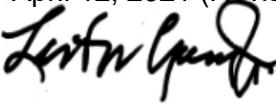




**TO:** The Honorable the Members of the Board of Regents  
**FROM:** Chancellor Lester W. Young, Jr.  
**SUBJECT:** The NYS Board of Regents Framework on Diversity, Equity, and Inclusion in New York's Schools: A Call to Action - DRAFT  
**DATE:** April 12, 2021 (Revised)  
**AUTHORIZATION(S):** 

## 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

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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, LGBTQ<sup>1</sup> 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

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<sup>1</sup> 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.<sup>2</sup>
- 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.<sup>3</sup>
- 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.<sup>4</sup>
- 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.<sup>5</sup>

---

<sup>2</sup> 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>

<sup>3</sup> 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>

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

<sup>5</sup> 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](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.<sup>6</sup>
- 131 • While approximately eight percent of white Americans live in poverty, 18 percent  
132 of Latinx and 21 percent of African Americans do.<sup>7</sup>
- 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.”<sup>8</sup>

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

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<sup>6</sup> 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>

<sup>7</sup> 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/>

<sup>8</sup> 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.***<sup>9</sup>

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.

---

<sup>9</sup> 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  
208 **Role of the Board of Regents and NYS Education Department**

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

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 the  
220 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.<sup>10</sup>

234  
235 We recognize that much of this work is *already* happening in districts across the State.  
236 District and school leaders, teachers, staff, students, and parents are working to create  
237 school communities that are more diverse, more equitable, and more inclusive than ever  
238 before. Many of New York’s education stakeholders and their organizations have elevated  
239 this issue to the very top of their agendas. Their efforts must be recognized and  
240 applauded.

---

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

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

244

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

246

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

249

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

252

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

255

256 ○ curricula in all content areas;

257 ○ books and instructional materials;

258 ○ pedagogical practices and professional development;

259 ○ classroom grouping policies and practices;

260 ○ student support systems for all developmental pathways;

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

262 ○ multiple assessment measures.

263

264 As part of this work, districts may consider:

265

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

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

276

277 NYSED's own CR-S framework is grounded in four principles:  
278

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

283  
284 ○ Ensuring coherent opportunities for students to actively participate in  
285 experiences that prepare them for a lifetime of civic engagement and social  
286 justice activism, including, for example, completing capstone projects. The  
287 [materials developed by NYSED's Civic Readiness Task Force](#) provide a  
288 helpful foundation for this work.  
289

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

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

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

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

326  
327       • **Student supports, discipline, and wellness:** Districts should consider:

- 328  
329           ○ Programs and practices that enhance all students’ self-identity, self-  
330           confidence and self-esteem.  
331           ○ Implementing non-discriminatory discipline policies and practices.  
332           ○ Focusing on the well-being of the “whole child” by always considering  
333           and addressing the full range of student developmental pathways.

334  
335   **Conclusion**

336  
337   We are at an inflection point in the nation’s history. With great urgency, we must move  
338   beyond the rhetoric of a commitment to educational equity and use this moment of  
339   societal unrest to reset and reimagine our system of education. We are morally  
340   obligated to seize this moment and redefine what is possible for all of New York’s  
341   students.

342  
343   New York’s collective response requires a recommitment to public education and a  
344   significant investment in teaching and learning to ensure that every neighborhood  
345   school is a place we would want our own children to attend.

346  
347   The approach we take must always include perspectives that support and build the self-  
348   esteem and identity of all children, especially those who have been historically  
349   marginalized in school and in society.

350  
351   We must create an ecosystem of success built upon a foundation of diversity, equity,  
352   inclusion, access, opportunity, innovation, trust, respect, caring, relationship-building,  
353   and so much more.

354  
355   **This is a call to action.**

356  
357   Together, we will interrupt the practices that for too long have harmed New York’s  
358   vulnerable, marginalized students.

359  
360   Together, we will create environments for learning that reduce the pernicious  
361   predictability of who will succeed and who will fail.

362  
363   Together, we will lift up and support *all* of New York’s students.