

Legislatures Address Racial Equity in K-12 Schools

BY BENJAMIN OLNECK-BROWN

Following the deaths of George Floyd in Minneapolis and Breonna Taylor in Louisville, Ky., nationwide protests prompted policy-makers to newly examine issues of racial justice in institutions, including K-12 schools. U.S. schools see persistent racial gaps in academic achievement, graduation rates and discipline that contribute to enduring disparities in adulthood. In recent legislative sessions, legislators have pursued school staffing, staff training and other measures to improve racial equity in schools.

Recruiting and Retaining Teachers of Color

Studies show academic, social-emotional and school climate benefits result from hiring teachers of color, particularly for students of color. However, [teachers of color remain underrepresented](#) relative to the student population. At least [18 states](#) have existing programs aimed at hiring, incentivizing, recruiting or retaining teachers of color. Recent legislative efforts include changing or expanding existing programs, as well as creating new programs and studies of teacher workforce diversity. Examples include:

- [Oklahoma HB 2655](#) (failed–adjourned) revises provisions related to teacher education programs designed to recruit, admit, retain and graduate teachers of color. It also establishes the Grow Your Own Teacher grant competition to fund consortia for teacher education programs.
- [Minnesota SB 1012](#) (failed–adjourned) provides funding for and strengthens the Increase Teachers of Color Act and seeks to double the number of teachers of color and American Indian teachers.



Training Teachers, Staffs and Administrators

Implicit biases of teachers and administrators can contribute to disparate outcomes between white students and students of color. Teachers and administrators make decisions about [student discipline](#) and classification for [advanced learning and special education programs](#) that affect students' educational careers—and which may contribute to [racial achievement gaps and other inequities](#).

States have explored requiring training for teachers or administrators in bias and discrimination and funded programs to provide this training. Examples of recent state legislation focused on training and professional development include:

- [Massachusetts SB 1708](#) (pending) funds a social equity training and technical assistance fund.

- [New Jersey SB 1856 \(pending\)](#) requires the Department of Education to train teachers and administrators and monitor districts on bias and discrimination in special education classification.
- [Oklahoma HB 3089](#) (failed – adjourned) requires trauma, diversity and social justice training for administrators, teachers, education support professionals and volunteers who have contact with students. It also requires district boards of education to partner with qualified nonprofits and community partners.

Other Measures

States have tried to better understand racial disparities by mandating that education officials collect, report or analyze certain data. For example, [Maine HR 1215](#) provides to the Department of Education analyses of the school achievement, disciplinary actions, and special education identification and placement of African American students.

Some states have sought to expand or strengthen existing anti-discrimination provisions relating to public education. In particular, many of these efforts address discrimination based on hairstyle or other qualities historically associated with race, which [African American legal advocates argue](#) can disadvantage Black students and employees. [Colorado HB 1048](#) is the first enacted legislation this session that prohibits this type of discrimination.

States including [New York](#), [New Jersey](#) and [Kentucky](#) have considered commissions, task forces or work groups to study and make recommendations on issues of racial justice and equity in schools. [Rhode Island](#) and [California](#) are considering legislation that provides students with a bill of rights or handout to inform them of their right to be free from discrimination, along with policies and resources related to bias and discrimination in their schools.

NCSL will continue to [track legislation](#) on racial equity and other education issues, and to post relevant and timely education policy information on its [website](#).

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