



Human Rights Commission
12 Baldwin Street
Montpelier, VT 05633-6301
hrc.vermont.gov

[phone] 802-828-2480
[fax] 802-828-2481
[tdd] 877-294-9200
[toll free] 1-800-416-2010

VERMONT HUMAN RIGHTS COMMISSION
MINUTES
May 23, 2024

PRESENT: Commissioners: Nathan **BESIO** (remotely) (Chair *ex tempore* at 9:05 to 9:09 a.m.); Joan **NAGY**; and Chuck **KLETECKA** (alternate). Staff: Big Hartman, Executive Director & General Counsel (“ED”); Mitch Rotbert, Senior Counsel (minutes); Dan Flynnjac, Attorney Investigator; Cassandra Burdyslaw, Attorney Investigator (remotely). Summer intern: Katherine Sanberg-Lawrence

ABSENT: Bruce **WILSON** (family matter); Dawn **ELLIS** (no reason provided).

Commissioner *Ex Tempore* **BESIO** called the meeting to order at 9:05 a.m.

Chair Kevin **CHRISTIE** joined by phone at 9:09 a.m.

BUSINESS MEETING

EXECUTIVE DIRECTOR REPORT:

At 9:05 a.m., E.D. began a discussion on the Commission’s budget. E.D. will seek budget adjustment with the administration.

At 9:10 a.m., discussion on Vermont recently enacted “Crown Act.”

At 9:14 a.m., discussion was held on efforts in the legislature, including on addressing the “severe” or “pervasive” standard as to harassment claims in Vermont schools and, separately, the recent equal protection amendment to the State Constitution. **CHRISTIE** pointed out that the constitutional amendment must be passed again in the next biennium of the legislature and, if then passed, must then go to popular vote across the state (2026).

At 9:19 a.m., **CHRISTIE** began a discussion on “severe” or “pervasive.” Next session, the discussion may be held in judiciary committees rather than education committee. E.D. indicated that that move may allow broader input from the public, including families.

At 9:23 a.m., E.D. reported on workload and on summer intern help. Introduction of summer interns by E.D. and short introduction by interns.

At 9:29 a.m., ED began a discussion on staff’s continuing effort on community outreach, including HUD authorization to print a booklet for parties to our cases.

At 9:33 a.m., discussion on new format of investigative report. **BESIO** inquired on presence of documents; E.D. explained that documents are attached as necessary, and invited the Commissioners to continue to give feedback on the reports.

EXECUTIVE SESSION

At 9:38 a.m., **NAGY** moved the Commission to go into executive session to discuss confidential cases. **KLETECKA** seconded. **Unanimous vote in favor (4-0).**

At 11:30 a.m., Attorney Investigator Dan Flynnjac was excused.

At 11:30 a.m., Attorney Investigator Cassandra Burdyslaw was excused.

At 11:34 a.m. Intern Jacquelynn Perez was excused.

At 12:55 p.m., Kelly Poupore, Attorney Investigator, appeared.

At 12:55 p.m., **CHRISTIE** took the Commission out of Executive Session.

BUSINESS MEETING

In PA22-0001, **NAGY** moved the Commission to determine that there are reasonable grounds to believe that Respondents discriminated against Complainant with respect to sex in violation of the Vermont Fair Housing and Public Accommodations Act (“VFHPAA”), 9 V.S.A. § 4502. **BESIO** seconded. **Unanimous vote in favor of the motion (4-0).**

In PA22-0001, **NAGY** moved that there are no reasonable grounds to believe that Respondents retaliated against Complainant in violation of VFHPAA, 9 V.S.A. § 4506. **BESIO** seconded. **Unanimous vote in favor of the motion (4-0).**

In HV222-0021, HUD Case No. 01-22-1584-8, **BESIO** moved the Commission to determine that there are reasonable grounds to believe that Respondent discriminated against Complainant on the basis of race, color, sex, and receipt of public assistance in violation of VFHPAA, 9 V.S.A. § 4503(2). **NAGY** seconded. **Unanimous vote in favor of the motion (4-0).**

At 1:00 p.m., E.D. presented the settlement in *HRC v. Woodstock Union High School & Middle School and Windsor Central Supervisory Union*, PA-23-0005. **NAGY** moved the Commission to accept and endorse the settlement agreement. **BESIO** seconded. **Unanimous vote in favor of the motion (4-0).**

At 1:10 p.m., in light of Commissioner **WILSON**'s absence, **CHRISTIE** tabled review of the minutes of the Commission meeting on April 25, 2024.

At 1:11p.m., **NAGY** moved the Commission to go into executive session to discuss confidential cases. **KLETECKA** seconded. **Unanimous vote in favor (4-0).**

EXECUTIVE SESSION

At 2:14 p.m., **CHRISTIE** took the Commission out of Executive Session.

BUSINESS MEETING

In PA23-0017, **NAGY** moved the Commission to determine that there are reasonable grounds to believe that Respondent discriminated against the Complainant based on sexual orientation in violation of VFHPAA, 9 V.S.A. § 4502. **KLETECKA** seconded. **Unanimous vote in favor of the motion (4-0).**

At 2:16 p.m., **NAGY** moved the Commission to go into executive session to discuss confidential cases. **KLETECKA** seconded. **Unanimous vote in favor (4-0).**

EXECUTIVE SESSION

At 2:49 p.m., **CHRISTIE** took the Commission out of Executive Session.

BUSINESS MEETING

In HV24-0005, HUD Case No.: 01-24-4348-8, **NAGY** moved the Commission to determine that there are no reasonable grounds to believe that Respondent discriminated against the Complainant on the basis of disability in violation of VFHPAA, 9 V.S.A. § 4503. **BESIO** seconded. **Unanimous vote in favor of the motion (4-0).**

At 2:52 p.m., **KLETECKA** was excused.

At 2:52 p.m., E.D. began discussion on setting a date for a Commission retreat.

At 3:10 p.m., E.D. announced Commission involvement in the Independence Day parade in Montpelier, including decorating truck on July 3, 2024, and participating in the parade on the afternoon July 4, 2024.

At 3:11 p.m., **CHRISTIE** moved to go into executive session to discuss matters about which premature general public knowledge would clearly place the HRC at substantial disadvantage. **NAGY** seconded. **Unanimous vote in favor of the motion (3-0).**

EXECUTIVE SESSION

The meeting was adjourned at 3:42 p.m.

NEXT MEETING Thursday, June 27, 2024.

Dated at Montpelier, Vermont this day ___ of May 2024.

Respectfully submitted:

/s/ Big Hartman

Big Hartman
Executive Director