

June 19, 2023

To: All Members of the School Board

From: Mark Spooner

Subject: Discussion Issues for Work Session on Equity Policy

If you decide to proceed with tomorrow’s work session without prior public engagement, there are many serious questions that should be raised and openly discussed. Here are a few:

1. Why is this policy necessary? This Board has just adopted an equity-based Strategic Plan for the next several years. It establishes the goals and equity commitments for all aspects of FCPS operations. What does the proposed Equity Policy do that the Strategic Plan doesn’t? Please be specific.

2. Why does the definition of “equity” in the proposed policy differ from the definition in the Strategic Plan? In the development of the Strategic Plan, FCPS sold the concept of “equity” to the public with a simple, consensus-building definition: “Equity means ensuring that everyone has access to the same opportunities and that individual circumstances do not hold anyone back from reaching their full, unique, and limitless potential.” That definition stresses opportunity and access. In contrast, the proposed Equity Policy reads like a far-left manifesto, asserting that the current FCPS education system “normalizes and perpetuates disproportionate outcomes and exclusion,” and stating that policies and practices must be “reimagined” and “transformed” to eliminate “disproportionate outcomes and exclusion.” Isn’t this new definition – in a policy that hasn’t been circulated for public discussion – a deceptive bait-and-switch?

3. What does “disproportionate outcomes” mean? This term is a key feature of the draft policy, but its meaning is vague to the point of meaninglessness. Are any differences in educational outcomes “proportionate,” or does this term essentially mean there must be equal outcomes for all? How will FCPS determine whether outcomes are “disproportionate”?

4. What are the policies and practices in the current FCPS system that “normalize and perpetuate” inequity? Achievement of “equity” has been the center of this Board’s work for almost four years. If policies and practices still exist that normalize and perpetuate inequity, what are they, and why hasn’t the Board addressed them before now? Why is a vague and open-ended condemnation of the existing FCPS system appropriate?

5. Should the Board make clear that the policy does *not* support certain divisive policies and programs? Among the reasons why “equity” is a divisive concept is that the term is used by some to promote radical and highly controversial proposals. Some use it to support curricula that divide rather than unite, and that justify failure to succeed academically (e.g., teaching students to think in terms of separate, conflicting “identities,” “privilege,” “systemic racism,” etc.). Others use it to promote artificial equality of outcomes (e.g., revising grading systems to disguise differences in actual achievement). When the Board initiated the equity-policy process last year, it directed the staff to define “equity” clearly, in a consensus-building way. The definition in the proposed policy doesn’t do that. Its open-ended scope creates justifiable concern that it will be

used to promote divisive policies and practices. Should the Board ameliorate these concerns by clarifying what it is *not* intended to do?

6. How would this Equity Policy affect the Strategic Plan and other FCPS policies and priorities? This may be the most troublesome question posed by the draft policy. The proposal acknowledges that it does not focus on the needs of all students; rather, it “centers those students who data show have been underserved.” The draft states that this group “will drive our decision making and goals.” The draft further states that the Equity Policy will control all other FCPS policies: “This policy will guide the language and intent of all other policies within FCPS.” Really?! The Strategic Plan attempts to address the overall priorities of FCPS for the next several years, including the interests of *all* students. And yet, this draft policy declares that the narrowly focused Equity Policy trumps everything else. Has the Board considered the implications of this? For example, would this policy prevail over the Strategic Plan? What about the scores of other, existing FCPS policies? Has the Board studied how this policy would affect all of them? For example, is it intended that the Equity Policy will somehow supersede, or affect the meaning of, the Controversial Issues Policy? If so, the Board should be candid about its intent rather than sneaking it in surreptitiously through the back door. As written, the proposed policy could easily be interpreted to mean that anything that’s done within FCPS in the name of “equity” will override all other policies and priorities. The Board needs to address this at its work session.

7. What is the intent of the “school funding” provision in the proposed Equity Policy? Section IV.d of the draft policy states that an FCPS priority will be to “provide differentiated distribution of resources and access to facilities based on students’ needs and driven by the elimination of predictability of outcomes.” FCPS policy and priorities regarding school funding are dealt with in the Strategic Plan, so why is this issue addressed with different language here? Moreover, the language in this draft is problematical for two reasons: First, it poses legal issues in suggesting discriminatory access to programs and facilities in favor of one segment of the community. Second, a policy that school funding will be “driven by the elimination of predictability of outcomes” is vague, unrealistic and bad policy. Efforts to improve the achievement of underperforming groups is laudable as one goal of a good school system, but it shouldn’t be the only, or even the primary, objective. Providing for the needs of *all* students should be the objective. It would be unfair to downgrade the concern for, or the funding for, the majority of students in an effort to improve the performance of a minority.

8. Other concerns. The foregoing are just a few of many questions posed by the proposed policy. Many others deserve attention: For example, (i) the draft improperly states that values that affect our actions and decisions constitute “bias”; (ii) the draft defines some terms that aren’t used in the policy; (iii) the draft says that the absence of equity should be ascertained from both traditional and non-traditional data sources, without identifying what is intended; and (iv) the draft suggests that “marginalization” can be determined by the mere fact that one identity group’s academic performance lags behind that of others, when, in fact, underperformance may be attributable mostly to factors that have little to do with inadequate efforts by the school

system. Each of these points, and others, deserve attention in a serious work session of the Board.

The multitude of questions posed by the proposal is a reflection of the fact that it was developed in a secretive process and wasn't shared with the public until a few days ago. Careful analysis and candid dialogue are therefore important now.