resources that can help school boards further explore the practice.

## EXAMPLE POLICIES AND RESOURCES

- [Participatory Budgeting in Schools](#), Participatory Budgeting Project
- [First Iteration Report](#) for [Central Falls School District](#), Rhode Island
  - [Central Falls' Voces Con Poder Sparks Civic Engagement](#), Watson Institute at Brown University
- [The Case for Participatory Democracy During Educational Crisis](#), Brookings Institute
- [Community Lead Recovery: How Youth Lead the Way](#), Democracy Beyond Elections



## **CASE STUDY #1 – Participatory Budgeting (Phoenix United School District)**

Budgets define the ways a community chooses what priorities will receive financial support. Participatory Budgeting (PB) is the way Phoenix United School District in Phoenix, Arizona decided to meet their needs for more community inclusion. Not only did they want to create opportunities for more community involvement in the district's budgeting process as a practice in equity, but also to provide leadership opportunities within the district that would not exist otherwise.

Beginning with one school and a few thousand dollars — eventually adding on schools and increasing the amount of resources to allocate — the district now has 10 schools that participate in the process of community members directing funds to meet student needs. PB was phased in gradually by adding spaces in the budget to make decisions together. Three key groups are engaged in decision making — students, families and guardians, and staff and teachers — each with a budget of \$3,000 to \$5,000 to decide on. Of the three PB processes, each has a ballot of between 10-30 projects to debate and then vote on.

Sometimes these groups voted for physical changes to their school building. Other times, they favored additional programming for students (student driven). Other times they advocated for more access to water/water bottle refill stations or being able to access sanitary products in the school restrooms. When it came to the impacts of policing on young people in schools, acknowledging the groups of students who are disproportionately impacted or pulled into the criminal legal system, PB groups made the decision to terminate their contract with Student Resource Officers (SROs) and invest in community infrastructure instead. The district used key school administrators to lead the PB process and oversight committee with some help from the PB developed steering committee who wrote rules alongside staff.

Currently, PXU is inviting both families and students onto a district steering committee to offer their insights on their Redesigning School Safety Participatory Budgeting Process. At the end of the process, the steering committee will vote on the ideas that are presented and PXU will invest in making the winning ideas a reality. To be inclusive of English learners and Spanish speakers, objectives and procedures are offered to the community in both English and Spanish. Entering the process is as simple as filling out a Google Form to provide contact information to the district; there are no prerequisites for participation outside of a relationship with the district (family member, student, or educator).



## **CASE STUDY #2 – Community Engagement Town Halls (Cincinnati Public Schools)**

Inviting the school community into district spaces in a way that feels inclusive and welcoming can be challenging for districts to incorporate into budgeting practices at first, as it requires additional commitments of time and energy outside of the traditional school day. However, there are strong examples of how this can be done well, and how it can make budgeting more effective to meet the community's needs and strengths.

Cincinnati Public Schools (CPS) in Cincinnati, Ohio uses a decentralized budget building system to integrate local communities into their process. Among their 65 schools, each school has an instructional leadership team that's responsible for helping to build a budget based on their students' and schools' needs. This process, adopted by the school board in 2016 and revised in 2018, requires that the district's many financial, capital, and human resources be allocated equitably.

Equity has a shifting definition, depending on the demographics of a community. CPS developed an equity request form as a response to the fluidity of the definition of equity. School budget teams were required to look at their plan so that their Title I needs assessment would drive their extra funding for equity, which was then tied to a measurable outcome. The process requires reviewing projected enrollment, Ohio report card scores, math and reading composite scores, housing instability, students with disabilities, and a growing population of English learners.

Jennifer Wagner, Chief Financial Officer of CPS, understands that it is difficult to weigh these aspects of student life against each other. Each has significant validity and needs, and those needs will vary depending on the school community. In response to this conundrum, CPS identified five to six dates throughout the year, each with a specific topic to be discussed relative to these student needs. At each of these dates, the community was invited to participate in living room style conversations set on a stage in a district school.

Community members were given background information on what ESSER funds were, where they came from, and how long the school had to use them. The first time this "financial town hall" was offered to the community, 300 people participated; that number has doubled in recent years. Initially, the community's predominant request for spending was on mental health services and safety for students. As time has gone on, the district has seen that there is no consensus of which measures should take the highest priority. Their success in authentic participation is based on picking topics people are interested in, and where participants feel there is a decision to be made and they can have an impact. The town halls have been about communicating the district's priorities, decision-making process, and timelines so that the community can successfully participate in school budget discussions.

# Working with State Associations & State Policymakers

No school board operates in a vacuum, whether at a local or at a state level. Often, school boards are connected to state and national level associations, in much the same way that school administrators are part of professional associations. These associations may offer learning and networking opportunities, as well as insurance and legal support, but can also be powerful places for collaborative work and policy change that is beneficial for students. There are connections in how policy development, evaluation, and budgeting happen at a local school board level and how policy changes at state and national levels. For these reasons, school boards should consider how working with state associations and state policymakers can benefit their local school district when it comes to advancing equity.

However, school boards may run into barriers in advancing equity if their state policymakers and associations are silent, ineffective, or oppositional. For example, state associations can be non-partisan and may work to avoid strong stances in favor of vague language. A change in leadership after an election can shift the education equity landscape and what possibilities exist across the state. It can also be challenging when state-level groups offer policy language that is not in alignment with equity-related goals. In these cases, strong local school board policy in support of equity is very important, and school board members can advocate for greater equity in education at the state level.

School board members who are in tune with their local communities have the opportunity and responsibility to bring local perspectives to the table. It can be especially helpful to center student voices by inviting students to the table and sharing perspectives that you have heard, using values-based language. School board members can advance equity by finding something on which many people can agree — centering young people as high priority, regardless of political affiliation or connections.

# Engaging Student Leadership

Increasingly, we are seeing more student representation on local and state school boards, an important lever for promoting equity, diversity and inclusion (see recent actions by students in [New Haven, CT](#), [Chino Valley, CA](#), [Pennsylvania](#), and [Lake Oswego, OR](#)).<sup>45</sup> Indeed, having students serve on school boards is itself an act of democracy in action and one that benefits adults and students alike. When youth are prioritized and valued, their participation and perspective is invaluable in policy making and practice.

Engaging students can look very different from school district to school district—you might partner with student groups already established in a school, or you might sit on a board committed to including a student representative, or you might live in a state where laws require student representatives on school boards (for example, [New Hampshire](#), [New Jersey](#), and Maryland). Whatever the reason, nurturing democratic citizenship is central to school board missions. Below we include resources from student-led groups and other organizations responding to new mandates to include student representatives.

## RESOURCES

- [School Board Model Policy Template](#), Partnership for The Future of Learning
- [Policy: Maryland Montgomery County Student Member Scholarship](#)
  - Maryland provides its Student Board Member with a scholarship equivalent to one year's worth of in-state tuition, mandatory fees, and room and board at the University of Maryland (approximately \$20,000).
- [Student Members on School Boards: A Toolkit for Schools and Districts](#), Reaching Higher NH

## RECOMMENDATIONS FROM ADVOCATES

- [Student Board Member Policy Recommendations](#), National Student Board Member Association (NSBMA)



## Note for Administrators

School boards and administrators work shoulder-to-shoulder when it comes to policy, evaluation, budgeting, and other ways of implementing equity. Administrators often bring policies to school boards for implementation and adoption, and they work with educators and their school community to establish guidelines for language, gather support for policy change, and create awareness of equity-driven work the district is doing.

While this toolkit was written with school boards in mind, administrators are just as central to its purpose. And there are several ways administrators can build strong collaboration with school board members towards shared goals. No district office and school board will agree 100% of the time, but being out of alignment can create barriers to updating policy and practices towards equity. If an administrator is looking to improve the school board's capacity to create positive changes, the following recommendations from school administrators around the country may be worth considering:.

- **Ensure that your board members receive training on their role and the relevant rules that govern their work.** Work with the state school board association to encourage board members to attend both individual and full-group training opportunities early in their terms
  - Make sure board members understand and can use parliamentary procedure and [Robert's Rules of Order](#).
  - Make sure board members are aware of and complying with the state's public meeting laws and public records laws, including the strict rules around executive sessions and serial communications. Failure to adhere to these laws could have serious consequences for the school board and the district.
- **Consult with people in your district and external partners if a difficult situation develops.** Part of the role of superintendent is communicating with district stakeholders; consider ensuring that community leaders are aware of pending decisions and their opportunity to provide public comment and written feedback to the board, as it is the board's responsibility to listen to the entire school community.
  - Keep lines of communication open and continuous with board members and community when difficulties arise.
  - As superintendent, you may already meet regularly with each board member. Consider speaking to board members who are supportive of racial equity work about how to move forward.
  - Beyond consultations and keeping lines of communication open for support, think about how to build a broad coalition to support equity and inclusive education, especially on topics where you expect opposition. Early support from local community leaders, elected officials, statewide leaders, etc., can help blunt opposition and leave fewer openings for bigotry or hate.

- **Work with board members towards a shared rationale about how the district is supporting students, in addition to following the law.** Find ways to show support for students in all their diverse identities even amid disagreement to ensure the arguments of adults don't harm young people.
- **Invite school community members into committee and other volunteer work that can become a pathway towards school board candidacy.** Their experience will benefit them if they are elected, and it's a way to bring diverse voices to the table who might not consider running for school board otherwise.

When administrators, school board members, school communities, and policy makers work together, then equity in education will cease to be a concept — it will become real in ways that benefit each student.



# Additional Resources

## General Tools, Frameworks, and Policy Guides

1. [Resource Guide to Developing a School Equity Plan: A Template to Operationalize Diversity, Equity, and Inclusion in Michigan's K-12 Education System](#)
2. [New York State Culturally Responsive-Sustaining Education Framework \(with Glossary\)](#)
3. [Racial Equity Tools Glossary](#)
4. [Pennsylvania Department of Education Culturally Responsive-Sustaining Program Framework](#)
5. [Portland Public Schools Racial Equity Lens Procedure Bookmark](#)
6. [Addressing the Out-of-School Suspension Crisis: A Policy Guide for School Board Members](#)
7. [Strengthening Public Schools for Student Success: School Board Policies and Resolutions and Sample Resolution and Guidance for Community Engagement](#)

## Tools for Organizing and Engagement

1. [EJ-ROC's Organizing Toolbox: Tips for Building a Strong Parent Base](#)
2. [We Power Policy: Transformative Alignment Toolkit](#)
3. [NYU Metro Center: Planning a Campaign for Anti-racist/Culturally Responsive Education](#)
4. [Race Forward: School Board Resolutions](#)

## Messaging & Framing Research on Equity in Education

1. [Talking About Racial Equity in Education](#)
2. [Making the Case for Equitable and Just Public Education](#)
3. [Quickstart Guide to Changing the Narrative on Public Education](#)

# Endnotes

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- <sup>1</sup> Carrie Sampson and Sonya Douglass Horsford, "Putting the Public Back in Public Education: Community Advocacy and Education Leadership Under the Every Student Succeeds Act", *Journal of School Leadership*, September 2017 (Vol. 27). Available at <https://drive.google.com/file/d/1jyT0cNb2kbXfnHQvOV8rqSzq0xT84Isl/view>.
- <sup>2</sup> The disability community is evolving to using identity-first language in place of person-first language. This is because it views disability as being a core component of identity, much like race and gender. Some members of the community, such as people with intellectual and developmental disabilities, prefer person-first language. In this toolkit, the terms are used interchangeably. Source: "Communicating About People with Disabilities," National Disabilities Rights Network, 2020. Available at <https://www.ndrn.org/resource/communicating-about-people-with-disabilities/>.
- <sup>3</sup> S.H. Horowitz, et al., "The State of Learning Disabilities: Understanding the 1 in 5: New York," National Center for Learning Disabilities, January 24, 2017. Available at <https://www.nclld.org/news/state-of-learning-disabilities/understanding-learning-and-attention-issues/>.
- <sup>4</sup> Horowitz, "The State of Learning Disabilities: Understanding the 1 in 5: New York" and "Significant Disproportionality in Special Education: Current Trends and Actions for Impact," National Center for Learning Disabilities, 2020. Available at [https://www.nclld.org/wp-content/uploads/2020/10/2020-NCLD-Disproportionality\\_Trends-and-Actions-for-Impact\\_FINAL-1.pdf](https://www.nclld.org/wp-content/uploads/2020/10/2020-NCLD-Disproportionality_Trends-and-Actions-for-Impact_FINAL-1.pdf).
- <sup>5</sup> Horowitz, "The State of Learning Disabilities: Understanding the 1 in 5: New York" and "Significant Disproportionality in Special Education: Current Trends and Actions for Impact."
- <sup>6</sup> Note: We draw on the recommendations and guiding principles found in the following resource and condensed where necessary. Source: "Planning for Equity and Inclusion: A Guide to Reopening Schools," National Center for Learning Disabilities, 2020. Available at [https://www.nclld.org/wp-content/uploads/2020/07/2020-NCLD-Reentry-Principles\\_v3.pdf](https://www.nclld.org/wp-content/uploads/2020/07/2020-NCLD-Reentry-Principles_v3.pdf).
- <sup>7</sup> Adapted from "Special Education" policy, Northeast Bradford School District. Available at <https://go.boarddocs.com/pa/nebr/Board.nsf/goto?open&id=APSRC86BA9F8>.
- <sup>8</sup> Note in this toolkit we use the term English learner (EL). This is the preferred term of the California Department of Education (and, increasingly, other states). California is the state with the largest number and percentage of emergent bilingual students enrolled in public schools. Over the past twenty years, California has moved from LEP to ELL and, most recently, from ELL to EL. Source: [National Council for Teachers of English](#).
- <sup>9</sup> Enrollment in Fall 2016 class. Source: [UnidosUS Fast Facts 2020: Latino Students and English Learners](#) and National Center for Education Statistics "The Condition of Education: English Language Learners in Public Schools," updated May 2022, retrieved October 25, 2022. Available at <https://nces.ed.gov/programs/coe/indicator/cgf>.

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- <sup>10</sup> Carrie Sampson, “The State Pulled a Fast One on Us’: A Critical Policy Analysis of State-Level Policies Affecting English Learners from District-Level Perspectives,” Educational Policy, 2018. Available at <https://drive.google.com/file/d/1mRCQnnP7NwC9mpkRLctxiHxXc5YsW7R/view>.
- <sup>11</sup> Leslie Villegas, “English Learners Were at a High Risk of Being Suspended Before the Pandemic, Restorative Practices May Offer Much Needed Relief,” New America Blog, July 2, 2021. Available at <https://www.newamerica.org/education-policy/edcentral/english-learners-were-at-a-high-risk-of-being-suspended-before-the-pandemic-restorative-practices-may-offer-much-needed-relief/>.
- <sup>12</sup> Covid-19 Handbook: Strategies for Safely Reopening Elementary and Secondary Schools, Volume 1, Department of Education, 2021. Available at <https://www2.ed.gov/documents/coronavirus/reopening.pdf>.
- <sup>13</sup> Luis Javier Pentón Herrera and Robin L. McNair, “Restorative and Community-building practices as social justice for English learners,” TESOL Journal, February 24, 2021. Available at <https://onlinelibrary.wiley.com/doi/epdf/10.1002/tesj.523>.
- <sup>14</sup> Leslie Villegas, “New Research Highlights Need for more Differentiation in English Learner Education for Indigenous Students,” New America Blog, May 6, 2022. Available at <https://www.newamerica.org/education-policy/edcentral/new-research-highlights-need-for-more-differentiation-in-english-learner-education-for-indigenous-students>.
- <sup>15</sup> See “Official language of the United States”, available at <https://www.usa.gov/life-in-the-us>.
- <sup>16</sup> Adapted from “Bilingual Education” policy, Chicago Public Schools. Available at <https://drive.google.com/file/d/12jrSnn8zAB1laf4Rm5kCeXN5TldjSff6/view>.
- <sup>17</sup> We acknowledge that there is a diversity of opinion based on history and comfort around the use of the term Latino, Hispanic, and Latinx. We use Latino and Hispanic to align with the Census but acknowledge the different views and preferences for terms.
- <sup>18</sup> Digest of Education Statistics, 2022, Table 203.60. U.S. Department of Education, 2022. Available at [https://nces.ed.gov/programs/digest/d22/tables/dt22\\_203.60.asp?current=yes](https://nces.ed.gov/programs/digest/d22/tables/dt22_203.60.asp?current=yes).
- <sup>19</sup> Nearly six million children live with an undocumented family. Source: “Beyond the Border, Family Separation in the Trump Era,” UnidosUS, White Paper, March 2019. Available at [https://www.unidosus.org/wp-content/uploads/2021/07/unidosus\\_beyondtheborder\\_22519.pdf](https://www.unidosus.org/wp-content/uploads/2021/07/unidosus_beyondtheborder_22519.pdf).
- <sup>20</sup> Refer to the table on page 3 with terms used to describe newcomers in the U.S. Department of Education’s Newcomer Toolkit, 2017. Available at <https://www2.ed.gov/about/offices/list/oela/new-comer-toolkit/ncomertoolkit.pdf>.
- <sup>21</sup> Paula Ann Solis, “What Teachers Supporting Undocumented Students Should Know,” Teach for America, October 15, 2018. Available at <https://www.teachforamerica.org/one-day/magazine/what-teachers-supporting-undocumented-students-should-know>.
- <sup>22</sup> “Fact Sheet: Educational Services for Immigrant Children and Those Recently Arrived to the United States,” U.S. Department of Education, September 19, 2014. Available at <https://www2.ed.gov/policy/rights/guid/unaccompanied-children.html>.
- <sup>23</sup> “Fact Sheet: Family Educational Rights and Privacy Act (FERPA),” U.S. Department of Education. <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.



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<sup>24</sup> U.S. Immigration and Customs Enforcement FAQs, US Immigration and Customs Enforcement, October 28, 2021. Available at <https://www.ice.gov/ero/enforcement/sensitive-loc>.

<sup>25</sup> Adapted from the San Francisco Unified School Board Policy titled "Protection of the rights of undocumented students" Adopted: February 14, 2017. Available at <http://go.boarddocs.com/ca/sfusd/Board.nsf/goto?open&id=AJUN2F5D5001>.

<sup>26</sup> Note that according to some state laws, some schools may have an obligation to inform social services. Please review your own state's statutes on this.

<sup>27</sup> Joseph G. Kosciw, et al., "The 2021 National School Climate Survey: The Experiences of LGBTQ+ Youth in Our Nation's Schools," GLSEN, 2022. Available at <https://www.glsen.org/research/2021-national-school-climate-survey>.

<sup>28</sup> The Trevor Project Research Brief: LGBTQ Youth Suicide Prevention in Schools, The Trevor Project, 2021. Available at <https://www.thetrevorproject.org/wp-content/uploads/2021/08/Trevor-Project-Schools-Research-Brief.pdf>.

<sup>29</sup> Adapted from Berkeley Unified School District policy titled "Transgender and Gender Nonconforming Students (BP 5159)." Available at <https://www.berkeleyschools.net/wp-content/uploads/2021/02/BUSD-Transgender-and-Gender-Nonconforming-Students-BP-5159.pdf>. Also, GLSEN recommendations available at <https://www.glsen.org/activity/respect-all-policy-recommendations-support-lgbtq-students>.

<sup>30</sup> Adapted from "Culturally Responsive Sustaining Education", NYC Department of Education. Available at <https://www.schools.nyc.gov/about-us/vision-and-mission/culturally-responsive-sustaining-education>.

<sup>31</sup> A regionally diverse group of school districts are participating in the pilot project. They are Boston Public Schools, Denver Public Schools, Duval County Public Schools (Florida), Ector County Independent School District (Texas), and Fulton County Schools (Georgia). Source: "Outcomes Based Contracting (OBC) Resources 2022," Southern Education Foundation. Available at <https://obc.southerneducation.org/resources/>.

<sup>32</sup> "Outcomes Based Contracting (OBC) Resources 2022," Southern Education Foundation.

<sup>33</sup> A. M. Villegas & J.J. Irvine, "Diversifying the teaching force: An examination of major arguments," *Urban Review*, 42(3), 175–192, September 2010. Available at <http://eric.ed.gov/?id=EJ891663>, Dan Goldhaber, et al., "The theoretical and empirical arguments for diversifying the teacher workforce: A review of the evidence," CEDR Working Paper No. 2015- 9, University of Washington Bothell, Center for Education Data & Research, 2015. Available at <http://eric.ed.gov/?id=ED574302>; and Jason A. Grissom, et al., "How principals affect students and schools: A systematic synthesis of two decades of research," The Wallace Foundation, 2021. Available at <https://www.wallacefoundation.org/knowledge-center/pages/how-principals-affect-students-and-schools-a-systematic-synthesis-of-two-decades-of-research.aspx>.

<sup>34</sup> Revision School District Policies and Procedures to Promote Equity. Regional Educational Laboratory Northwest. Available at <https://ies.ed.gov/ncee/edlabs/regions/northwest/pdf/facilitation-instr-policy-review.pdf>.

<sup>35</sup> Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline. US Department of Education. Available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>.

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<sup>36</sup> Dear Colleague Letter on Notice of Language Assistance, US Department of Education: Office of Civil Rights, 2018. Available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201812.pdf>.

<sup>37</sup> Excerpts from San Francisco Unified School District and County Office of Education.

<sup>38</sup> Portions are derived from the Every Student Belongs Guidance and Resources, Oregon Department of Education.

<sup>39</sup> "We Oppose Anti-Testing Efforts", Leadership Conference on Human and Civil Rights, Civil Rights Groups, 2015. Available at <https://civilrights.org/2015/05/05/civil-rights-groups-we-oppose-anti-testing-efforts/>.

<sup>40</sup> For more information about what is protected and required for reporting under FERPA and PPRA, visit [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf).

<sup>41</sup> "Protecting Student Privacy, Transparency Best Practices for Schools and Districts," U.S. Department of Education, 2014. Available at [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/LEA%20Transparency%20Best%20Practices%20final.pdf).

<sup>42</sup> This is adapted from page 5 of "The Superintendent Evaluation Process: Strengthening the Board/ Superintendent Relationship," Illinois Association of School Boards (IASB), 2017. Available at <https://www.iasb.com/IASB/media/Documents/superintendent-evaluation-process.pdf>.

<sup>43</sup> "The Massachusetts Model System for Educator Evaluation, Evaluating Superintendents and District Level Administrators," Massachusetts Department of Elementary and Secondary Education, August 2019. Available at <https://www.doe.mass.edu/eval/model/evaluating-superintendents.pdf>.

<sup>44</sup> IASB, p6, Best practice suggests that a board engage in an annual self-evaluation sometime prior to the annual formal superintendent evaluation. In this way, a board takes responsibility for its own work and outcomes, reviews its role and decision-making processes, examines its own strengths and weaknesses, re-assesses future goals and creates a climate of continuous improvement.

<sup>45</sup> This information was originally organized and reported by Andrew Brennen's "From Student Voice to Student Power" Newsletter. Source: Andrew Brennen, "From Student Voice to Student Power Issue #5," Newsletter, August 12, 2022. This content is no longer available online but a related piece about Andrew Brennan can be found here: <https://www.gse.harvard.edu/news/21/02/amplifying-student-voice>.