

District Equity – What is the Board’s Role?

Boardsmanship, Community Relations
and Legal Issues
Sierra III, 9:45-10:45am

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Session Outline

➤ What does Educational Equity Mean and What are Basic Board of Education Roles?

- It is complex, and not necessarily simple.
- Board of Education Roles – You all know this – well, generally?

➤ What are the Legal Requirements for Educational Equity in Schools?

- Case law – many examples, Brown vs BOE

➤ Case Study Exercise: Developing a District Educational Equity Policy

- Draft Sample Provided
- Organize Into Groups – Improvements?; Outbrief by Group
- Equity Areas of Potential Board Interest
- Homework Questions

What this session will provide for you

- Basic understanding of what educational equity might mean in schools, the board's role to ensure such equity is achieved, and legal basis for requiring educational equity
- Sample district educational equity policy to use as a potential draft for your district

Educational Equity

Definition*

- Educational equity, also referred to as equity in education, is a measure of **achievement, fairness, and opportunity** in education. The study of educational equity is often linked with the study of excellence and equity.
- Educational equity depends on **two main factors**. The first is **fairness**, which implies that factors specific to one's personal conditions should not interfere with the potential of academic success. The second important factor is **inclusion**, which refers to a comprehensive standard that applies to everyone in a certain education system. These two factors are closely related and depend on each other for an educational system's success.
- The growing importance of education equity is based on the premise that an individual's level of education directly correlates to future quality of life. Therefore, an academic system that practices educational equity is a strong foundation of a society that is fair and thriving. However, inequity in education is challenging to avoid, and can be broken down into **inequity due to socioeconomic standing, race, ethnicity, gender, gender identity, or disability**. Educational equity is also based in the **historical context** of the location, people and structure. History shapes the outcome of individuals within the education system.

Equity Does Not Necessarily Mean Equal
Equal Does Not Necessarily Mean Equitable

* Linda Darling (Primarily)

Educational Equity

Non-Discrimination*

- The Albuquerque Public Schools affirms its commitment to the rights of students, parents and employees, as set forth in Federal and State statutes, for nondiscriminatory treatment in relation to disability, race, ethnicity, color, sex, sexual orientation, gender identity, national origin or ancestry, religion, age, veteran status, HIV status, pregnancy and/or any other protected status as defined by law, in all its programs and activities. Nondiscrimination shall include freedom from harassment and retaliation based on disability, race, ethnicity, color, sex, sexual orientation, gender identity, national origin or ancestry, religion, age, veteran status, HIV status, pregnancy and/or any other protected status as defined by law.
- This policy shall be implemented by the superintendent, or his/her designee.

Educational Equity Implies the District Implements Intentional and Continual Action to Ensure Non-Discrimination!

* APS Policy

Educational Equity

Inequities*

Inequities occur when biased or unfair policies, programs, practices, or situations contribute to a lack of equality in educational performance, results, and outcomes.

- For example, certain students or groups of students may attend school, graduate, or enroll in postsecondary education at lower rates, or they may perform comparatively poorly on standardized tests due to a wide variety of factors, including inherent biases or flaws in test designs.

- Societal inequity
- Socioeconomic inequity
- Cultural inequity
- Familial inequity
- Programmatic inequity
- Staffing inequity
- Instructional inequity
- Assessment inequity
- Linguistic inequity



Protected Classes

- Race
- Ethnicity
- Gender
- Gender Identity
- Age
- Religion
- Etc



- Great Schools Partnership Website <https://www.edglossary.org/>

Educational Equity is Very Complex – Combinatorial Concerns!

Educational Equity

Additional Terminology (*)

- **White Privilege:** The level of societal advantage that comes with being seen as the norm in America, automatically conferred regardless of wealth, gender or other factors. It makes life smoother, but it's something you would barely notice unless it were suddenly taken away – or unless it had never applied to you in the first place (courtesy of *Washington Post* columnist Christine Emba). Acknowledging white privilege is an essential part of implicit bias training, especially because many people deny its existence.
- **Implicit Bias:** This refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner (courtesy of the Kirwan Institute for the Study of Race and Ethnicity at Ohio State University). Implicit bias training seeks to make people aware of these biases. With awareness, practice, and support, people can start to see beyond their own biases. The training can be used for any group that is marginalized in our society. It is meant to engender understanding and empathy among the dominant group.

* October 2018, American School Board Journal

Educational Equity

Additional Terminology (*)

- **Internalized Racism:** The internalization by people of racist attitudes towards members of their own ethnic group, including themselves. This can include the belief in ethnic stereotypes relating to their own group. This concept is an important part of implicit bias training so white teachers can understand what their students of color carry with them.
- **Racism vs. Prejudice:** These terms do not mean the same thing, because each has a different power dynamic. According to racial justice educator and writer Debby Irving, prejudice is when a person negatively pre-judges another person or group. Any racial group can be prejudiced towards a person of any other racial group. There is not power dynamic involved. Racism is the system that allows the racial group that's already in power to retain power. Reverse racism cannot exist in the U.S. because white people are the only dominant racial group.

* October 2018 American School Board Journal

Equity and Board Role

What's the Board Role in All This?

So... What does this all mean relative to what boards are supposed to do?

How is it done?

What are the primary concerns?

How do we know we are making progress?

How do the complexities of what "educational equity" means complicate our role?

YOUR THOUGHTS?

AND: What is NOT the Board Role?

Equity and Board Role

Primary Board Roles - Review

- **Hire, Replace, Supervise Superintendent**
Ensure Superintendent/Administration implements educational equity per policy
- **Set District Policy**
Establish district policy as it applies to educational equity
- **Approve District Budget**
Ensure budget reflects priorities of the board related to educational equity

**SO.... Did our discussion cover these roles –
and only these roles?**

Legal Basis

What are the roots of the Board's responsibility to ensure equity?

Separate but Equal. *Plessy v. Ferguson* (1896)

Separate is Not Equal. *Brown v. Board of Education* (1954)

To bus or not to bus?

Swann v. Charlotte-Mecklenburg Bd. of Ed (1971)

Other considerations for ensuring equity

Title II, VI, and IX, ADA, Section 504, IDEA

Legal Basis

Why are we still struggling with this?

- White flight and similar phenomena
- Critical mass question
- Grouping v. subgrouping v. subsubgrouping

The goal is to get everyone to share a vision of equity...but why might this be counter-intuitive?

- Need for leaders
- Build character
- Appreciate the win/loss
- Pressure from the fans/parents

Just because it's not illegal, does it mean we just stand by and do nothing?

Policy Exercise

Review Draft Educational Equity Policy (Handout)

We can do *more* than the state law but we are constrained by the law and the CBA

One board role to ensure educational equity might be to establish a board policy that reflects the broad intent of accomplishing the desired results.

- Break into groups per tables (2 minutes)
- Review draft board equity policy (10 minutes)
- Provide two suggested improvements (5 minutes)
- Select a spokesperson (1 minute)
- Outbrief of group suggestions (10 minutes)



Draft Educational Policy

Policy Implementation

- Implementation of Board Policies is reflected by the Procedural Directives developed by the Superintendent
- The Board should review Procedural Directives to ensure they agree with what the Board believes its policies require
- The board should monitor implementation
 - Reports
 - Metrics
- The board should get involved in directing staff on the implementation details because our constituents expect us to represent them!
 - **NOT NOT NOT NOT NOT!!!!**
 - **What should board members do?**

Potential Board Interest

Actions for Consideration

- Does your district have an Equity Department? Lead?
- Has your school staff been trained in Equity?
 - Implicit Bias
 - Racism/Diversity
 - Cultural Sensitivity
- How does your district handle suspensions?
 - Data on suspensions? Disaggregated?
 - Programs such as Restorative Justice to de-escalate
- Special Education
 - Students with disabilities
 - Gifted students
- Policies?
 - Equity
 - Non-discrimination, Immigrants/Refugees, LBGTO
 - Community Schools
 - Family Engagement
- Complaints? Whistleblower? Is there Independence?

Board Role: Ask questions, request research/studies, ensure policies are implemented

Homework

Some Questions

- Superintendent violates a policy on equity and the public decries the violation to the Board.
⇒What do you do?
- Staff violates a policy on equity and the public decries the violation to the Board.
⇒What do you do?
- Student(s) violates a policy on equity and the public decries the violation to the Board.
⇒What do you do?
- Parent(s) violates a policy on equity and the public decries the violation to the Board.
⇒What do you do?

Some References

- Linda Darling, <https://learningpolicyinstitute.org/person/linda-darling-hammond>
- Peter W. Cookson, Jr., Linda Darling-Hammond, Robert Rothman, Patrick M. Shields, "The Tapestry of American Public Education: How Can We Create a System of Schools Worth Choosing for All?", October 25, 2018
- Linda Darling, "Kerner At 50: Educational Equity Still a Dream Deferred," April 11, 2018 (blog on multiple equity concepts)

"With this blog, the Learning Policy Institute (LPI) is launching a new series, Education and the Path to Equity, to commemorate the release of the Kerner Report and to examine issues of education and equity 5 decades after that release." <https://learningpolicyinstitute.org/blog/education-and-path-equity-series>

- Great Schools Partnership Website, Definitions <https://www.edglossary.org/>
- Kathleen Vail, "What Lies Beneath," American School Board Journal, October 2018,
- Alan M. Blankenstein, Pedro Noguero, "Excellence Through Equity: Five Principles of Courageous Leadership to Guide Achievement for Every Student," CORWIN, A Sage Company, 2015
- ASCD, resource for equity-related materials. <http://www.ascd.org>
- APS – some of the equity related information
 - <http://www.aps.edu/language-and-cultural-equity/language-and-cultural-equity>
 - <http://www.aps.edu/about-us/policies-and-procedural-directives/procedural-directives/j.-students>

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Inequities*

- **Societal inequity:** Minority students may be disadvantaged by preexisting bias and prejudice in American society, with both conscious and unconscious discrimination surfacing in public schools in ways that adversely affect learning acquisition, academic achievement, educational aspirations, and post-graduation opportunities. While not always the case, inequity in education is most commonly associated with groups that have suffered from discrimination related to their race, ethnicity, nationality, language, religion, class, gender, sexual orientation, or disabilities. For a related discussion, see [opportunity gap](#).
- **Socioeconomic inequity:** Evidence suggests that students from lower-income households, on average, underperform academically in relation to their wealthier peers, and they also tend to have lower educational aspirations and enroll in college at lower rates (in part due to financial considerations). In addition, schools in poorer communities, such as those in rural or disadvantaged urban areas, may have comparatively fewer resources and less funding, which can lead to fewer teachers and educational opportunities—from specialized courses and computers to [co-curricular activities](#) and sports teams—as well as outdated or dilapidated school facilities.
- **Cultural inequity:** Students from diverse cultural backgrounds may be disadvantaged in a variety of ways when pursuing their education. For example, recently arrived immigrant and refugee students and their families may have difficulties navigating the public-education system or making educational choices that are in their best interests. In addition, these students may struggle in school because they are unfamiliar with American customs, social expectations, slang, and cultural references. For a related discussion, see [multicultural education](#).

* - Glossary of Education Reform: <https://www.edglossary.org/>

Inequities*

- **Familial inequity:** Students may be disadvantaged in their education due to their personal and familial circumstances. For example, some students may live in dysfunctional or abusive households, or they may receive comparatively little educational support or encouragement from their parents (even when the parents want their children to succeed in school). In addition, evidence suggests that students whose parents have not earned a high school or college degree may, on average, underperform academically in relation to their peers, and they may also enroll in and complete postsecondary programs at lower rates. Familial inequities may also intersect with cultural and socioeconomic inequities. For example, poor parents may not be able to invest in supplemental educational resources and learning opportunities—from summer programs to test-preparation services—or they may not be able to pay the same amount of attention to their children's education as more affluent parents—perhaps because they have multiple jobs, for example.
- **Programmatic inequity:** School programs may be structured in ways that are perceived to be unfair because they contribute to inequitable or unequal educational results for some students. For example, students of color tend, on average, to be disproportionately represented in lower-level classes with lower academic expectations (and possibly lower-quality teaching), which can give rise to [achievement gaps](#) or “cycles of low expectation” in which stereotypes about the academic performance of minorities are reinforced and perpetuated because they are held to lower academic standards or taught less than their peers. For related a discussion, see [stereotype threat](#).
- **Staffing inequity:** Wealthier schools located in more desirable communities may be able to hire more teachers and staff, while also providing better compensation that attracts more experienced and skilled teachers. Students attending these schools will likely receive a better-quality education, on average, while students who attend schools in less-desirable communities, with fewer or less-skilled teachers, will likely be at an educational disadvantage. Staffing situations in schools may also be inequitable in a wide variety of ways. In addition to potential inequities in employment—e.g., minorities being discriminated against during the hiring process, female educators not being promoted to administrative positions at the same rates as their male colleagues—students may be disadvantaged by a lack of diversity among teaching staff. For example, students of color may not have educators of color as role models, students may not be exposed to a greater diversity of cultural perspectives and experiences, or the content taught in a school may be culturally limited or biased—e.g., history being taught from an exclusively Eurocentric point of view that neglects to address the perspectives and suffering of colonized countries or enslaved peoples.
- * - Glossary of Education Reform: <https://www.edglossary.org/>



Inequities*

- **Instructional inequity:** Students may be enrolled in courses taught by less-skilled teachers, who may teach in a comparatively uninteresting or ineffective manner, or in courses in which significantly less content is taught. Students may also be subject to conscious or unconscious favoritism, bias, or prejudice by some teachers, or the way in which instruction is delivered may not work as well for some students as it does for others. For related a discussion, see [personalized learning](#).
- **Assessment inequity:** Students may be disadvantaged when taking tests or completing other types of [assessments](#) due to the design, content, or language choices, or because they have learning disabilities or physical disabilities that may impair their performance. In addition, situational factors may adversely affect test performance. For example, lower-income students who attend schools that do not regularly use computers may be disadvantaged—compared to wealthier students with more access to technology at home or students who use computers regularly in school—when taking tests that are administered on computers and that require basic computer literacy. For more detailed discussions, see [test accommodations](#) and [test bias](#).
- **Linguistic inequity:** Non-English-speaking students, or students who are not yet proficient in English, may be disadvantaged in English-only classrooms or when taking tests and assessments presented in English. In addition, these students may also be disadvantaged if they are enrolled in separate academic programs, held to lower academic expectations, or receive lower-quality instruction as a result of their language abilities. For related discussions, [academic language](#), [dual-language education](#), [English-language learner](#), and [long-term English learner](#).
- * - Glossary of Education Reform: <https://www.edglossary.org/>

