



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

**DRAFT VERMONT HUMAN RIGHTS COMMISSION
MINUTES
October 24, 2024**

PRESENT: Commissioners: Kevin **CHRISTIE**, Chair; Nathan **BESIO** (remotely); Joan **NAGY** (remotely); Bruce **WILSON** (remotely).

ABSENT: Dawn **ELLIS**

Staff: Big Hartman, Executive Director & General Counsel (“**ED**”); Mitch Rotbert, Senior Counsel (minutes); Vanessa Bonebo, Executive Staff Assistant; Faith Orr, Clerk. Attorney Investigator Flynnjac enters the meeting remotely at 9:28 a.m. and is excused at 10:57 a.m. Director of Policy, Education and Outreach, Amanda Lucía Garcés (“**Garcés**”) enters the meeting at 1:05 p.m. and is excused at 1:54 p.m.

WILSON enters the meeting at 9:20 a.m.

CHRISTIE calls the meeting to order at 9:10 a.m.

BUSINESS MEETING

Minutes

At 9:10 a.m., **BESIO** moves to accept as written the minutes of the Commission meeting held September 26, 2024. **CHRISTIE** seconds. **Unanimous vote on the motion (2-0)**. **NAGY** abstains (not present at September 2024 meeting).

Executive Director Report

At 9:15 a.m., **ED** commences their report to the Commissioners. Discussion on budget, including Budget Adjustment Act (BAA) for FY 2024 and budget for FY 2025.

ED reports on priority positions that **ED** seeks to be filled through BAA. First, **ED** seeks funding for an intake specialist through BAA. Second, **ED** reports seeking another investigator. One investigator has 30 active cases; another has 15 active cases in areas that tend to be more complex. The weight of the current case load precludes staff from accepting more cases until the Commission has more staff; but that cannot happen without approval for the positions sought. If BAA results in approval of these two positions, these staff would not likely be available to start until March 2025.

BESIO inquires about the nature of the deficit reported by **ED** in their written report. **ED** responds that the budget adjustment process is the way to address the deficit; if that process does not adjust the deficit, **ED** will try to secure funding through Pay Act. If that does not fix the deficit, the Commission will need to start to lay off staff. HUD is providing more funds this year than last; but those funds are dedicated to training and shall be used for training only.

ED reports on additional positions sought, including: total of 3 attorney investigators; one paralegal; one communications coordinator/media specialist; one in-house mediator (part time); and one part-time case manager (*e.g.*, a licensed social worker, someone trained in assisting persons suffering trauma). **CHRISTIE** explains that the most effective agencies engaged in assisting vulnerable persons have layers of specialists. **ED** reports that staff is facing need for specialists in addressing language barriers. **BESIO** adds that case managers are in short supply, and explains that a new federal rule on conflict of interest is about to be published; that rule, which will prohibit an organization that provides healthcare services from also providing case management, is likely to lessen the pool of available case managers.

ED reports that if the Commission acquires all staff requested staff will need more space in which to operate. **ED** reports meeting with Senator Baruth, who agreed to take up the Commission's budget. **ED** continues to meet with legislator seeking assistance no securing the budget.

ED asks Commissioners to review proposed dates on Commission meetings in 2025 and respond on any dates that do not work before the next Commission meeting.

EXECUIVE SESSION

At 9:42 a.m., **NAGY** moves to go into executive session to discuss confidential cases. **BESIO** seconds. **Unanimous vote in favor (4-0).**

At 11:43 a.m., **CHRISTIE** takes the Commission out of Executive Session.

BUSINESS MEETING

In HRC Case No. HV24-0002, **NAGY** moves that the Human Rights Commission finds that there **are not reasonable grounds** to believe that the Respondents discriminated against the Complainant based on disability in violation of the Vermont Fair Housing and Public Accommodations Act, 9 V.S.A § 4503. **BESIO** seconds. **Unanimous vote in favor (4-0).**

In HRC Case No. HV24-0025, HUD Case No. 01-24-4508-8, **BESIO** moves that the Human Rights Commission finds that there **are not reasonable grounds** to believe that the Respondent discriminated against the Complainant based on race, color, national origin, or religion in violation of the Vermont Fair Housing and Public Accommodations Act, 9 V.S.A § 4503. **NAGY** seconds. **Unanimous vote in favor (4-0).**

Executive Director report (continued)

At 11:50 a.m., **ED** begins discussion for Commissioner recognition and approval of a Pre-Determination Conciliation Agreement (“PDCA”) reached in the following HRC Cases:

ED reports a PDCA resolving HRC Case No. PA23-0015. Commission votes to approve the PDCA.

ED reports a PDCA resolving HRC Case No. PA25-0001. Commission votes to approve the PDCA.

ED reports a PDCA resolving HRC Case No. HV25-0003, HUD Case No. 01-24-5012-8. Commission votes to approve the PDCA. **BESIO** abstains.

Update on Legislative Policy and Outreach Initiatives

At 1:05 p.m., **Garcés** presents work on strengthening laws addressing hazing, harassment, and bullying (“HHB”). Discussion on survey results to be packaged into a report (due December 2024, to be accompanied by a press conference). These proposals are part of a years-long effort to amend HHB laws. **ED** remarks that the Commission has funds designated for racial equity work, appropriated years ago; now able to build a network of training opportunities.

BESIO inquires on how HHB issues arise in different parts of the State. **Garcés** responds that no demographic data collected. **NAGY** inquires about whether the HHB laws seek to understand the origins of the HHB conduct. **WILSON** observes that years ago he participated in a panel seeking to address hazing or initiation rites in schools. **ED** responds that the focus of the Commission outreach is on schools offering education from kindergarten through high school; however, colleges are required to have rules addressing HHB.

CHRISTIE observes that the U.S. Civil Rights Commission issued a report in 1999 addressing racial harassment in Vermont schools, and that the problem has not been alleviated.

Garcés reports that the Coalition for Transforming School Safety has created a schedule, including student/family intake in first quarter 2025, culminating in train-the-trainer program commencing in April 2025.

Garcés turns to discussion of working with allies to increase funding for the Commission. **ED** reports that the hope is to have a two-page “plug” for reaching out to allies to bring the Commission’s funding needs to the fore.

ED requests that **Garcés** return to the Commissioners in May 2025 to report on progress.

Executive Director report (continued)

ED continues discussion on upcoming training activities throughout the State, including paid training. **WILSON** inquires about issuing a regular HRC newsletter for outreach.

ED reports on current case data and explains the data set.

ED reports on model quarterly report on case status.

EXECUTIVE SESSION

At 2:16 p.m., **NAGY** moves to go into executive session to discuss matters about which premature general public knowledge would clearly place the Commission at substantial disadvantage. **BESIO** seconds. **Unanimous vote in favor of the motion (4-0)**

At 2:37 p.m., **CHRISTIE** takes the Commission out of Executive Session for the purpose of discussing matters about which premature general public knowledge would clearly place the Commission at substantial disadvantage.

At 2:37 p.m., **BESIO** moves to adjourn. **NAGY** seconds. **Unanimous vote in favor of the motion (4-0).**

The meeting was adjourned at 2:37 p.m.

NEXT MEETING Thursday, December 5, 2024.

Dated at Montpelier, Vermont, this day 24th day of October 2024.

Respectfully submitted:



Big Hartman, Esq.
Executive Director & General Counsel