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**VERMONT HUMAN RIGHTS COMMISSION
MINUTES
Thursday, September 28, 2023**

PRESENT: Commissioners: Kevin Christie, Chair, Dawn Ellis, Nathan Besio, Joan Nagy, Bruce Wilson, and Dawn Ellis. Staff: Big Hartman, Executive Director; Cassie Burdyslaw, Daniel Flynnjac, Kelly Poupore, Staff Attorneys; Amanda Garcés, Director of Policy, Education, and Outreach; Darla Mariduena, Legal Clerk, Maia Hanron, Executive Staff Assistant (minutes).

Chair Christie called the meeting to order at 9:30 a.m.

Chair Christie asked if there were any additions to the agenda.

Commissioner Ellis stated that she had some additional items to bring up under “Other Items”.

Commissioner Ellis mentioned potential issues with the Microsoft Teams Waiting Room. Staff and Commissioners briefly discussed technical challenges.

ED Hartman welcomed new Investigating Attorney, Kelly Poupore. Kelly shared a little bit about herself.

Commissioner Wilson joined at 9:40am.

ED Hartman welcomed Darla Mariduena, our Vermont Law School Legal Clerk Intern.

ED Hartman shared that they, Commissioner Wilson, and Attorney Burdyslaw had enjoyed their time at the HUD Conference in Denver Colorado recently.

Commissioner Wilson shared that he found the conference exciting and plans to submit an overview in the HRC’s upcoming newsletter. He stated that he learned a lot and met a lot of people and looks forward to sharing more.

ED Hartman shared more about the objectives of the upcoming HRC newsletter. They are hoping it will be a source to share more information about current issues and the work the HRC does and is working on. Staff and Commissioners are encouraged to contribute articles to it.

Commissioner Besio noted that in the past the HRC’s newsletters seemed broader but feels more of a focus on what the HRC is actively doing, will be important in making the public feel more comfortable reaching out to the HRC.

ED Hartman agreed and said it's important to highlight the work we are doing in the local communities such as the Pride Parade, conferences, trainings, cultural events, etc.

Commissioner Ellis asked if there are any barriers to us taking cases due to administrative challenges.

ED Hartman clarified that limiting cases in the past was due to staffing challenges, and that we are taking as many cases as possible now that we are fully staffed.

Commissioner Wilson commented about the reoccurring theme of "boots on the ground" at the HUD conference and is excited about ED Hartman's initiatives around getting out in the community and to where the people are.

ED Hartman suggested that since we are 12 minutes before the first case, perhaps we should pause the Business Meeting and move into Executive Session.

Commissioner Besio made a motion to go into Executive Session to hear confidential cases at 9:50am. The motion was seconded by Commissioner Nagy. Vote 5-0.

Commissioner Kletecka joined Executive Session at 1:05pm.

Commissioner Ellis left Executive session at 1:20pm.

Chair Christie brought the VHRC out of executive session at 1:57pm.

Commissioner Nagy moved to accept the recommendation that in HRC Case No: E22-0002 that there were reasonable grounds to believe that discrimination occurred on the basis of sex. The motion was seconded by Commissioner Kletecka. Vote 5-0. Commissioners Christie, Besio, Nagy, Wilson, and Kletecka voted in favor.

Commissioner Nagy moved to accept the recommendation that in HRC Case E22-0002 that there were no reasonable grounds to believe the Respondent retaliated against the complainant on the basis of a protected activity. The motion was seconded by Commissioner Kletecka. Vote 5-0. Commissioners Christie, Besio, Nagy, Wilson, and Kletecka voted in favor.

Commissioner Kletecka left the meeting at 1:57pm.

Commissioner Ellis rejoined Executive Session at 2:01pm.

Commissioner Nagy made a motion to go into Executive Session to review confidential cases at 2:09pm. Commissioner Besio seconded. Vote 5-0.

Chair Christie brought the VHRC out of executive Session at 2:40pm.

Commissioner Nagy moved to accept the recommendation that in HRC Case PA21-0003, that there are reasonable grounds to believe that discrimination occurred on the basis of sexual

orientation. Commissioner Besio seconded the motion. Vote 4-0 with Commissioners Christie, Besio, Nagy, and Wilson in favor. Commissioner Ellis recused herself due to information revealed during the case proceedings.

Commissioner Nagy moved to accept the recommendations that in HRC HV22-0015, HUD Case No: 01-22-9904-8, that there are reasonable grounds to believe that discrimination occurred on basis of sex, but that there are no reasonable grounds to believe that discrimination happened on the basis of disability or status as a domestic violence victim. Commissioner Nagy also moved to accept the recommendation that there are reasonable grounds to believe that the respondent retaliated against the complainant. The motions were seconded by Besio. Vote 4-0-1. Commissioners Christie, Besio, Nagy, and Wilson all voted in favor of the recommendations and Commissioner Ellis abstained from voting.

PRE-DETERMINATION CONCILIATION AGREEMENTS (by staff)

Commissioners approved the PDCA for HV23-0009, HUD Case: 01-23-3724-8.

BUSINESS MEETING CONTINUED

ED Hartman shared an update that the interview process for the Litigating Attorney position is moving forward quickly and that they hope to onboard a new hire by the end of October.

ED Hartman also shared that we are in the process of onboarding a new case management system, Legal Files, and hopes to go live in November. ED Hartman shared that this will house, track, and store all of our cases. Staff and Commissioners briefly discussed data collection and other uses for it.

ED Hartman gave an update on FY25 budget planning time. They explained the process of working with Administration on next year's budget and restrictions they are up against such as level funding, which does not reflect the need for more staff and resources. ED Hartman will be working with Administration on budget adjustments. They also shared that in speaking with the Attorney General's office about ongoing contracts and the challenges managing them, that there is potential to add a very part-time position to do grants and contract administration, and that they might be working towards a budget adjustment for this year to hire someone for that role. Other budget hiring goals are adding another investigating attorney and an Office Manager so that Intake becomes a separate role.

Commissioner Ellis asked for clarification about the Attorney General's Office's (AGO's) involvement with HRC contract matters. ED Hartman explained the administrative relationship between the HRC/AGO.

Amanda Garcés, Director of Policy, Education, and Outreach shared updates on her outreach work including ACT 1 work and the Education Framework Standards that she will be presenting on at a conference in October. She also shared updates on the Let's Talk Race Card Project. In

early October a new storytelling project about bullying and harassment in schools is launching. Director Garcés also shared that she and Attorney Burdyslaw had a successful Fair Housing training in Brattleboro with approximately 25 attendees and that in the next few months, she'll be working on the legislative agenda for the upcoming session.

Director Garcés also shared information about upcoming cultural events such as the Hispanic Heritage Month event on October 14, 2023, at the Grange in Berlin and that there are several screenings of a film planned for Native American month. She also shared that the HRC and Office of Racial Equity plan to do a tour around the state to introduce the work both offices do, to Vermont communities. Director Garcés also shared that the HRC will have a table at this weekend's Fall Festival.

Commissioner Ellis asked for clarification around the Race Card decks and how they will be shared. Director Garcés gave more information on the concept of them, how they were designed, and how they will be shared given the quantity of 2000 available. ED Hartman clarified these are to be used in groups not individually.

ED Hartman also said that they and Amanda have discussed re-implementing surveys after trainings as well as surveys for parties in cases to get better feedback on our processes.

ED Hartman also shared that another outreach piece the HRC is working on, is around the HUD Partnership Grant. The HRC received another \$20k for outreach efforts, however this may be the last year we receive this funding. The plan is to create posters, run radio ads, and create online videos about our process and housing rights. This outreach has to primarily be geared towards housing discrimination but will give the HRC exposure regardless.

ED Hartman shared a new monthly update per the suggestion of Commissioner Ellis, that we give updates on the number of active cases. ED Hartman shared that we have 47 current cases open, 11 cases open for monitoring, and 5 in Superior Court pursuing litigation.

ED Hartman also thanked ESA Hanron for going above and beyond with managing the high influx of intakes and reported that we have 19 cases that we are awaiting signed complaints for and will soon be assigned to the Investigating Attorneys. They are unclear what the uptick in numbers is about, but suggests that perhaps more coverage in the news lately has contributed to more exposure for our office. However, without an additional Investigating Attorney, it could take 2-3 years to get cases processed so they will be advocating for another Investigating Attorney position and plans to assign the new Litigator to some investigations as well.

Commissioner Nagy left the meeting at 3:45pm

ED Hartman said they would like the consent of all Commissioners to share contact information with one another so that will be addressed next meeting when all Commissioners are present.

ED Hartman shared proposed dates for 2024 Commission Meeting. There was discussion around shifting some of the dates. It was proposed to send out the dates to discuss at next month's meeting.

ED Hartman shared that there are few things to discuss in Executive Session due to confidential matters.

Commission Besio made a motion to move into Executive Session at 4:07pm to discuss confidential matters. Chair Christie seconded the motion. Vote 4-0.

Commissioner Ellis left Executive Session at 4:13pm.

Commissioner Besio left Executive Session at 4:37pm.

NEXT MEETING is Thursday, Oct. 26, 2023.

The meeting was adjourned at 4:45pm.

Dated at Montpelier, Vermont this 28th day of September 2023.

Respectfully submitted:

/s/ Big Hartman

Big Hartman
Executive Director