



State of Vermont
Human Rights Commission
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ATTACHMENT 1

VERMONT HUMAN RIGHTS COMMISSION
MINUTES
October 27, 2016

PRESENT: Commissioners: Mary Marzec-Gerrior, Chair, Donald Vickers, Mary Brodsky, Nathan Besio, Dawn Ellis, Commissioners. Staff: Karen Richards, Executive Director, Ellen Maxon, Administrative Law Examiner, Jocelyn Bolduc, Executive Staff Assistant (minutes), Ruth Roberts, Legal Intern (Implicit Bias presentation only).

Commissioner Marzec called the meeting to order at 9:09 a.m.

BUSINESS MEETING

MINUTES: Vickers moved to accept the minutes of the September 22, 2016 meeting as written. The motion was seconded by Brodsky. Vote 5-0

EXECUTIVE DIRECTOR REPORT:

Budget: The proposed FY18 budget shows a total need of \$485,658. Compared to FY17 need of \$455,632, this is an increase of \$30,026. ED Richards met with Finance and Management at the Agency of Administration (AoA) on 10/5/16. Those present understood that the HRC cannot present a level funded budget due to its discretionary funding. AoA will support the budget as presented.

Staffing: The HRC began recruiting for ALE Maxon's position in October. We have received several applications. The closing date was 10/21. Decisions will be made about interviews which will occur the week of 11/7.

Updates:

Newsletter – We have sent out eight monthly newsletters. The most recent addressed bullying, harassment and hazing. The October issue will address service and assistance animals.

AGO/HRC Confidentiality Agreement – ED Richards and the AGO have agreed on a final draft.

AG Position on HRC Jurisdiction – ED Richards sent an email back to Susanne young suggesting that the AGO and HRC engage in a facilitated restorative process to discuss these and other issues. There has been no response to date.

LEGISLATIVE AGENDA

ED Richards reported to Commissioners what key initiatives and priorities the HRC will focus on during the upcoming legislative session. This may change after the election.

2017 COMMISSION MEETINGS

Marzec-Gerrior requested that ED Richards add any particular agenda items to be included under applicable meeting dates.

The 2017 Commission Meeting schedule approved by Commissioners.

Post Case Updates:

O.P. v. Camel's Hump Middle School et al. – HRC Case No. PA15-0026. Complainants have an offer from the school district. They have not responded. If there is no response by 11/18/16 the case will be dismissed and closed.

C.S. v. DOC, HRC Case No. PA15-0001 – HRC is waiting on a response from the Attorney General's Office with regard to its position on mediation or settlement. The statute of limitations is 12/20/16.

Litigation

Human Rights Commission v. AHS, DOC, DMH, Docket No. 629-10-16 Wncv (Superior Court, Civil Division, Washington Unit) – HRC filed its complaint on 10/18 given that DRVT refused to agree to further extension of the statute of limitations and the State failed to meet its deadline for a response to the request for mediation. Mediation nonetheless occurred on 10/19/16 and was unsuccessful. The State's response to the complaint is due by 12/21/16.

PRE-DETERMINATION CONCILIATION AGREEMENTS (by staff)

Tenant v. Public Housing Authority
VHRC Case No. HV17-0004
HUD Case No. 01-17-4994-8

Individual o/b/o Disabled Adult Child v. Veterinary Clinic
VHRC Case No. PA17-0006

Tenants v. Housing Incorporation
VHRC Case No. HV17-0003
HUD Case No. 01-16-4455-8

EXECUTIVE SESSION:

Vickers made a motion to go into executive session to discuss litigation where premature public knowledge would clearly place the HRC at a substantial disadvantage at 10:49 a.m. The motion was seconded by Ellis. Vote 5-0

Marzec-Gerrior brought the Commission out of executive session at 11:15 a.m.

BUSINESS MEETING CONTINUED

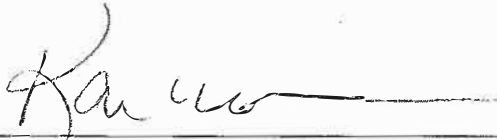
Restorative Justice discussion with Commissioners and Impartial Bias Presentation by ED Richards.

NEXT MEETING January 26, 2017.

The meeting was adjourned at 3:40 p.m.

Dated at Montpelier, Vermont this 1st day of November 2016.

Respectfully submitted:



Karen L. Richards
Executive Director