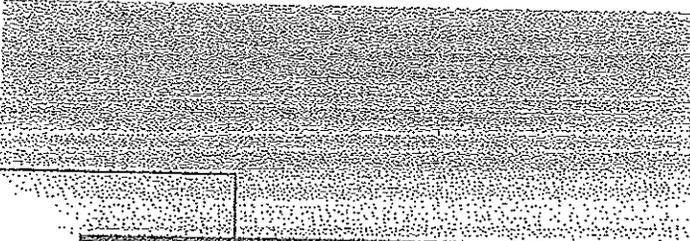


ATTACHMENT A

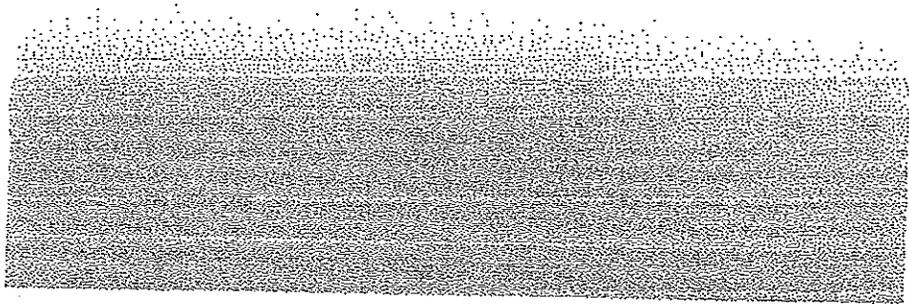


HUMAN RIGHTS COMMISSION

HRC Board of Commissioners

Robert Appel, Acting Executive Director

Fiscal Year 2014 Budget Request



Human Rights Commission

Fiscal Year 2014 Budget Request

Robert Appel, Acting Executive Director

Budget Development

*Paul Rousseau CMA, CPA
AoA Chief Financial Officer*

*Jason Pinard
Financial Director II*

*Joe Harris
Financial Director II*

Human Rights Commission

Executive Summary

Philosophy:

The Commission is a dynamic and effective leader in the pursuit of equal justice, and provides an authoritative voice for civil rights. The Commission envisions a Vermont that is knowledgeable about human rights, whose citizens are empowered in the pursuit of equal access, and where dignity, respect, equality and fairness are afforded to all.

Key Initiatives:

Human Rights Commission (HRC) promotes full civil and human rights in Vermont. The Commission protects people from unlawful discrimination in housing, state government employment, and public accommodations such as a school, restaurant, office or store that offers facilities, goods or services to the general public.

The Commission pursues its mission by enforcing laws, mediating disputes, educating the public, providing information and referrals and advancing effective public policies on human rights.

The Commission investigates allegations of discrimination and determines whether there are reasonable grounds to believe that

unlawful discrimination occurred in a case.

The Commission receives approximately 1500 inquiries and processes roughly 100 complaints received annually (a relatively stable number of charges over the past three years).

The Commission's staff seeks to resolve charges through mediation, and if necessary, conciliation if there is a finding of reasonable grounds. The Commission has instituted a pre-filing resolution process that has proven to be successful. If the Commission finds that there was discrimination in a case and the case cannot be settled, the Commission may file suit in court to obtain remedies for violations of the state's civil rights laws.

The Commission continues to focus its efforts to ensure that all students feel welcome and safe in Vermont schools. The strategies utilized to achieve this objective include processing complaints of student harassment and providing anti-harassment training to educators to the extent that current resources allow. School harassment continues to be an enforcement priority for the Commission as well as racial profiling and discrimination against persons with psychiatric disabilities.

HRC staff often speaks with individuals and groups about their rights and responsibilities under civil rights laws, works with individuals, agencies and groups to combat bias and bigotry. The HRC Executive Director also supplies information, legal analyses, and advice to the

Legislature as well as the Executive and Judiciary upon request.

Funding Levels:

The GF appropriation (\$422,882) and the annual grant from HUD's Fair Housing Office (\$83,791) for use in SFY14) award could be sufficient to fully fund the Human Rights Commission expenditures (\$506,673), which is \$34,369 more than in SFY 2013.

The HUD award has varied widely in the past depending on the number of dual filed (state and federal) housing complaints investigated — from a low of \$68,280 for FFY08 to a high of \$113,440 for FFY09. In years past, the federal receipts fund had a sizeable balance now all but exhausted.

Increasing the GF appropriation in SFY14 by \$31,789 helps offset the growing needs even with the federal fund increase of \$2,580 over FY 2013 appropriated. This GF level is roughly equivalent to the total of salary and benefit costs of the Commission's five FTE staff members.

If this increase in GF support is appropriated and then sustained in future years, the Commission will be well positioned to continue to serve as a valuable resource to persons who believe they have been victims of unlawful discrimination.

Summary

As Vermont's population becomes increasingly diverse, the Commission will be enabled to respond in a timely and effective manner.

In addition, as Vermont's population continues to age, the percentage of citizens with disabilities will increase.

These demographic shifts will likely increase demands on the Commission's limited resources. Our hope is for the state to keep the funding for the Commission adequate so as to make clear that we are "Vermont Strong".



FY 2013 Budget to FY 2014 Request

➤ Human Rights Commission



Section I

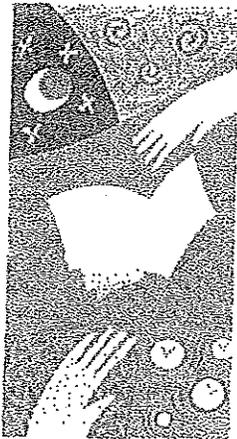
FY 2014 Budget
Submission

Fiscal Year 2014 Budget Development Form - Human Rights Commission

	General \$\$	Transp \$\$	Special \$\$	Interdept'l Transfer \$\$	All other \$\$	Total \$\$
Human Rights Commission - 2014 Estimate	10,033	0	0	0	1,241	11,274
Base salary change	15,084					15,084
Base benefit change	7,252					7,252
Increase in Interpreters	1,043					1,043
Increase in Fee For Space Charge	2,731					2,731
Increase in Vision Allocation Fee	(1,420)					(1,420)
Increase in Travel related expenditures	7,762					7,762
Decrease in Hardware - Desktop and Laptop PCs	(1,594)					(1,594)
All other adjustments	(502)				910	408
Subtotal of increases/decreases	31,785	0	0	0	(2,580)	29,205
2013 FYE Budget	12,312	0	0	0	3,369	15,681
2014 FYE Budget	43,597	0	0	0	3,369	46,966

Program Budget Profiles

➤➤ Human Rights Commission



Section 2

FY 2014 Budget
Submission

FY14 Appropriations Committee Questionnaire

VERMONT HUMAN RIGHTS COMMISSION

1.

a. What are your programs?

The Vermont Human Rights Commission is the state agency having jurisdiction over claims of unlawful discrimination in housing, state employment, and the provision of goods and services by businesses as well as governmental entities. The Commission has three statutorily mandated roles: enforcement, education and policy development.

Enforcement. The Commission investigates allegations of discrimination and determines whether there are reasonable grounds to believe that unlawful discrimination occurred in a case. The Commission's staff seeks to resolve charges through mediation, and if necessary, conciliation upon a finding of reasonable grounds by its five commissioners. The commissioners are appointed by the governor and confirmed by the Senate for five year terms with one coming due each year.

If the Commission finds discrimination and the case cannot be settled, the commissioners may direct the Commission's executive director and counsel to file suit in court to obtain remedies for persons aggrieved by violations of the state's civil rights laws, as well as in the public's interest.

Commission staff engage in public education efforts in both proactive and reactive manners. Proactively, staff members speak with constituent groups about their rights and responsibilities under anti-discrimination law particularly with regard to our priority enforcement areas. These areas presently are school harassment, racial profiling and discrimination against those with hidden disabilities particularly intellectual and emotional disabilities. The staff also provides training at no cost to respondents as a term of settlement so that the discrimination found after investigation will not reoccur.

The Commission's Executive Director engages in on-going policy discussions in both the Legislative and Executive branches to advance the rights of ALL Vermont residents. In addition, the Commission's litigation efforts are designed to establish clear parameters as to both the rights of individuals and the obligations of entities covered by anti-discrimination statutes. Commission staff are also continuously engaged with community organizations seeking to respond to instances of discrimination, racism, sexism, homophobia, etc. in Vermont communities.

b. How do these programs meet your core mission?

The Commission promotes full civil and human rights in Vermont. As stated above, the Commission protects people from unlawful discrimination in housing, state government employment and public accommodations and pursues its mission by enforcing laws, mediating disputes, educating the

FY14 Appropriations Committee Questionnaire

public and providing information and referrals as well as advancing effective public policies on human rights issues in Vermont.

The Commission envisions a society in which:

- People treat each other with dignity and respect
- Communities promote equality, fairness, understanding and acceptance of all
- Citizens act effectively to end discrimination.

The Commission acts as a dynamic leader in the pursuit of social justice. To this end, the Commission will:

- Collaborate with public, private, and non-profit organizations
- Conduct efficient and effective enforcement
- Provide an authoritative voice with respect to civil rights in Vermont.

2.

- a. What does success in each program look like to Vermonters both those served by the program and the general population?

The Commission envisions a society in which:

- People treat each other with dignity and respect
- Communities promote equality, fairness, understanding and acceptance of all
- Citizens act effectively to end discrimination.

The Commission acts as a dynamic leader in the pursuit of social justice. To this end, the Commission will:

- Collaborate with public, private, and non-profit organizations
- Conduct efficient and effective enforcement
- Provide an authoritative voice with respect to civil rights in Vermont.

- b. What performance measures are used to determine progress and what baseline data is available (current and proposed budget, # served, etc)?

During FY12, the Commission received inquiries about possible discrimination from 740 distinct individuals. From those calls, a total of 97 charges were accepted. In addition, there were 12 charges which were sent to the Commission's executive director and legal counsel for either conciliation after a reasonable grounds finding by the Commissioners or were in active litigation. These numbers have remained relatively stable number over the past three years.

Several years ago, the Commission instituted a pre-filing resolution process that has proven to be successful. During FY 12, 28 charges were accepted for attempts at informal resolution. Of those 28, 26 were closed successfully during that same year. This process speeds resolution and reduces the time

FY14 Appropriations Committee Questionnaire

spent by the parties in responding to investigation requests, and reduces Commission staff time devoted to formally investigating charges that are susceptible to rapid resolution.

With regard to the Commission's educational outreach, approximately 540 people received training during FY12 on the issues of school bullying and harassment, cyberbullying, and cross-cultural communication. In addition, Commission staff provided fair housing training on seven separate occasions reaching approximately 100 persons through this outreach effort. Furthermore, the Commission publishes a bi-annual Fair Housing Newsletter which is distributed by email to 1,500 recipients twice a year.

3. Is there a better way?

The Commission is presently fulfilling its mission in a reasonably effective and efficient manner.

There is certainly a need for more training of educators on the importance of distinguishing harassment from bullying and the respective responses now required by Vermont law. One of the Commission's three investigators spends substantial time providing this service to the education community. Last year, the Legislature in Act 140 (H. 412) directed the Commission to seek private grant funding to support a full-time training position. To date, the Commission has not secured such funding. Given the reduction in staffing in the Department of Education's Safe and Healthy Schools team over the past decade, the sustained funding of such a training position sited at the Commission would dramatically improve the knowledge base of the education community with regard to harassment and bullying and appropriate responses to these destructive and disruptive behaviors when they are encountered in Vermont schools.

OUTCOMES OF HRC RESOLVED CASES FY 2012

Housing

- > Final Determination – Reasonable grounds (RG)0
- > Final Determination – No reasonable grounds (NRG)3
- > Final Determination – Mixed RG & NRG3
- > Pre-Determination Conciliation Agreement15
- > Withdrawn with settlement1
- > Withdrawn w/out settlement or administratively dismissed ..3

Public Accommodations

- > Final Determination – Reasonable grounds (RG)3
- > Final Determination – No reasonable grounds (NRG)9
- > Final Determination – Mixed RG & NRG.....0
- > Pre-Determination Conciliation Agreement6
- > Withdrawn with settlement3
- > Withdrawn w/out settlement or administratively dismissed9

Employment

- > Final Determination – Reasonable grounds (RG)1
- > Final Determination – No reasonable grounds (NRG)9
- > Final Determination – Mixed RG & NRG1
- > Pre-Determination Conciliation Agreement0
- > Withdrawn with settlement.....1
- > Withdrawn w/out settlement or administratively dismissed.....0

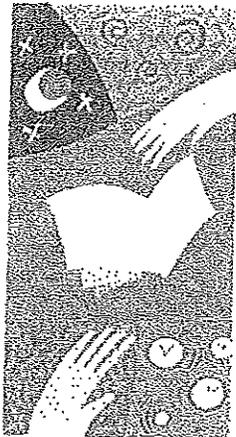
TOTALS

- > Final Determination – Reasonable grounds (RG).....4
- > Final Determination – No reasonable grounds (NRG)21
- > Final Determination – Mixed RG & NRG4
- > Pre-Determination Conciliation Agreement.....21
- > Withdrawn with settlement.....5
- > Withdrawn w/out settlement or administratively dismissed12

Program Performance*

*per 32 VSA §307(c)

>>> Human Rights Commission



Section 3

FY 2014 Budget
Submission

Human Rights Commission

Mission Statement

The mission of the Human Rights Commission ("Commission" or "HRC") is to promote full civil and human rights in Vermont. The Commission protects people from unlawful discrimination in housing, state government employment and public accommodations such as a school, restaurant, office or store that offers facilities, goods or services to the general public. The Commission pursues its mission by enforcing laws, mediating disputes, educating the public, providing information and referrals and advancing effective public policies on human rights.

Goals:

The Human Rights Commission envisions a society in which:

- People treat each other with dignity and respect
- Communities promote equality, fairness, understanding and acceptance of all
- Individuals act effectively to end discrimination.

Commission is a dynamic leader in the pursuit of social justice. To this end, the Commission will continue to:

- Collaborate with public, private, and non-profit organizations
- Conduct efficient and effective enforcement
- Provide an authoritative voice with respect to civil rights in Vermont.

Market:

The Commission receives approximately 1000 inquiries and 80-100 complaints annually from a wide range of persons who believe that they have been victims of discrimination. The Commission investigates allegations of discrimination and determines whether there are reasonable grounds to believe that unlawful discrimination occurred. If the Commission finds that there was discrimination and the case cannot be settled, the HRC may file suit to obtain remedies for aggrieved individuals and in the public interest. HRC staff speaks with individuals and groups about their rights and responsibilities under civil rights laws, works with individuals, agencies, and groups to combat bias and bigotry, and supplies information, legal analyses, and advice to the Legislature as well as the Executive and Judiciary branches of state government.

Resources:

The HRC has an agreement with HUD to investigate housing discrimination complaints that allege violations of both state and federal fair housing law. HUD awarded the Commission \$83,791 for use in SFY14 (very close to last year's \$84,250) based on the number of dual filed complaints closed in the preceding year. However, for the first time in memory, HUD has sequestered \$13,000 of the \$17,500 allocated as training funds, a component of the total \$83,791 award. This \$13,000 may (or may not) be released contingent on HRC staff attending future HUD training events. This could result in a hole in the Commission's budget.

On the other hand, last year saw the Legislature make a significant increase in the Commission's GF appropriation—from \$332,882 for FY12 to \$391,093 for FY 13. Hopefully, the Governor's Recommended Budget will increase the GF appropriation to \$407,146 as this is the projected funding gap identified to meet anticipated spending pressures, particularly personal services. These GF increases over the past several years finally gets the Commission out continued reliance on and unrealistic federal funding level of \$145,000—an amount never fully met by HUD grants and a vestige of early start-up funds which were fully exhausted during SFY12. The HUD award has varied widely depending on the number of complaints investigated and available funding enhancements in past years—from a low of \$68,280 for FFY08 to a high of \$113,440 for FFY09. If these increases in GF support are sustained, the Commission remains well positioned to continue to serve as valuable resource to persons who believe they have been victims of unlawful discrimination. The demands on the Commission are likely to only increase as Vermont becomes a more diverse and multi-cultural place.

Potential Programmatic Changes:

The Commission is receiving more requests from educators for trainings on preventing and responding to incidents of harassment and bullying of Vermont students. Given the increased awareness of school climate issues and the reduction in staff in the state's Department of Education to respond to these issues, these demands are certain to grow. The Legislature last year passed Act No. 140 (H. 412) stating in §2(a) that:

The human rights commission is encouraged to apply for grant funding to provide training regarding harassment and bullying prevention and response initiatives designed to educate trainers to work with school districts throughout the state.

To date, the Commission has not been successful in this effort, primarily because it lacks staff time and expertise in pursuit of grants. However, the need for field training on issues of harassment and bullying continues unabated and will only increase in the future as Vermont becomes more diverse and more attention is paid to making schools welcoming and safe for ALL of their students.

Capital Needs for the Program:

The Commission has no additional capital needs for FY 2014.

release of training funds

ATTACHMENT B
4

release of training funds

Appel, Robert

Sent: Monday, February 11, 2013 10:05 AM

To: Gibbs, Merryl (merryl.gibbs@hud.gov)

Good morning Merryl-

I hope that you are now dug out and back in operation. I am providing the information below that you requested the last time that we discussed this issue:

1). Investigator Tracey Tsugawa still needs to complete week 5 of investigative training. Assuming that it will be made available other than the current date in March (Tracey is presenting a school harassment training in VT that week), she will complete NFHTA week 5 during the current FFY. Presently NFHTA lists week 5 being offered June 3-7 and Sept 23-27 but not yet confirmed.

Estimated travel, meals and room costs \$2,500 + \$1,500 tuition= \$4,000.

2) The Commissioners are closing in on offering the ED position to my successor. I believe it would make sense for my successor to attend NFHTA's Fair Housing Enforcement for Public Sector Attorneys rather than the Investigator's training.

Estimated travel, meals and room costs \$2,500 + \$1,500 tuition= \$4,000.

3) The VHRC will plan to send Ellen Maxon and the new ED to the New England Fair Housing /Civil Rights Conference April 11-12 in Springfield, MA.

Estimated travel, meals and room costs \$1,500.

4) The VHRC will plan to send Ellen Maxon and the new ED to the Fair Housing Month Conference to be held in Providence, RI, date TBD.

Estimated travel, meals and room costs \$1,500.

5) The VHRC will plan to send Ellen Maxon and the new ED to the Affirmative Furthering Fair Housing Seminar to be held May 8-9 in Westchester, NY.

Estimated travel, meals and room costs \$2,000.

The total amount of estimated travel, meals, lodging and tuition payments equals \$13,000. Please let me know if you need anything further from me in order to approve the release of the training funds allocated to the VHRC. Thanks for anticipated cooperation with this request.

Sincerely-

Robert

Robert Appel
Executive Director

