




TO: The Honorable the Members of the Board of Regents
FROM: Chancellor Lester W. Young, Jr.
SUBJECT: The NYS Board of Regents Framework on Diversity, Equity, and Inclusion in New York's Schools: A Call to Action - DRAFT
DATE: April 12, 2021
AUTHORIZATION(S): 

SUMMARY

Issue for Discussion

The Board of Regents will discuss a framework on Diversity, Equity, and Inclusion for New York State Schools which will serve as the basis for adopting a policy statement. It is important for the Board of Regents to establish and communicate to all New Yorkers its beliefs and expectations for all students and all entities under the University of the State of New York umbrella – especially at pivotal moments in history. The nation is at such a moment now. With this framework, the Board is ready to address the long history of racism and bigotry, and the corrosive impact they have had on every facet of American life.

Reason(s) for Consideration

For discussion.

Proposed Handling

The framework will come before the Full Board for discussion at the April 2021 meeting. It is anticipated that a policy statement will come to the Full Board in May 2021 for adoption.

Related Regent's Items

N/A

Recommendation

It is recommended that the Board of Regents use the framework to develop a policy statement that will advance diversity, equity, and inclusion in New York's schools.

Timetable for Implementation

It is anticipated that a policy statement will be adopted at the May 2021 Board meeting.

The NYS Board of Regents Framework on Diversity, Equity, and Inclusion in New York's Schools: A Call to Action – **DRAFT**



April 2021



The NYS Board of Regents Framework on Diversity, Equity, and Inclusion in New York’s Schools: A Call to Action

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1 **Introduction**

2
3 The New York State Constitution authorizes the Board of Regents to oversee the
4 general supervision of all educational activities within the State. The Regents exercise
5 their authority in various ways, including by promulgating rules and regulations,
6 adopting student learning standards, establishing academic and graduation
7 requirements, and providing guidance and best practices to the field. The Board may
8 also exercise its authority by adopting policy positions on issues of significant
9 educational and societal importance.

10
11 It is important for the Board of Regents to establish and communicate to all New
12 Yorkers its beliefs and expectations for all students – especially at pivotal moments in
13 history. The nation is at such a moment now. Finally, we appear ready to address our
14 long history of racism and bigotry, and the corrosive impact they have had on every
15 facet of American life.

16
17 A confluence of events has brought us to this point of reckoning, including:

- 18
19 • The senseless, brutal killing of Black and Brown men and women at the hands of
20 law enforcement – and the ensuing demands for real and enduring racial justice
21 in the face of this inhumanity;
22 • A dangerous spike in violence aimed at Asian Americans and Pacific Islanders –
23 fueled in part by lies that attempt to link the Asian community with the creation
24 and spread of the Coronavirus;
25 • A renewed wave of discrimination and hateful rhetoric directed at those thought to
26 be different or somehow “not quite” American, including (but not limited to) Jewish
27 Americans, Muslim Americans, LGBTQ¹ individuals, individuals with disabilities,
28 immigrants and refugees, especially those arriving at the southern border.
29 • The terrible toll that COVID-19 has had on all our lives, communities, and school
30 systems. The disproportionate impact of this pandemic has surfaced and further
31 exacerbated long-standing educational inequities, predominantly impacting
32 Black, Latinx, Asian, Indigenous and poor student populations and students with
33 disabilities. Additionally, school closures and the resulting learning loss for our
34 most marginalized students compound existing learning disparities, leading to the
35 potential for poor life outcomes and lingering long-term effects.

36
37 These national tragedies have combined to create a perfect storm – a storm that is
38 powerful enough to propel us beyond the systemic racism that has come to define
39 America’s institutions. This systemic racism pervades all aspects of our lives, including
40 policing, education, healthcare, employment, housing, access to capital, and in almost
41 every other conceivable realm. It limits our potential as individuals, as communities, and
42 as a nation. There is no single, isolated answer that will solve these pervasive
43 problems; rather, the approach must be holistic and inclusive – and the State Education

¹ This initialism stands for lesbian, gay, bisexual, transgender, and queer or questioning.

44 Department and New York's schools will be an integral part of the solution. The way we
45 educate new generations of students will shape our nation's course for years to come.

46
47 **The Danger of a Single Story**

48
49 Nigerian author Chimamanda Ngozi Adichie warned of the dangers inherent in telling a
50 story from only one perspective. She explained that "the single story creates
51 stereotypes, and the problem with stereotypes is not that they are untrue, but that they
52 are incomplete. They make one story become the only story."

53
54 When one story becomes the only story, it becomes the "definitive" story. But when that
55 happens in school, it cheats students of the opportunity to learn the entirety of the
56 nation's history. And it deprives many of them the chance to see themselves as part of
57 the American story.

58
59 How can students fully comprehend Westward Expansion without knowing what it was
60 like for Native Americans to be violently displaced from their homes and forced to walk
61 the Trail of Tears? How can they understand the full import of America's involvement in
62 World War II without hearing firsthand accounts of Japanese Americans who were
63 interned in concentration camps by their own government?

64
65 We must tell the stories of all those who have contributed to the development of this
66 country and all those who continue to make it the diverse and beautiful tapestry it is
67 today: those who are indigenous to the land; those who were taken from their African
68 homes and brought to America's shores in chains; those who journeyed here as part of
69 the great European migration of the 19th and 20th centuries; those who traveled from
70 Asia and India, the Caribbean, Puerto Rico, Mexico, Central and South America – and
71 those who today seek refuge from poverty, violence, and tyranny.

72
73 As Pulitzer Prize-winning journalist Isabel Wilkerson instructs, understanding another's
74 perspective does not happen easily; it requires hard work, particularly on the part of
75 those in the "dominant caste." Ms. Wilkerson writes:

76
77 Radical empathy, on the other hand, means putting in the
78 work to educate oneself and to listen with a humble heart to
79 understand another's experience from their perspective, not
80 as we imagine we would feel. Radical empathy is not about
81 you and what you think you would do in a situation you have
82 never been in and perhaps never will. It is the kindred
83 connection from a place of deep knowing that opens your
84 spirit to the pain of another as they perceive it.

85
86 The nation's founders laid the groundwork that established America as a democratic
87 republic. The founding ideals are democracy, rights, liberty, opportunity, and equality.
88 However, our history courses often fail to underscore our nation's long, often turbulent
89 struggle between the ideals of freedom and equality and, more recently, voting rights.

90 All students deserve to learn about America’s entire, unvarnished history – even when
91 that complete story casts an unflattering light on historical figures who have long been
92 revered.

93
94 Schools must create opportunities for all students to learn from multiple perspectives –
95 perspectives that are just as important and valid as the narrow point of view from which
96 history and other content areas have traditionally been taught. We must always be
97 vigilant to guard against the danger of a single story.

98

99 **Impact of Systemic Racism on New York’s Students**

100

101 Martin Luther King, Jr. famously reminded us that “the arc of the moral universe is long,
102 but it bends toward justice.” Over time, we *have* made substantial progress towards
103 fulfilling America’s creed, which declares that all people are created equal. In 2008, we
104 elected the first African American president; in 2020, we elected the first African
105 American and South Asian American woman vice president.

106

107 Yet, despite these and other historic milestones, true equality of opportunity is not
108 available to many Americans, in no small part because we have not yet found a way to
109 provide all students with an education that prepares them for success in school and in
110 life.

111

112 The statistics are as frightening as they are familiar:

113

- 114 • African American and Latinx students have proficiency rates that range from 16
115 to 23 percentage points lower than their white peers on New York State’s English
116 language arts and math assessments.²
- 117 • While 91 percent of the State’s white students graduate from high school on time,
118 only 78 percent of African American and 77 percent of Latinx students do so.³
- 119 • A [CDC report](#) found mortality rates associated with COVID-19 among American
120 Indian and Alaska Natives to be 1.8 times greater than among non-Hispanic
121 whites while cases among American Indian and Alaska Native persons was 3.5
122 times greater that among White persons.⁴
- 123 • The most underrepresented group receiving in-person instruction in New York
124 City is Asian American students, making up just under 12 percent of students in-
125 person while they represent 18 percent of students overall.⁵

² New York State Education Department, 2019, [State Education Department Releases Spring 2019 Grades 3-8 ELA & Math Assessment Results](http://www.nysed.gov/news/2019/state-education-department-releases-spring-2019-grades-3-8-ela-math-assessment-results), <http://www.nysed.gov/news/2019/state-education-department-releases-spring-2019-grades-3-8-ela-math-assessment-results>

³ New York State Education Department, 2021, [State Education Department Releases 2016 Cohort High School Graduation Rates](http://www.nysed.gov/news/2021/state-education-department-releases-2016-cohort-high-school-graduation-rates), <http://www.nysed.gov/news/2021/state-education-department-releases-2016-cohort-high-school-graduation-rates>

⁴ Arrazola J, Masiello MM, Joshi S, et al., 2020, “[COVID-19 Mortality Among American Indian and Alaska Native Persons — 14 States, January–June 2020](https://doi.org/10.15585/mmwr.mm6949a3),” MMWR Morb Mortal Wkly Rep 2020; 69:1853–1856. DOI, <http://dx.doi.org/10.15585/mmwr.mm6949a3>

⁵ Balingit, Moriah, Natanson, Hannah and Chen, Yutao, 2021, “[As schools reopen, Asian American students are missing from classrooms](https://www.washingtonpost.com/education/asian-american-students-home-school-in-person-pandemic/2021/03/02/eb7056bc-7786-11eb-8115-9ad5e9c02117_story.html),” *The Washington Post*, https://www.washingtonpost.com/education/asian-american-students-home-school-in-person-pandemic/2021/03/02/eb7056bc-7786-11eb-8115-9ad5e9c02117_story.html

126 The consequences of these disparities are devastating. For example:
127

- 128 • In 2019, 40 percent of white Americans held a bachelor's degree, while only 26
129 percent of African Americans and 19 percent of Hispanic Americans did so, as
130 well.⁶
- 131 • While approximately eight percent of white Americans live in poverty, 18 percent
132 of Latinx and 21 percent of African Americans do.⁷
- 133 • Perhaps most troubling, "in 2018 African Americans represented 33 percent of
134 the sentenced prison population, nearly triple their 12 percent share of the U.S.
135 adult population. Whites accounted for 64 percent of adults but 30 percent of
136 prisoners. And while Hispanics represented 16 percent of the adult population,
137 they accounted for 23 percent of inmates."⁸

138
139 There are individuals behind each of these data points. Some of them were provided
140 with the educational opportunities and supports they needed to thrive in school; many
141 were not. The data are a stark reminder of the difficult work that remains; they can and
142 should be used to expose the inequities that persist throughout the system.
143

144 The Department, and the schools and districts it oversees, must use data to establish
145 clear expectations for students and their families. They must set goals and targets that
146 are connected to academic attainment and growth. *The work we do must always focus*
147 *on outcomes – and the outcome that matters most in our education system is student*
148 *learning.*

149
150 However, merely reporting the numbers can cause us to focus on the symptoms of
151 structural, institutional, and systemic inequities, losing sight of what lies beneath the
152 surface, at the deeper policy level. For example, discussions of New York's
153 "achievement gap" can be misinterpreted if we fail to account for the lack of student
154 opportunities to learn. As New York's education policymakers, it is our responsibility to
155 go deeper than the numbers might initially reveal; we must also examine and address
156 the *root causes* of the persistent disparities that impact student and life outcomes. We
157 know that students who attend under-resourced schools do not achieve at the same
158 level as students who attend fully resourced schools. We must stop repeating the same
159 actions that have produced these results.
160

⁶ U.S. Census Bureau, 2020, [U.S. Census Bureau Releases New Educational Attainment Data](https://www.census.gov/newsroom/press-releases/2020/educational-attainment.html),
<https://www.census.gov/newsroom/press-releases/2020/educational-attainment.html>

⁷ Stebbins, Samuel and Frohlich, Thomas C., 2019, "[The poverty rates for every group in the US: From age and sex to citizenship status](https://www.usatoday.com/story/money/2019/11/06/united-states-poverty-rate-for-every-group/40546247/)," *USA Today*, <https://www.usatoday.com/story/money/2019/11/06/united-states-poverty-rate-for-every-group/40546247/>

⁸ Gramlich, John, 2019, "[The Gap Between the Number of Blacks and Whites in Prison is Shrinking](https://www.pewresearch.org/fact-tank/2019/04/30/shrinking-gap-between-number-of-blacks-and-whites-in-prison/)," The Pew Research Center, <https://www.pewresearch.org/fact-tank/2019/04/30/shrinking-gap-between-number-of-blacks-and-whites-in-prison/>

161 **Diversity, Equity, and Inclusion**

162
163 *The Board of Regents and the New York State Education Department have come to*
164 *understand that the results we seek for all our children can never be fully achieved*
165 *unless we re-focus every facet of our work through an equity and inclusion lens (see*
166 *also New York State’s Every Student Succeeds Act Plan). This understanding has*
167 *created an urgency around promoting equitable opportunities that help all children*
168 *thrive. New York State understands that the responsibility of education is not only to*
169 *prevent the exclusion of historically silenced, erased, and disenfranchised groups, **but***
170 ***also to assist in the promotion and perpetuation of cultures, languages and ways***
171 ***of knowing that have been devalued, suppressed, and imperiled by years of***
172 ***educational, social, political, economic neglect and other forms of oppression.***⁹
173

174 **Definitions**

175
176 The act of defining is often the direct attempt to make something definite, distinct, or
177 clear. Our purpose is not to restrict, but to provide clarity to the concepts of diversity,
178 equity, and inclusion. These definitions are not intended to be exhaustive. Rather, they
179 are meant to be foundational. The definitions listed below can be credited to the
180 University of California, Berkeley Center for Equity, Inclusion, and Diversity and the
181 University of Houston’s Center for Diversity and Inclusion.

182 **Diversity:** *Includes but is not limited to race, color, ethnicity, nationality, religion,*
183 *socioeconomic status, veteran status, education, marital status, language, age, gender,*
184 *gender expression, gender identity, sexual orientation, mental or physical ability, genetic*
185 *information, and learning styles.*

186 When thinking about diversity, it is important to note that the terminology has broadened
187 over time. For example, ten years ago, diversity was synonymous with racial and ethnic
188 minorities. Today, people we once referred to as “minorities” are now considered part of
189 the global majority. Also, aspects such as socioeconomic status, gender identity, sexual
190 orientation, and disability may be considered when referring to diverse populations. With
191 this broadened definition, inclusivity of someone’s varied identities are considered.

192 **Equity:** *The guarantee of fair treatment, access, opportunity, and advancement for all*
193 *while striving to identify and eliminate barriers that have prevented the full participation*
194 *of all groups.*

195 The principle of equity acknowledges that there are historically under-served and under-
196 represented populations and that fairness regarding these unbalanced conditions is
197 needed to assist equality in the provision of effective opportunities to all groups.

198 At its core, equity requires that we *create the opportunity* for all students to succeed and
199 thrive in school no matter who they are, where they live, where they go to school, or
200 where they come from.

⁹ New York State Education Department, 2018, [Culturally Responsive-Sustaining Education Framework](http://www.nysed.gov/common/nysed/files/programs/crs/culturally-responsive-sustaining-education-framework.pdf).
<http://www.nysed.gov/common/nysed/files/programs/crs/culturally-responsive-sustaining-education-framework.pdf>

201 **Inclusion:** *Authentically bringing traditionally excluded individuals and/or groups into*
202 *processes, activities, and decision/policy making in a way that shares power and*
203 *ensures equal access to opportunities and resources.*

204 ***Through this Framework, the Board of Regents asserts its expectation that all***
205 ***school districts will develop policies that advance diversity, equity, and inclusion***
206 ***– and that they will implement such policies with fidelity and urgency.***

207 **Role of the Board of Regents and NYS Education Department**

208 The benefits that derive from creating diverse, equitable, and inclusive environments
209 are certainly not limited to the school setting. It is difficult to imagine any institution that
210 would not benefit from greater diversity, equity, and inclusiveness – and that includes
211 the New York State Education Department. The Department has, of course, always
212 adhered strictly to all laws and State policies regarding fairness in the workplace. But
213 we must do more, for the good of the Department and its employees and as a model for
214 schools to emulate. We must lead by example.
215

216
217
218 The Board of Regents will establish a Diversity, Equity, and Inclusion Workgroup of the
219 Board of Regents. The Workgroup will be representative of SED and the University of
220 the State of New York (USNY) and will provide policy direction and recommendations to
221 the full board on matters related to diversity, equity, and inclusion within SED and
222 USNY.
223

224 NYSED’s stated mission is “to raise the knowledge, skill, and opportunity of all the
225 people in New York.” In most states, the Education Department deals only with P-12
226 education. But in New York, we have a comprehensive system –USNY– to help us
227 achieve this ambitious mission.
228

229 **The Role of School Districts**

230
231 Districts have a critical role in elevating the issues of diversity, equity and inclusion;
232 setting policies; establishing data targets; reviewing and modifying their curricula; and
233 more.¹⁰
234

235 We recognize that much of this work is *already* happening in districts across the State.
236 Equity warriors are working to create school communities that are more diverse, more
237 equitable, and more inclusive than ever before. Many of New York’s education
238 stakeholders and their organizations have elevated this issue to the very top of their
239 agendas. Their efforts must be recognized and applauded. It is a movement and it is
240 growing every day in state houses, schoolhouses and at dinner tables across New York
241 and the nation.
242

¹⁰ It is important to remember that in New York State, curricula are adopted locally; they are *not* mandated by the State.

243 At the same time, however, some districts have not yet made diversity, equity, and
244 inclusion a priority in their schools. Others may simply be looking for the State to
245 provide the guidance and tools they need to do so.

246

247 **Suggested Elements of a District’s Diversity, Equity, and Inclusion Policy**

248

249 This must be a comprehensive approach, taking into account the entirety of the
250 schooling process, including:

251

252 • **Governance:** Establishing a district Diversity, Equity and Inclusion Committee
253 representative of all stakeholders, including students.

254

255 • **Teaching and learning:** Addressing the need for inclusive and culturally
256 responsive teaching and learning, including but not limited to:

257

258 ○ curricula in all content areas;

259 ○ books and instructional materials;

260 ○ pedagogical practices and professional development;

261 ○ classroom grouping policies and practices;

262 ○ student support systems for all developmental pathways;

263 ○ full and equitable opportunities to learn for all students; and

264 ○ multiple assessment measures.

265

266 As part of this work, districts may consider:

267

268 ○ Specifically acknowledging the role that racism and bigotry have played, and
269 continue to play, in the American story.

270 ○ Adopting a Culturally Responsive Sustaining (CR-S) Framework that
271 specifically embeds the ideals of diversity, equity, and inclusion by creating
272 student-centered learning environments that affirm cultural identities; fosters
273 positive academic outcomes; develops students’ abilities to connect across
274 lines of difference; elevates historically marginalized voices; empowers
275 students as agents of social change; and contributes to individual student
276 engagement, learning, growth, and achievement through the cultivation of
277 critical thinking.

278

279 NYSED's own CR-S framework is grounded in four principles:
280

- 281 1. Welcoming and Affirming Environment
- 282 2. High Expectations and Rigorous Instruction
- 283 3. Inclusive Curriculum and Assessment
- 284 4. Ongoing Professional Learning

285
286 ○ Ensuring coherent opportunities for students to actively participate in
287 experiences that prepare them for a lifetime of civic engagement and social
288 justice activism, including, for example, completing capstone projects. The
289 [materials developed by NYSED's Civic Readiness Task Force](#) provide a
290 helpful foundation for this work.

- 291
292 ● **Family and community engagement:** Ensuring family and community
293 engagement practices are based on mutual trust, confidence and respect.
294
- 295 ● **Workforce Diversity:** Practices and policies for the recruitment and retention of
296 a diverse workforce in all areas and levels. A [recent report](#) released by the Albert
297 Shanker Institute goes so far as to call teacher diversity a civil right for students.
298 This report argues that exposing students to a diverse range of teachers and
299 school leaders reduces stereotypes and prepares students for an increasingly
300 global society. A [2019 NYSED report](#) is a helpful resource on this topic as well.
301
- 302 ● **Diverse schools and learning opportunities:** Take creative steps to enhance
303 the level of socioeconomic and racial diversity within district schools (even if the
304 district's student population is relatively homogeneous). Ensure coursework,
305 programs, and activities are accessible to all students, regardless of their
306 disability status, native language, income level, or any other basis.

307
308 A 2019 [compilation of data and research](#) by The Century Foundation details
309 some of the ways that racial and socioeconomic integration benefits students and
310 the wider community, including:

- 311 ○ Academic and Cognitive Benefits
312 *On average, students in socioeconomically and racially diverse*
313 *schools – regardless of a student's own economic status – have*
314 *stronger academic outcomes than students in schools with*
315 *concentrated poverty.*
- 316
317 ○ Civic and Social-Emotional Benefits
318 *Racially and socioeconomically diverse schools offer students*
319 *important social-emotional benefits by exposing them to peers of*
320 *different backgrounds. The increased tolerance and cross-cultural*
321 *dialogue that result from these interactions is beneficial for civil society.*
322
323

324 ○ Economic Benefits
325 *Providing more students with integrated school environments is a cost-*
326 *effective strategy for boosting student achievement and preparing*
327 *students for work in a diverse global economy.*
328

329 ● **Student supports, discipline, and wellness:** Districts should consider:
330

- 331 ○ Programs and practices that enhance all students' self-identity, self-
332 confidence and self-esteem.
- 333 ○ Implementing non-discriminatory discipline policies and practices.
- 334 ○ Focusing on the well-being of the "whole child" by always considering
335 and addressing the full range of student developmental pathways.

336
337 **Conclusion**
338

339 We are at an inflection point in the nation's history. With great urgency, we must move
340 beyond the rhetoric of a commitment to educational equity and use this moment of
341 societal unrest to reset and reimagine our system of education. We are morally
342 obligated to seize this moment and redefine what is possible for all of New York's
343 students.
344

345 New York's collective response requires a recommitment to public education and a
346 significant investment in teaching and learning to ensure that every neighborhood
347 school is a place we would want our own children to attend.
348

349 The approach we take must always include perspectives that support and build the self-
350 esteem and identity of all children, especially those who have been historically
351 marginalized in school and in society.
352

353 We must create an ecosystem of success built upon a foundation of diversity, equity,
354 inclusion, access, opportunity, innovation, trust, respect, caring, relationship-building,
355 and so much more.
356

357 **This is a call to action.**
358

359 Together, we will interrupt the practices that for too long have harmed New York's
360 vulnerable, marginalized students.
361

362 Together, we will create environments for learning that reduce the pernicious
363 predictability of who will succeed and who will fail.
364

365 Together, we will lift up and support *all* of New York's students.