A briefing provided to the NSBA Board of Directors for a discussion of NSBA’s efforts to promote education equity.

September 21, 2017

(The word cloud above is based on a collection of definitions of educational equity. See Appendix A.)
NSBA Equity Brief

Working with and through our state associations, NSBA advocates for equity and excellence in public education through school board leadership. We believe education is a civil right necessary to the dignity and freedom of the American people, and all children should have equal access to an education that maximizes his or her individual potential.

NSBA is an advocate for two things: equity and excellence. We see education as a civil right through which each child can maximize his or her potential—essentially the definition of equity.

The councils of NSBA were formed to represent the interests of the underserved nationally. When the efforts to support these groups with staff were combined in 2015, NSBA formed an equity department, created the position of director of equity programming, and planted a flag in the education equity space.

Equity has always been a part of our advocacy on Capitol Hill, in the courts, and through our work to build support for public education, and our efforts are numerous. But with the formation of an equity department we have the chance to shine a light on our current efforts, define the value of education equity in our society, and focus our future efforts all the while establishing NSBA as the leader in this area.

This brief will outline our more recent activities in equity, including:

- our current effort to provide an elegant definition of equity that can be easily communicated, but is sufficient to encapsulate the enormity of the concept;
- the mission of the equity department and the work that defines it; and,
- a look into the envisioned future of equity at NSBA.

Equity is part of the DNA of our association; it is an unseen force that shapes all our actions. Unseen is now unacceptable. Equity may be guiding our decisions at NSBA, but this isn’t true for all education leaders. NSBA can lead by example. Equity can’t be just another education buzz word. When every public education leader is consistently asking, “Are my actions moving our system closer to providing for the unique needs of every student to reach their full potential?” then, and only then, will we have succeeded in advocating for equity and excellence in public education.
What is Equity?

In July 2017, NSBA held its second annual equity retreat—a gathering of the leadership of each of our councils: The Council of Urban Boards of Education (CUBE), the National Black Council of School Board Members (NBC), the National Hispanic Council of School Board Members (NHC), and the National American Indian Alaska Native Council of School Board Members (AIAN).

During the opening session, in a discussion with NSBA Executive Director & CEO Tom Gentzel, the question came up, “what is the definition of equity?” It quickly became obvious that even among this distinguished group of leaders, there was not an easy consensus of what NSBA’s definition of equity should be. A decision was quickly made to redirect a session the next morning toward this activity and the leaders were provided with a one page document that included several definitions of equity in education (see appendix A).

In small groups, some differences began to appear. Some supported a more thorough and extensive definition of equity while others preferred to simply state the underlying principle of equity based on need. The discussion also centered on whether equity, which often focuses on racial and ethnic diversity, should be inclusive of not only students but also district staff and the school board. This poses the question: Does NSBA mean to support diversity of leadership as a form of equity as well, and if so, should our definition of equity make that clear?

Equity Consortium Definitions of Equity

While no consensus was reached in the short time we could dedicate to this purpose, the small groups developed several definitions for further discussion:

*Equity is the pursuit of fairness.*

*Equity is the pursuit of educational fairness and excellence.*

*To ensure every student has the access to resources for their specific and individual needs, in order to create and provide a high-quality education experience.*

*The assurance that through policy, programs, and practices, all children are provided the resources, attention, and support required to meet differentiated educational goals, regardless of demographic identifiers, while eliminating historical and current barriers so that educational outcomes are not the result of differences.*

*Equity Department of NSBA believes students, teachers, and administrators should be able to learn, teach, and work in a district that receives what they NEED in the way of resources, attention and support by:*

- Seeking to intentionally treat people differently (not equally) to compensate for differences or disadvantages
- Providing equitable access to opportunities
- Eliminating educational barriers based on gender, race/ethnicity, national origin, color, disability, age, sexual orientation, gender identity, or other protected group status
Next Steps
These definitions were provided to staff for further refinement. Following the discussion with the board, staff will work to create an outward facing definition of equity that allows us to make clear to all our stakeholders what we mean when we say “equity.”

Equity Mission and Goals

Equity is infused into so much of what NSBA does, and if our mission as an equity department is to make those efforts obvious and replicable, then we must focus our efforts. That focus is reflected in the mission and goals of the department developed by staff and presented to the consortium of leaders from across the councils at the equity retreat in July 2017:

Mission: To champion educational equity for historically underserved, underrepresented, and economically disadvantaged children of this nation.

To “champion” something means to support, defend, or fight for it. In this case, our cause is educational equity, even as we work to refine the precise definition of equity. Because inequities are derived from conditions that have existed, whether apparent or hidden, over time, our focus for the equity department is on those children who are “historically underserved,” meaning they have unmet needs that prevent reaching their full potential. “Underrepresented” indicates those groups, which, because they often make up a smaller proportion of the population may not have advocates in leadership positions at the local, state, or federal level, often based on race or ethnicity. And finally, we recognize that while inequities exist separate from socioeconomic status, “economically disadvantaged” students are also at risk of not receiving the resources to meet their unique needs.

Goals
If a mission serves as a guide for all actions, then goals represent the intersection of mission with organizational competency and capacity. Three goals have been defined for the NSBA equity department. Broadly, they are 1) support the councils, 2) work with and through our state associations, and 3) recognize, support, and promote the equity work being accomplished throughout NSBA.

Goals:
1. Support AIAN, CUBE, NBC, NHC
   a. Individual programming
   b. Joint programming
2. Resources for State Associations
   a. Sharing ideas across states
   b. Speaking, Training, Facilitation
3. Integrate Equity Throughout NSBA
   a. Legislative Advocacy
   b. Legal Advocacy
   c. Public Advocacy
   d. Research
   e. Board and Individual Services
   f. Finance and Operations
Unlike NSBA, which exists as a federation of state associations, the NSBA councils are national groups designed to bring together individual school board members who are concerned with the educational needs of specific populations of children. For AIAN, NBC, and NHC, that means individuals who pay $75 in annual dues to share information and ideas with each other, as well as to have the opportunity to help guide NSBA’s advocacy efforts. For CUBE, those opportunities for sharing resources and exerting influence also exist, but CUBE is a more extensive district-based program that includes its own publications, annual conference, and all the benefits of NSBA’s National Connection program.

**Equity Consortium**
These four councils make up the foundation of the equity department. The steering committees of the councils make up an equity consortium that serves as the primary way volunteer leaders can help guide NSBA’s equity work in concert with the organizational goals set by the NSBA board (See Equity Consortium Structure and Value – Appendix B).

**Goal 1: Council Value Proposition and Joint Programming**
As the foundation for the department, the value proposition of each of these councils individually must be nurtured so that council memberships can grow, revenue can be generated, and a constant stream of high-quality leaders is available for service to the organization both through the consortium and directly on the NSBA board. While a more comprehensive collection of specific activities related to this goal and all our equity work is provided in Appendix C, some examples here include:

- The development of communities on NSBA Connect for AIAN, NBC, and NHC (CUBE already has access to networking though the National Connection HUB.) The member services department is currently undergoing a small reorganization to support the implementation of a community manager to work on increasing activity in each community.
- New content is being developed with a specific focus on the needs of each council to be delivered through newsletters and webinars.
- Individual programming opportunities also are being developed; for example, the development of the new RISE award by NBC.

However, NSBA did not create a “councils department.” These councils live within an equity department at NSBA, so that implies that they will work together on their common cause of equity. The development of the equity consortium enables some of that work. The council leaders that make up the consortium also serve as a ready assembly of volunteers to support any of NSBA’s equity initiatives. The best examples of this collaborative work are:

- The annual Equity Symposium held just prior to Advocacy Institute has grown to 300 participants in just two years, and serves as an open meeting for education leaders nationally and in the Washington, D.C., area, further establishing NSBA’s leadership on this issue.
- The annual equity retreat brings together the equity consortium to both discuss equity issues as a full group and to spend some dedicated time discussing the issues of each of their respective groups.

**Goal 2: A Focus on States**
Goal two for the equity department is focused on the section of the NSBA mission statement that reads “with and through our state associations.” Education is primarily a state and local activity, and for local school boards and district leaders, the primary source of information and training will always be their state association. Historically underrepresented groups need a place to gather at the national level, and by doing so they can be the catalyst for the critical conversations that need to occur at the state and local level. For NSBA to be successful in advancing education equity, we must effectively engage our
state associations in this effort. First, we will do this by working to improve the sharing of ideas across associations. The best example of this sharing happened at the 2017 Summer Leadership Seminar where a panel of three state executive directors, each with a different type of equity based initiative in their states, 1) shared the background on why they developed these programs, 2) discussed how they started, and 3) revealed the benefits they have reaped from their work. With both state executive directors and elected leaders in the audience, we hope that we started the right conversations among those leaders.

The second part of this goal is to provide resources such as speakers on equity based topics and trainers who can provide workshops at state association meetings, and even within districts in concert with state associations. Over the last two years, NSBA has provided equity sessions at the state level in at least 12 states, including AL, AK, AZ, CA, GA, KY, MA, MN, MO, OR, TX, and WI. Examples of these sessions include:

- “Framing the Equity Conversation”
- “Eliminating Barriers for Historically Underrepresented and Students of Color Through Board Policy.”
- “Equity and Social Emotional Learning”

NSBA staff members Patte Barth and Deborah Keys, as well as consultants to NSBA Verjeana Jacobs and Mary Fertakis also have worked (and have future work scheduled) with state associations on equity and have delivered anything from a simple one-hour session to half-day and full-day workshops.

**Goal 3: Integrating Equity Throughout NSBA**

Finally, the third goal for the department is to integrate equity throughout NSBA. NSBA serves state associations, and our primary method for doing that is to represent the views of local school boards in congress, the courts, and among the public. Each department already is focusing on equity, but by working more closely with the departments on their equity work it will allow us to coordinate efforts and make sure that our organizational DNA is on display for all to see. A much more thorough list of NSBA activities by department is included in Appendix C of this document, but described in broad categories, some of our activities include:

- **Legislative Advocacy**
  - NSBAC Public Schools First campaign and events often promote equity
  - NSBA’s Resolutions and Beliefs & Policies highlight equity
  - Our position statements on issues such as DACA often reflect our equity-based values as well.

- **Legal Advocacy**
  - NSBA frequently weighs in on cases affecting the rights of underrepresented students
  - We provide legal guides on issues such as transgender rights and immigrant students
  - COSA sessions and webinars consistently focus on equity issues
  - Legal Advocacy staff are often authors of articles and papers on legal issues addressing equity

- **Public Advocacy**
  - Our web presence both on NSBA.org and standup4publicschools.org
  - Through our social media, video production, interviews with journalists, and placed op-eds, we emphasize equity
  - ASBJ has a strong collection of articles focusing on equity issues
Additionally, NSBA’s work is supplemented and supported (financially, substantively, and administratively) by other functions in the organization that also often focus on equity:

- **Research**
  - CPE’s paper on education equity is the easiest example of NSBA research in this area
  - Data First and Leading the Change toolkit also have a focus on equity
- **Board and Individual Services**
  - The Annual Conference in Denver included a long list of equity based sessions and workshops
  - Through National Connection and the Technology Leadership Network there has been a focus on Digital Equity through both presentations at events and school based site visits.
- **Finance and Operations**
  - Even finance has a role in equity—they have introduced two equity partners so far in support of NSBA’s equity mission.

While these activities already are plentiful across the organization, an effort to coordinate, package, and promote them may lead to both additional exposure and some efficiency in delivering benefits across programs.

**The Envisioned Future of Equity at NSBA**

By all accounts, NSBA is doing quite a bit around educational equity—consistent with our organizational mission. But that leads to the question, what is next?

At the equity retreat this year, the upcoming year of equity programming in support of the councils that was suggested included (see Appendix D for a proposed schedule that was presented):

- Increased content for the councils/CUBE: webinars, newsletters, and podcasts, all exclusively geared towards those respective audiences.
- A focus on content priority areas as defined by each of the councils.
- Working more closely with CPE to create additional distribution channels for CPE content, or derivatives of CPE content, for specific audiences through the equity department.
- Reinvigorating the legal advocacy team’s interactions with the councils as often issues of importance to underrepresented students end up being legal issues before the courts.
- Development of the NSBA Connect sites for each of the councils, including allocating a staff member to help build participant engagement through the online communities.
- Growing membership in the councils by:
  - Highlighting these new benefits
  - Using meal events at the NSBA Annual Conference as a way of encouraging membership
  - Packaging memberships for all three councils.

**Outside of NSBA**

The equity department is represented in a partnership with AASA and Howard University to help recruit and train urban superintendents, but more possibilities may exist. Other groups such as the Council of Great City Schools, the National Association of Black School Educators, the National Association of Latino Elected Officials, the Education Trust, and others may present collaborative opportunities that will establish NSBA’s position as a national leader in this area.
Appendix A
Definitions of Equity Provided at Equity Retreat 2017

EQUITY

CPE definition: Equity is achieved when all students receive the resources they need so they graduate prepared for success after high school.

Equity: Each person receives the amount they NEED in the way of resources, attention and supports.

Every student has access to the resources and educational rigor they need at the right moment in their education, despite race, gender, ethnicity, language, disability, family background, or family income.

Providing equitable access to opportunities, resources, and support for each and every child by intentionally recognizing and eliminating historical barriers, as well as the predictability of personal and academic success based on race, background and/or circumstances.

Vertical Equity: When equity is used as a synonym for “Parity”
- Recognizes differences in people’s needs
- Seeks to intentionally treat people differently (NOT equally) to compensate for differences or disadvantages
- Represents the “appropriate unequal treatment of unequals”
- All students have access to the education they need in order to prepare them for equal opportunities in life.

Equity in education means that personal or social circumstances such as gender, ethnic origin or family background, are not obstacles to achieving educational potential and that all individuals reach at least a basic minimum level of skills.

Equity is more for those that need it.

The educational policies, practices, and programs necessary to:
- eliminate educational barriers based on gender, race/ethnicity, national origin, color, disability, age, or other protected group status; and
- provide equal educational opportunities and ensure that historically underserved or underrepresented populations meet the same rigorous standards for academic performance expected of all children and youth.

Equity requires securing all children’s rights to education, and their rights within and through education to realize their potential and aspirations. It also requires implementing and institutionalizing arrangements that help ensure all children can achieve these aims.

Equity should ensure that differences in educational outcomes are not the result of differences in wealth, income, power or possessions.
Appendix B
Equity Consortium Structure and Value

Council Value Proposition
At the core, each council starts on the foundation of a similar value proposition:

- **Networking** – the ability to connect with people who have a common interest
- **Information** – the sharing of common resources and knowledge
- **Program Opportunities** – the ability to work together on programs specific to their needs
- **National Leadership** – the opportunity to serve their cause at the national level and ensure a voice

Equity Consortium
The steering committee of each council joins together to form a national equity consortium to help advise NSBA’s equity efforts.

CUBE Value Proposition
As a more extensive district based program that includes not just the networking, information, programming, and leadership opportunities, but also includes access to all of the benefits of National Connection, an annual conference focused on urban issues, and publications.
Appendix C
NSBA Equity Work

Each department at NSBA was asked to do an inventory of the work they have done recently that included an emphasis on educational equity. Under the report section Equity Mission and Goals, in goal three on integrating equity throughout the organization, a broad overview with some examples was provided. Below is a more thorough listing of work performed by NSBA related to equity.

Member and Leadership Services

Equity Symposium – one day meeting focused entirely on equity. (June 2016, January 2017)

CUBE Annual – Most content at the CUBE Annual Conference is equity focused.

Presentations at state associations – NSBA take a “speakers bureau” approach to providing content leaders at state association conferences. These presentations at state conferences were conducted by NSBA consultant Mary Fertakis.
- "Framing the Equity Conversation" presentation in either a 1, 3, or 6-hour workshop format (OR, AK, MN, KY, TX, and GA).
- "Equity and Social Emotional Learning" (MA)
- "Eliminating Barriers for Under-Represented and Students of Color Through Board Policy" (OR, AK, MN, AL, TX, and GA in the last year, and also in CA, WI, and AZ in the last 2 years)
- “Racial Equity Policy Design” and “Family engagement in highly diverse settings” presentations at the Trainers Conference 2017
- “Authentic family engagement” presentation in AZ at their Equity Event

Districts Presentations – Working with, and often at the request of, state associations, NSBA has done trainings on equity and urban board governance directly in school districts in AL, AK, MO, NJ.
- Hickman-Mills (MO)
- Plainfield (NJ)
- Aleutian Region (AK)
- Birmingham area (AL)

Annual Conference Programming – The NSBA Annual Conference includes a significant number of sessions, workshops, and even the general session speakers that focus on equity issues. In Denver last year, this included:
- CUBE luncheon: Addressing Inequities in America’s Public Schools: If Not Us, Then Who – Judge Glenda Hatchett
- CUBE Clinic Session: Building a Multiracial, Multigenerational Equity Movement in Public Schools
- AIAN Luncheon: Samuel Johns
- NHC Clinic Session: Two is Better Than One: The Importance and Value of Bilingual Education
- Joint Council/Caucus: What Does a New President Mean for Underserved Students
- NHC Breakfast: Sylvia Mendez
- NBC Luncheon: Steve Pemberton
- NBC Clinic Session: Supporting the Educational and Emotional Needs of Young Men of Color: A School District Approach
- AIAN Clinic Session: Native American Mascots in K-12 Schools
Technology Leadership Network – Now embedded with the National Connection program, TLN has always been future-focused. It was designed to help leadership teams develop a vision for learning, understand what role technology could play and then identify the funding and policies essential to support the equitable implementation of that vision. In the 1990’s, the equity lens was largely on the traditional “digital divide” defined as a lack of access and connectivity which NSBA addressed as one of the leading organizations in the establishment of E-rate.

In recent years, that gap is more accurately defined as a “digital use divide” in terms of what students are doing with the digital resources and how, or if, those experiences are preparing them to be successful in the future. School leaders must address digital equity when some students have rich learning environments with hands-on opportunities to be creators of content and engage with international experts, while others are left to simply consume digital content that has been automated from previous print assignments. Those concerns have guided recent NSBA technology presentations and initiatives:

CUBE Programming
• Defining Leadership for Equity in the Digital Age, July 2014, CUBE Summer Meeting – Half Day Pre-Conference Session, Overview of current tech issues, data and trends
• The Intersection of Technology & Equity: Addressing the New Digital Divide, Sept 2016, CUBE Annual Conference – Panel – Districtwide technology strategies to ensure equitable funding and professional development across Miami-Dade County Schools

• Digital Innovation and Equity: Pitfalls, Solutions, and Best Practices, Sept 2017, CUBE Annual Conference – Panel, Understanding the role of equity in technology decisions in LA Unified and fast-growing Greenville, SC

Digital Equity Sessions at the Equity Symposium
• Defining Educational Equity in the Digital Age, June 2016, Using the new ISTE Technology Standards for Students, gaps in learning opportunities were highlighted to demonstrate why home connectivity is so critical

• New Money to Support the Digital Age Economy, January 2017, Highlighted new allowable uses for Community Reinvestment Act funds managed by the banking industry targeted specifically to serve low income communities

Coalition Work
• The Future Ready Schools Initiative, 2014, National effort and free resources to help district leaders plan and implement personalized, research-based digital learning strategies so all students can achieve their full potential. The work has highlighted creating equitable access and the unique challenges of rural populations.

• National Collaborative for Digital Equity, 2016, Key partner to help district leaders and banking industry leverage new uses for the Community Reinvestment Act funds targeted to low income communities.

• Public Support for Change.org/Computer Science Petition, Washington Post, Full Page Ad, 2016, Future career potential and a current lack of diversity within the tech industry made this a compelling issue.

National Connection, September 2017
• As the program expands to more fully serve district leadership teams, one of the positions being solicited from participating districts is the name of the person assuming the duties of a Chief Equity/Diversity Officer.

Education Technology Site Visits – Recent focus on more diverse districts
• Colonial School District, DE, April 2016, This Title 1 district with 12 of its 14 schools serving breakfast and lunch to all students has turned enrollment declines around and seen increased academic successes.

• Sunnyside Unified School District, AZ, May, 2016, Selected for its digital learning successes with a majority Hispanic student population with 86% of students on free or reduced meals.

• Coachella Valley Unified School District, CA, October, 2016, Selected for its solutions to bring home connectivity to remote and impoverished students in a majority minority district.

• East Irondequoit Central School District, NY, November 2017, 50% of students on free and reduced lunch with over 20 native languages in homes have experienced a successful digital conversion.

• Greenville County Schools, SC, November 2017, The district’s BEST (Building Equity Sooner for Tomorrow) initiative is key to scaling innovation in this diverse, 76,000 student district.
Legislative Advocacy

**NSBAC** – NSBAC, as the 501(c)(4) division of NSBA, NSBAC helps galvanize grassroots support for public education throughout the nation. The importance of NSBAC in reaching public education advocates is considerable, given its functionality for impacting social media and thereby advancing NSBA’s mission and goals of equity and excellence in public education. For example, the NSBAC Public Schools 1st campaign is about educating stakeholders regarding the importance of public education and about all of the resources needed to ensure continuous improvement in addressing equitable opportunities in learning for all students. The activities NSBAC sponsors are all centered around improving educational opportunity for our students...Policy briefings, federal legislative action alerts, political conventions, online engagement, teleconferences, and other engagements. NSABC helps reinforce NSBA’s policy goals for advancing equity in public education.

**First 100 Days Campaign Results:**
- 12,000 messages/calls for Congress and the Administration to act in support of public education
- 50 states and DC participated in NSBAC’s First 100 Days Campaign
- 80,000 people reached on Facebook
- 6,400 engagements/actions generated on Facebook in support of public schools
- 44,000 people reached on Twitter

**Public Schools 1st Campaign**
This is NSBAC’s new campaign launched in June. So far, 1,272 messages have been sent to Congress urging lawmakers to protect school-based Medicaid funding. Also, we hosted two IMPACT days to mobilize public education advocates to share success stories of public schools, including choice options offered to parents and students via social media outlets.

**Grassroots Outreach**
Engaged “Friends of Public Education” grassroots advocates through NSBAC’s “Back to School” Initiatives, and calls to action via social media and letter writing/phone campaigns on key issues, such as school-based Medicaid, Appropriations, and Title I programs. Hosted webinars on key policy issues and advocacy training facilitated by the Congressional Management Foundation.

Further, NSBAC will be participating in the upcoming CUBE Conference, and staff reached out to Members of the Congressional Black Caucus and Congressional Hispanic Caucus Institute to speak during the conference and/or submit letters for the souvenir journal.

**Guiding Documents** – Advocacy efforts are based in NSBA resolutions as well as beliefs & policies, some of which make equity issues explicit:
- **NSBA Resolution: Educational Opportunity** – NSBA urges Congress to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to authorize the cancellation of removal, resolve immigration status, and work toward United States citizenship of undocumented students who are long-term United States residents.
- **NSBA Belief & Policy: Article IV - The Educational Program**
1.3 Access to Educational Opportunities – Public schools should provide equitable access and ensure that all students have the knowledge and skills to succeed as contributing members of a rapidly changing, global society, regardless of factors such as race, gender, sexual orientation, ethnic background, English proficiency, immigration status, socioeconomic status, or disability.

Section 4—Federal Policies

- NSBA supports federal education policies that make the education of all children a national priority, while recognizing that education is primarily a state and local function for which the federal role should be one of support and assistance rather than direct regulation. Federal legislation and policies should recognize:
  - (h) the impact of federal immigration policies on local public education and fully fund the additional programs and services that are required as a result of these policies.

Press Statements – NSBA also expresses its opinion on legislative issues through press releases, the most recent example of which is our September 5 release on DACA:

National School Boards Association Executive Director & CEO Thomas J. Gentzel released the following statement in response to the Trump administration’s decision to rescind the Deferred Action for Childhood Arrivals (DACA) program:

Alexandria, Va. (September 5, 2017) – “Public schools are a beacon of hope and opportunity for students and our country. The schools in our neighborhoods have educated generations of children, regardless of factors such as race, ethnic background, and immigration and socioeconomic status, enabling them to contribute to our economy and strengthen our democracy.

“Since the first public school was founded, they have gladly accepted the immense responsibility given to them to help students achieve their full potential. Today, our schools are educating the most diverse student population in history, providing equitable access and ensuring that all students are educated at levels no previous generation attempted to achieve.

“Public schools continue to make progress in helping students prepare for college, careers and life. However, progress is threatened if students are fearful of coming to school. NSBA is deeply concerned by the administration’s decision to end the DACA program. We’re long-standing supporters of educating all students regardless of immigration status. Now that the issue is solely before Congress, we urge it to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to authorize the cancellation of removal, resolve immigration status, and work toward U.S. citizenship of undocumented students who are long-term residents.”

# # #

DC Thought Leader Sessions – In 2017 NSBA began conducting D.C. based events for policy makers, hill staff, and others from local think tanks and policy organizations. The most recent included a focus on the equity public schools provide by giving choice in all communities:

- Conducted a successful Capitol Hill briefing on September 12, 2017 that was effective in educating congressional staff who inform the decisions of their respective senators and representatives regarding federal policy impacting equity in K-12 education. Titled ‘Our Public
Schools: Expanding the Horizon of Educational Choice,’ the briefing addressed various choice options within public school buildings and featured a diverse panel of experts recommended by our state associations (Kansas, South Carolina and Vermont). The school districts represented on this panel are indicative of equity in our public schools, as they represent diverse populations of students inclusive of geographic, socioeconomic, academic, and cultural multiplicities.

Specifically, the forum addressed the range of choice options available to these diverse populations of students, from applied curricula in advanced science and technology subject areas to the arts – all a part of equipping our students for college- and career-readiness. This dialogue included the resources offered to address inequities that a number of students/communities face regarding educational opportunity. For example, the panelists discussed blended learning environments, personalized learning plans, career pathways, targeted resources for school counselors and career counselors, and Title II investments authorized by the Every Student Succeeds Act (ESSA) for equipping effective teachers and school leaders. Each of these areas is critical to achieving equity, especially for our most vulnerable students.

This panel discussion helped reinforce the research findings and recent report published by NSBA’s Center for Public Education titled ‘Busting the Myth of One-Size-Fits-All Public Education.’ A unique fact about this report is that the data used from the National Center for Education Statistics to inform the findings and policy recommendations had not been extracted for purposes related to this subject area. The report represents the attention to NSBA’s mission of equity and excellence in public education and the concerted efforts of the Federal Advocacy and Public Policy staff to fulfill this leading priority.”

**Center for Public Education** – As you know, the Center for Public Education reason for existence is to find out what works to advance student achievement and close achievement gaps, hence there is an inherent equity focus in all our work. Indeed, every issue we examine we look at for its impact on different groups of students.

- CPE’s primer on educational equity and segregation which were each prepared as background for the last two Equity Symposium respectively. The equity white paper was also developed into a workshop co-presented by Deborah Keys and Patte Barth upon request for a number of state associations.
  - [http://www.centerforpubliceducation.org/segregation](http://www.centerforpubliceducation.org/segregation)
  - [http://www.centerforpubliceducation.org/educationalequity](http://www.centerforpubliceducation.org/educationalequity)
- Leading the Change toolkit; a framework for board members to address chronically underperforming schools, which disproportionately affect low-income students and students of color. [http://www.data-first.org/leading-the-change/](http://www.data-first.org/leading-the-change/). In addition, our data training – [www.data-first.org](http://www.data-first.org) – emphasizes how important it is for school boards to examine and interpret data disaggregated by student group in their policymaking.
- Teacher shortage paper (another direct request from TPTB) is yet another example of embedding inequities (this time in staffing) in our
analyses. [http://www.centerforpubliceducation.org/Main-Menu/Staffingstudents/An-Overview-of-Teacher-Shortages-At-a-Glance](http://www.centerforpubliceducation.org/Main-Menu/Staffingstudents/An-Overview-of-Teacher-Shortages-At-a-Glance)

- We also analyzed different outcomes related to work and citizenship for non-college goers by race in our original study of high school graduates who never went to college [http://www.centerforpubliceducation.org/CTE](http://www.centerforpubliceducation.org/CTE)

- Our next paper examines the rural education and the challenges rural schools face, notably a lack of resources and high poverty rates among the diverse populations they serve.

Legal Advocacy and Office of the General Counsel

**Amicus Cases** – the NSBA Legal Advocacy department files more “friend of the court” briefs than all other education association combined. Many of the cases in which we lend our guidance and expertise impact educational equity. Some examples include:


**Articles and Publications** – Equity focused articles and publications include:


• Negron, F., Gittins, N., Burns, T., et al., *An Educated Guess: Initial Guidance on Diversity in Public Schools After PICS v. Seattle School District*
• Negron, F., *A School Law Update from the NSBA Office of General Counsel*
• Negron, F., *U.S. Commission on Civil Rights Briefing on Inter-Student Violence Position Statement of the National School Boards Association*

**NSBA Guides and Charts**

• *Same-Sex Marriage: What the Obergefell Decision Means for School Districts* (7/30/15)
• *2016 Transgender Students in Schools: Frequently Asked Questions and Answers for Public School Boards and Staff* (Has been updated ten times. The last update was on 5/30/17)
• *Lifting the Lamp Beside the Schoolhouse Door: A Legal Guide to Serving Undocumented Students in Public Schools* (7/17/17)
• *Transgender Litigation Guide* (last updated on 9/5/17)

**Inquiry & Analysis Articles**

• *Child Find: An Update on the Lore v. Law* (Perry Zirkel; 2/2016)
• *Accommodation of Muslim Students* (Tom Burns; 6/2016)
• *In the Alternative: Restorative Justice in Student Discipline* (Jordan Green; 7/2016)
• *Educating Homeless Children and Youth* (Patricia F. Julianelle; 10/2016)
• *Mendez v. Westminster School District* (Analysis of case invalidating segregation as it relates to Hispanic children in California; Ron Wenkart; 12/2016)
• *Service Animals in K-12 Schools: A Legal Update* (Perry Zirkel; 1/2017)
• *Endrew F.: Fape in F#* (James Thomeczek; 5/2017)
• *Without Federal Title IX Guidance Can a Federal Case be Made for Accommodating Transgender Students* (Tom Burns; 6/2017)

**Council of School Attorneys (COSA)** – A division of the legal advocacy department, COSA serves as the premier national organization for education lawyers both within firms and for district in-house counsel. Programming at COSA events often address equity and the legal implications.

**NSBA Advocacy Institute Legal Session** – January 26, 2016

• Will the Real Title IX Please Stand Up? Navigating the Legal Waters Regarding Transgender Student Issues
  
  Title IX, the federal law that prohibits discrimination on the basis of sex in programs receiving federal financial assistance, lies at the center of the current legal debate on the rights of transgender students in public schools. In this session, discussion points include OCR’s position on Title IX’s application to transgender students, how courts have interpreted it, and how school boards can work with their NSBA Council of School Attorneys, and communities to identify legal requirements and develop appropriate policy.

  Presenters: Francisco M. Negrón, Jr., Associate Executive Director and General Counsel, Legal Advocacy, NSBA; Jennifer Smith, Partner, Franczek Radelet, Chicago, Illinois; Andrew Manna, Church Church Hittle & Antrim, Noblesville, IN; Sonja Trainor, Director COSA, NSBA

**NSBA Annual Conference Legal Session** – April 10, 2016

• Navigating Transgender Student Issues: A Legal Guide for School Districts
Join NSBA Council of School Attorneys Director Sonja Trainor, Gay Lesbian Straight Education Network Executive Director Eliza Byard and Christian Educators Association Executive Director Finn Larsen, for an engaging session on one of the more pressing issues facing school districts today. Be the first to access NSBA, GLSEN and CEA’s joint guide on navigating issues around transgender students, featuring easy to understand FAQs, on everything from dealing with federal government demands to the importance of working with your community to ensuring student welfare.

Presenters: Sonja Trainor, Director COSA, National School Boards Association; Finn Laursen, Executive Director, Christian Educators Association; Eliza Byard, Executive Director, Gay Lesbian Straight Education Network.

COSA Webinars

- **What’s a School to Do? Undocumented Students, Sanctuary Districts, and ICE Activities - April 26, 2017**
  Join NSBA Chief Legal Officer Francisco Negrón and COSA member Jollee Patterson for an informative and timely webinar exploring the legal landscape surrounding undocumented students and current immigration enforcement processes. These dynamic presenters will discuss the latest developments in the new administration's position on immigration and how that may translate to undocumented students attending public schools, review the interplay between Plyler and various federal laws and agency guidance, and explore potential avenues for school districts as they seek to limit legal liability while complying with constitutional requirements in this challenging and fluid area of law.
  Host: Leza Conliffe, Senior Staff Attorney, National School Boards Association, Alexandria, VA
  Presenters: Francisco Negrón, Chief Legal Officer, National School Boards Association, Alexandria, VA; Jollee Patterson, Senior Counsel, Miller Nash Graham & Dunn, Portland, OR

- **Navigating the Brackish Waters of Section 504/ADA/IDEA - November 3, 2016**
  Public schools serve students with disabilities under the umbrella of several overlapping laws, each with its own complex regulations and body of case law. As a school attorney, you need to be able to flag potential procedural and service-related issues for your school clients doing their best to serve students with disabilities within the thicket of applicable law. Join us for an overview of the many arenas in which Section 504, Title II of the ADA, and IDEA overlap: evaluations, “FAPE”, communication, parent rights, exhaustion of remedies, and more. This session is a broad overview appropriate for attorneys new to school law, or those who practice outside of the special education arena.
  Host: Naomi Gittins, Deputy General Counsel, National School Boards Association, Alexandria, VA. Presenter: Christine Scheef, North Carolina School Boards Association, Raleigh, NC

- **Website Accessibility for School Districts: OCR Enforcement Activity and Best Practices - September 22, 2016**
  The Department of Education’s Office for Civil Rights has received hundreds of complaints alleging schools’ failure to make web sites accessible to individuals with disabilities. Resolution agreements with OCR require extensive policy implementation and review, training, website audits, development and implementation of a corrective action plan, and monitoring. An experienced attorney who has handled these complaints provides an overview of the legal issues, resolution agreement terms typically required by OCR, and best practices to advise clients interested in being proactive, including widely accepted standards
for website accessibility. You’ll gain unique perspective from a practicing attorney who uses website accessibility technology daily.

Host: Sonja Trainor, Director, NSBA Council of School Attorneys
Presenters: Kimberly Davis, Udall Shumway, Mesa, AZ; Joshua Loevy, Lathrop & Gage, St. Louis, MO

- **Transgender Student Litigation Update - September 13, 2016**
  Join NSBA Chief Legal Officer Francisco Negrón and NSBA COSA Director Sonja Trainor for an informative update on the latest developments in the area of transgender students and gender identity litigation, as of September 2016. This webinar aims to help school lawyers understand the confusing legal landscape by untangling the web of lawsuits and conflicting court rulings, and by exploring a landmark case on petition review by the High Court.
  Host: Sonja Trainor, Director, NSBA Council of School Attorneys. Presenters: Francisco Negrón, NSBA Chief Legal Officer

- **Where is the Line? Mental Health Services and FAPE – Understanding the Public School Responsibility - March 2, 2016**
  School officials are coming under increased scrutiny for providing services to students experiencing mental health concerns. As a school attorney, you need to know the legal requirements, as well as prevailing educational recommendations when it comes to providing FAPE. In this webinar, experienced special education attorneys guide you through new standards and court interpretations for addressing mental health issues in the public school setting, and offer tips on working with local health care providers to ensure students' needs are addressed.
  Host: Sonja Trainor, Director, NSBA Council of School Attorneys
  Presenters: Andrew Manna, Church, Church, Hittle & Antrim, Noblesville, IN; Chris Borreca, Thompson & Horton, Houston, TX; Lawrence J. Altman, Adjunct Professor, Avila University and (retired) Special Education Lead Attorney and Compliance officer, Kansas City Public Schools

- **Working Effectively with School Resource Officers: Legal Considerations and Best Practices - January 13, 2016**
  NSBA’s Council of School Attorneys and Council of Urban Boards of Education join forces to present useful information in a crucial area. In the face of high profile incidents exploding in the media, school districts are asking whether and how they can and should employ School Resource Officers. Join a veteran school attorney for a unique perspective on her district’s innovative use of school resource officers, and the chair of NSBA’s Council of Urban Board of Education, who will share his perspective as a school board member and civil rights attorney.
  Host: Sonja Trainor, Director, NSBA Council of School Attorneys
  Presenters: Margaret-Ann Howie, General Counsel, Baltimore County Public Schools; Van Henri White, Rochester City School District, Rochester, NY

**COSA Seminar Sessions, with Accompanying Legal Article**

**2017 School Law Practice Seminar, October 2017**

- **Immigration Law for School Attorneys** - An immigration specialist provides a framework for school attorneys of key issues and legal standards in the area of immigration and enforcement in schools. This session is designed as a pre-requisite to the one following it, in which current specific enforcement efforts will be analyzed.
  Presenter: **Tejas Shah, Franczek Radelet**, Chicago, IL
• **Federal Immigration Enforcement: Sanctuary Districts, Safe Zones, Records, Plyler and DACA** - The panelists will examine schools' legal obligations and responsibilities toward students impacted by recent immigration enforcement actions, and consider how schools can provide a safe, secure learning environment for students from all backgrounds. The panel will explore “sanctuary” policies, and offer insights on advising school board clients in this politically-charged area. They will also provide an overview of the current status of DACA, and strategies for schools enrolling DACA recipients.

  Presenters: **Karlie Dunsky, Tejas Shah**, and **Darcy Kriha, Franczek Radelet**, Chicago, IL

• **Transgender Law and Litigation Update** - Join two COSA attorneys on the front lines of litigation regarding transgender student rights for an update on the rapidly evolving law in this area.

  Presenters: **Lenore Silverman, Fagen Friedman & Fulfrost**, Sacramento, CA and **Jennifer Smith**, Franczek Radelet, Chicago, IL (proposal 26)

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2017 School Law Seminar, March 2017

• **Goss v. Lopez to Today: The Evolution of Student Discipline** - In 1975, the Supreme Court ruled that students facing long-term suspensions or dismissals were entitled to “more formal” procedures. This session will address the judicial treatment of Goss’s ambiguities, including pre-adjudication status, notice, hearing procedures, right to counsel, witness confrontation, and evidentiary standards. With growing disfavor for suspension and expulsion, what legal implications arise from the use of restorative justice and similar models? Join an accomplished COSA attorney and engaging speaker for a look back, and a look forward.

  Presenter: **Lisa L. Swem**, Thrun Law Firm, East Lansing, MI

• **Website Accessibility Under the ADA and Section 504** - This session will address what it means for school districts to have accessible websites and mobile applications under the ADA and Section 504, and recent OCR enforcement in the area. The speaker will address accommodations for employees, students, and the community with respect to many platforms, including websites, linked materials, videos created by the district and linked from other sources, personal electronic devices, etc. You’ll come away with a summary of the applicable law, including recent rulemaking by the Department of Justice, and practical tips for advising school districts on compliance, minimizing litigation exposure, and defending enforcement actions.

  Presenter: **Mary Kay Klimesh**, Seyfarth Shaw, Chicago, IL; **Kristina Launey**, Seyfarth Shaw, Sacramento, CA

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2016 School Law Practice Seminar, October 2016

• **Advising School Boards on Practical and Proactive Solutions for Disparities in School Discipline** - With the significant attention placed by the Department of Education on disparities in student discipline, many school districts have embraced approaches such as Positive Behavioral Interventions and Supports, Restorative Justice, and the like. Three attorneys well-versed in the legal standards at play will brief you on the current state of the law and litigation in this area, along with practical considerations for advising your school board clients.

  Panelists: **Sloan Simmons, Lozano Smith**, Sacramento, CA; **Brandon Wright**, Miller, Tracy, Braun, Funk & Miller, Monticello, IL; **Anurima Bhargava**, Harvard Kennedy School Institute of Politics, former chief, Educational Opportunities Section, Civil Rights Division, U.S. Department of Justice
2016 School Law Seminar, April 2016

- **A Legal Guide to Serving LGBT Students** - LGBT and Transgender students may have needs that arise at school that relate in important ways to their gender identity or sexual preference. This session will explore topic areas in which schools should consider how they service their LGBT students – including student records, safety, bathroom access, extracurricular activities, locker room access, and health services – and some of the state and federal laws applicable to each area with an emphasis on transgender topics. We will also engage participants in an interactive analysis on how courts and the U.S. Department of Education’s Office of Civil Rights are viewing these issues.
  
  Presenters: Jennifer A. Smith and Amy K. Dickerson, Franczek Radelet, Chicago, IL

- **Legally Defensible Programming for Students with Autism** - The current prevalence of diagnoses of Autism Spectrum Disorder (ASD) has increased of nearly 120% over the past fifteen years. It is also a high-frequency area of special education litigation between parents and schools, in part due to the uniqueness of each ASD diagnosis and the complexity of each resulting IEP. We will examine the significant cost and resource exposure to schools when emotionally charged conflicts arise, and offer tips and suggestions for working collaboratively with families to develop defensible programs that will enable the students to benefit.
  
  Presenters: Andrew Manna, Church Church Hittle & Antrim, Noblesville, IN; Monica Conrad, Church Church Hittle & Antrim, Merrillville, IN

Public Advocacy and Communications

**Web Presence** – NSBA promotes equity online through several platforms, such as:

- [NSBA.org](http://www.nbsa.org)
  - Dedicated sections on equity and for programs on equity
  - Programs with equity as a key component, i.e., Clean, Green and Safe Schools initiative
- [standup4publicschools.org](http://www.standup4publicschools.org)
  - Videos – Why We Do What We Do and No Ordinary Day
  - Profiles of leaders who lead in diverse environments

**Statements and news releases** – Work to promote the equity focused work happening both within the communication department and across the organization, such as:

- Deferred Action for Childhood Arrivals (DACA) (full statement included in legislative section)
- Transgender
- Stand Up 4 Public Schools
- CPE’s Report on Educational Choices
- CPE’s Segregation Report

**Media relations** – NSBA consistently conducts interviews with high-value media organizations and drives op-ed placements such as “Public Education is Constantly Evolving and Progressing”

**Video** – NSBA uses video to more fully express ideas in education, often with a focus on equity:
• Minnesota School Boards Association winning the 2016 NSBA Innovation Award after they changed their strategic plan to support equity: https://www.youtube.com/watch?v=-4PYnTxKAjk
• 60 years since Brown: https://www.youtube.com/watch?v=ww-FQL1AsIU

Social media - postings across all platforms (recent postings include school boards working to full teachers in rural areas and American Indian and Alaska Native communities)

Advocacy Agenda – The public advocacy department works with the legislative team to make our advocacy agenda (what we stand for) accessible to the general public.

Marketing – Promotion for events including Equity Symposium, CUBE Annual, COSA School Law Practice Seminar and Annual Conference

Magna Awards - For 2018, the Magna Awards will focus on equity and honor districts who are removing barriers for underserved students. The three grand prize winners will present at a Master Class session at Annual Conference in San Antonio.

ASBJ – It is our regular practice at American School Board Journal to publish articles on the many different aspect of equity in education. The Urban Advocate section that runs four times a year in ASBJ touches on many equity topics. ASBJ also has covered how parental incarceration affects children, inequities in broadband access, lowering the dropout rate, how to welcome diversity among teachers, the practice of restorative justice, how to deal with gender identity issues in schools, reaching out to students who are geographically isolated, eliminating the achievement gap in the suburbs, fighting institutional racism, and districts that have worked to remove barriers to achievement by providing food and other support to families and more opportunities for engagement and inclusion for special education students.

August 2017
• Jailed Parents, Hurt Children
  Leila Morsy
  Mass incarceration is lowering student achievement
• Fighting Institutional Racism
  Del Stover
  A Florida school board adopts a racial equity policy
• Q&A: Leading large-scale change Interview with Superintendent Tammy Campbell

April 2017
• The Innovation Factor
  Kathleen Vail
  The 2017 Magna award winners discover new and different ways to help their students and community.
• Equity in the Burbs
  Deirdra Preis
  A high-performing district systemically eliminates its achievement gap.
October 2016

- **A tiny Wyoming district delivers preschool**  
  **Kathleen Vail**  
  A tiny Wyoming district delivers preschool to children in isolated areas.

- **Cracking the Literacy Code**  
  **Glenn Cook**  
  High-poverty districts push to improve students’ literacy and their lives.

- **Gender Identity**  
  **Del Stover**  
  Creating safe learning spaces for all students is foremost.

- **Urban District Recruiting Network**  
  **Andrea Celico**  
  In Ohio, a minority recruitment consortium pursues strong minority candidates.

- **Q&A: Christopher Emdin, on ‘reality pedagogy’**  
  On “doing schooling differently” and the importance of engaging students.

August 2016

- **Keeping the Peace**  
  **Michelle Healy**  
  School districts are turning to restorative justice to stem high rates of suspension and expulsion.

June 2016

- **Essential Connections**  
  **Del Stover**  
  The inequity in home access to high-speed internet service is the new digital divide.

April 2016

- **Knowledge Is Power**  
  **Valarie Lewis**  
  A Queens K-8 school boosted achievement with a curriculum based on what children should know.

February 2016

- **Pomp and Circumstance**  
  **Del Stover**  
  High school dropout rates plummet as districts find ways to get students to the finish line.

- **Shining the Spotlight**  
  **Jeff Menzer with Douglas Archbald**  
  A Delaware high school raises its graduation rate by focusing on a neglected issue.

- **Are Diverse Teachers Welcome?**  
  **Patricia Hanson and Seema Imam**  
  How schools can go beyond ‘diversity blindness’ to retain teachers that mirror their communities.

December 2015
• **Teacher Diversity Efforts in Boston**  
  *Michelle Healy*  
  Boston Public Schools identifies and offers “letters of reasonable assurance” of future employment to promising black applicants and students about to graduate from a teachers college.

• **Profound Gentlemen**  
  *Michelle Healy*  
  Finding minority male teachers.

**Finance and Operations**

**Business Development** – We now have two Strategic Equity Partners, Sodexo and McGraw Hill and we are looking to add a third.
Appendix D
Future NSBA Equity Consortium Programming

Webinars
- One a month, on rotation
- Free for members, $50 for nonmembers
- Will be available for sponsorship opportunities
- Will be recorded and available for viewing/purchase after the live presentation

Newsletters
Each edition will feature:
- Letter from the Chair on the topic
- Relevant summary points on the topic
- Links to resources
- Highlight of recent discussion topics in Connect community
- Reminder of upcoming events (webinars, conferences, etc.)

Podcasts
- Quarterly
- Equity focused generally – free to members of any Equity Consortium group
- Interview format – subject matter experts and school board members

September 2017
- CUBE Annual Conference
- Webinar – CUBE

October 2017
- Webinar – NHC
- Newsletter – AIAN, NBC, NHC

November 2017
- Equity Podcast
- Webinar – AIAN

December 2017
- Webinar – NBC
January 2018

- Webinar – CUBE
- Newsletter – AIAN, NBC, NHC

February 2018

- Equity Symposium
- Webinar – NBC
- Equity Podcast

March 2018

- Webinar – NHC

April 2018

- NSBA Annual Conference
- Newsletter – AIAN, NBC, NHC
- Webinar – AIAN

May 2018

- Equity Podcast
- Webinar - CUBE

June 2018

- Webinar - NBC

July 2018

- Webinar – NHC
- Newsletter – AIAN, NBC, NHC

August 2018

- Webinar – AIAN
- Equity Podcast

September 2018

- CUBE Annual Conference
- Webinar – CUBE
October 2018

- Newsletter – AIAN, NBC, NHC
- Webinar – NHC

November 2018

- Webinar – AIAN
- Equity Podcast

December 2018

- Webinar – NBC