

REPORT OF THE EXECUTIVE DIRECTOR OF RACIAL EQUITY

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SUBMITTED TO THE GENERAL ASSEMBLY
Senate Committee on Government Operations
House Committee on Government Operations

INTRODUCTION

3 V.S.A. § 5003(f) requires that “[o]n or before January 15, 2020, and annually thereafter, the [Executive Director of Racial Equity] shall report to the House and Senate Committees on Government Operations demonstrating the State's progress in identifying and remediating systemic racial bias within State government.” This report will necessarily include discussion beyond the scope of that directive, because it is necessary to contextualize this work within the underlying issues that *make* racial bias systemic within and outside of state government.

The Committees will recall that the January 2020 report of the Director was quite brief, due largely to the then-recency of her appointment. Barely two months after that first report, the focus of this and most other state and local government work temporarily de-emphasized broader long-term goals in favor of crisis management, due to the high level of day-to-day uncertainty and the rapid emergence of racial disparities revealed and exacerbated both nationally and in Vermont by the COVID-19 pandemic and other major events. This was true not only for the Executive Director of Racial Equity, but for everyone in state leadership and in our communities and partner organizations. Individuals and coalitions across the state pivoted to a crisis response mode that has arguably not ceased or slowed since it began.

Despite these setbacks and unexpected challenges, the state has made measurable and meaningful progress in advancing equity. This has occurred not only through work at the state level, but through the work of community leaders and organizations, local and county governments, our federal delegation, and countless more.

In the many conversations among leaders and community members around the state about racial equity, one of the common themes that arises is the collective benefit of equity and the massive positive impact that racial equity has provided to all people, including white communities. There are deep and undeniable links between the push for equity and the resultant benefits to members of dominant groups—the fact is, every one of us benefits when we make society fairer and more just. Despite that obvious and irrefutable truth, many still see racial and other forms of equity as only benefiting certain demographic groups, and thus take a highly competitive view of social justice wherein they adopt a zero-sum mentality and resist efforts toward basic fairness.

For example, it is a fact that in the United States, the number one beneficiary group of affirmative action policies in education and in the workplace is white women.¹ We also know that when teachers of color are present in the classroom, all students—including white students—experience better academic performance and better social outcomes.² Further, data show that wage inequity in Vermont has had negative outcomes on the state’s economy at large: if in 2015 there had been wage equity in Vermont (that is, if people in Vermont had been paid the same wage for the same labor), the statewide GDP would have been nearly half a billion dollars larger, which would have benefitted every resident of the state.³ This concept is not new. In fact, it was discussed in the Director's January 2020 report as follows:

¹ K. Crenshaw, *"Framing Affirmative Action"*, 105 Mich. L. Rev. First Impressions 123 (2006).

² S. Wells, *"Seeing Past the 'Colorblind' Myth of Education Policy: Why Policymakers Should Address Racial/Ethnic Inequality and Support Culturally Diverse Schools"* policy brief, National Education Policy Center, Boulder, CO, 2014

³ National Equity Atlas

“It is of critical importance that Vermonters of dominant groups recognize that equity—in this case, racial equity—benefits the whole, and the continuing to ignore or actively resist efforts to undo structural inequity will lead to the continued shrinking of Vermont’s local and tourist economies, the hollowing of its school systems and underperformance of schools for marginalized groups, the weakening of its state workforce, and the exodus of its young people who are leaving in search of greater diversity and social cohesion.”⁴

Leaders at the local, county, and state levels must continue to move towards justice through policy innovation, greater accountability, tangible investment, meaningful dialogue, and improved social cohesion.

INFLUENTIAL EVENTS

COVID-19

Predictably, this report begins with an exploration of COVID-19. Regardless of one’s opinion on the medical and social facts that underlie COVID-19, it remains indisputable that communities of color have and continue to experience harm at greater rates than anyone else in the United States. This was true in Vermont as well, where we saw MWBEs⁵ harassed and vandalized due to anti-Asian sentiment at the early stages of the pandemic, people of color consistently overrepresented in COVID-19 infection and death rates, challenges across the state with communicating up-to-date and pertinent information across Vermont’s commonly spoken languages, and increased profiling and harassment of people of color and people who appear to be from out of state.

Welcoming/profiling/stereotyping POC and out-of-staters

Many people across Vermont hold strong biases based on whether or not someone is “from Vermont” or a “real Vermonter.” For years, traffic stop data have shown that motorists of color are disproportionately stopped by law enforcement in Vermont. Rates are even higher for motorists of color with out-of-state license plates.

This existing disparity was already concerning enough, but as a result of the pandemic-related fear and chaos swirling around in communities across the nation, this out-of-state “xenophobia” was heightened in 2020, where people flagrantly reported and harassed people driving with out-of-state license plates for their mere presence in Vermont. There were people across the state who assumed—against all logic and common sense—that because Vermont had such low reported case numbers of COVID-19, that all Vermonters were presumed to be COVID-19-free and observing appropriate mitigation behaviors, and that all visitors from out of state were presumed to be COVID-19 positive and not observing appropriate mitigation behaviors. We know, of course, that this is not true. That many people who drive vehicles with out-of-state license plates may actually live in Vermont or may have recently moved here and simply not yet made the necessary changes with the Department of Motor Vehicles. That a person’s presence in this state does not have to represent a threat to the residents of this state, and that making assumptions about a stranger’s risk of transmitting an infectious disease rarely ends well.

⁴ Davis, X. “Report of the Executive Director of Racial Equity.” *Vermont Racial Equity Advisory Panel*, State of Vermont, 15 Jan. 2020

⁵ Minority- or Women-Owned Business Enterprise (M/WBE): Businesses that are at least 51% owned and substantially managed by people of color and/or people identifying as women.

It is understandable to want residents and visitors to adhere to the state's guidance regarding travel and quarantine. However, we enter dangerous territory when we make unfounded assumptions about people's intentions, behaviors, and character simply based on their presence in the state. These behaviors create fear among Vermont residents who worry about being targeted in similar ways.⁶ The photo below, shot by the Director while passing by a neighbor's vehicle, is one example of that fear:



"We live in VT. Waiting on new plates." Photo: X. Davis

Disparities in COVID-19 cases among communities of color

Vermont, like the rest of the U.S., experienced higher COVID-19 rates in communities of color than it did in white communities. One of the largest frustrations for equity practitioners in 2020 was combating the misguided belief that there are qualities inherent to people of color that make them more vulnerable in times of crisis or widespread illness. In reality, it is epigenetic factors—that is, factors resulting more from behavior and environment—that play a greater role in making communities of color more vulnerable to ecological or public health crises. Scores of data show us underlying conditions such as asthma, obesity, heart disease, and diabetes are more prevalent in communities of color due to factors such as siting of health-deleterious neighborhood amenities and lack of access to health-promoting neighborhood amenities, chronic stress and anxiety often resulting from community trauma, lack of access to preventative health services and worse treatment when health services are available, inadequate or unevenly distributed ecological protections, and more. These upstream factors give rise to precisely the sorts of conditions that have made communities of color more likely to be infected with or die of an illness like COVID-19. Ways to combat this might include

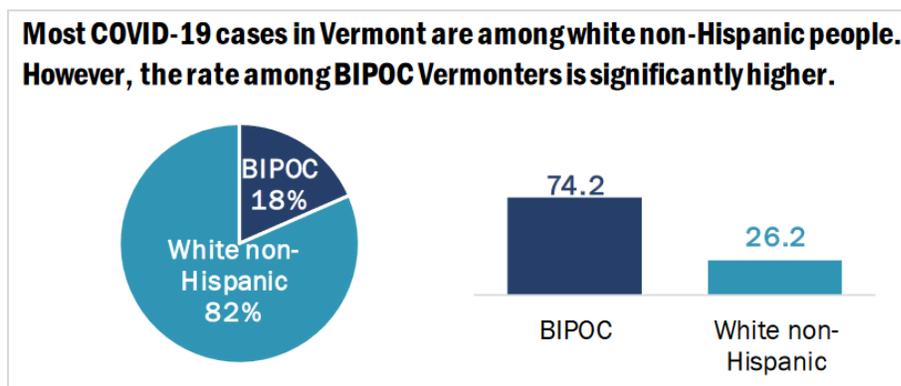
- revisions of housing and land use policy to ensure equitable distribution of ecological assets and burdens

⁶ See incidents like those in Vinalhaven, ME, in which local residents downed a tree to trap a group of people driving a car with New Jersey license plates out of fear of COVID-19 spread. As it turned out, the out-of-state household had been present months before the pandemic.

- reducing the number and distribution of food deserts and food swamps⁷ in communities
- reducing unnecessary law enforcement contacts, especially in communities that have historically been overpoliced and whose crime data do not warrant such presence

Data collection

Another challenge that is more unique to Vermont than to other jurisdictions is data collection. The racial and ethnic disparities in Vermont’s COVID-19 cases have been difficult to collect and report. Small sample sizes threaten to render data statistically insignificant or unreportable due to the possibility of personal identification. Even aside from these challenges, at the early stages of the pandemic, providers in Vermont were not even consistently seeking racial and ethnic data from patients: despite race and ethnicity data being a part of the standard CDC form required for COVID-19 patient intake, Vermont providers were only collecting this information at a rate of roughly 27% by the early spring. Through important intervention by advocacy groups and critical collaboration with the Vermont Department of Health, the state’s race and ethnic data collection for COVID-19 reporting quickly rose to more than 99%, and the state’s epigenetic team successfully recovered the previously missing data. Only then were we able to see clearly the disparity in reported cases.



There are many lessons in this. Perhaps one of the biggest is that we cannot even begin to negotiate *which* data to report and how to report them if we are not even bothering to collect those data. In this case, that duty was not just the responsibility of the state. It was the responsibility of individual actors in health care delivery institutions to understand the importance of collecting these data and to do their due diligence by collecting it accurately and consistently. Still, collecting race and ethnic data is only part of the work. We must also use those data for more outreach and broader access to services. Health disparities remain high in Vermont—not just for COVID-19, but for many other acute and chronic conditions.

Other current events

The past year also brought a seemingly overwhelming number of other issues with which Vermont communities have had to grapple.

⁷ Food deserts are generally defined as areas with few/no healthy food options. Food swamps are generally defined as areas with 4+ unhealthy food options for every healthy food option. Both tend to be concentrated in low-income communities and communities of color, and their presence tracks closely with the prevalence of obesity, diabetes, and heart disease.

Election

The 2020 election was one of the most acrid and uncertain in recent memory. Political rhetoric translated to social and moralistic practices and character assaults. Things that should not have been political were suddenly politicized. All the while, people in the U.S. increasingly believed they had less and less in common with one another, especially on the issue of racial injustice. As a result, people in Vermont and across the U.S. experienced assaults, threats, property damage, and excessive force by law enforcement related to protests and justice work. In conversations with the Racial Equity Task Force, candidates of color for elected office in Vermont described being threatened and harassed with seemingly no recourse. However, there was also a massive and, to many of us, unexpected groundswell of support for social justice that spread across all ethnicities, ages, abilities, economic groups, and the gender spectrum. This momentum has led to impassioned and intentional work in communities and in government.

National movements for justice

While 2020 was a year full of unexpected events, one thing that remained unchanged in the U.S. was the continued and widespread killing of people of color by the government (somewhere between 422 and 742⁸ lives, to be a bit more precise). However, it was the country's response that surprised many people around the world. The calls for justice grew louder and more numerous. Vermont saw its share of demonstrations as well. Some ended in violence, many were quite positive, and some went largely unnoticed. The Director and other equity practitioners around the state were overwhelmed by the surge in interest for education on racial inequity, and the increased momentum to do something about it. This was heartening, as many communities around the state stepped up to advance equity through tangible, meaningful action. In response, the [Action and Allyship Guide](#) was created to help the public understand some of the underlying issues contributing to racial inequity and some of their solutions. New entrants to these movements can be of greatest service by following the lead of communities with lived experience and



Photo: X. Davis. Graffiti credit: Unknown.

taking the time to learn the long and arduous history of how we got here. New allies are often inclined to shape the movement's goals to fit within their own understanding or vision of justice. Instead, true change means knowing when to step up and when to step back. It means being present in ways that are truly helpful, and not just in whichever ways new allies prefer.

Census

The decennial census is one of the most important pillars of racial equity work. It is both a process and a resource—one on which we rely to make critical decisions around allocation of elected representatives, allocation of resources in communities, and sector-specific data inferences. For example, organizations seeking to implement small business supports will look to census data for information on the target market area. Entities seeking to site new daycare or school facilities will use census data to glean where there are more school-age children. Entertainment companies will use census data to determine where to site concerts, theaters, and events. Philanthropic organizations will rely heavily on census data to determine where to

⁸ Source: Mapping Police Violence

direct their dollars for communities who need them most. Without an accurate count of the population, we cannot know the progress we are making in areas like housing and health, because residency patterns and life expectancy are at least partly gleaned from census data. Census data are especially important to our understanding of the diversification of the country. In fact, if it were not for census data we may never have known for sure that people were held in slavery in Vermont.⁹

The 2020 Census was fraught from the start: First, the U.S. Census Bureau introduced a new measure called “differential privacy.” While differential privacy is designed to protect the personal information of residents, it has a destructive effect on states with localities with small populations because it distorts and rearranges identifying data such that we cannot trust the population breakdowns to be accurate. Of course, this implicates Vermont. Further, the federal administration maintained its insistence that U.S. residents who were undocumented be excluded from the enumeration. This harms states like Vermont, whose communities would not be fully represented or fully accounted for in social, legal, and fiscal decisions because swaths of them are rendered invisible. These issues remain unresolved.

However, Vermont performed well in the 2020 decennial census: the state was included and quoted in legal actions brought by a coalition of states regarding some of the above issues. Further, Vermont attained a total response rate of 99.9%, which places the state in a five-way tie for the state with the highest response rate. These gains were made possible through the creation of the 2020 Vermont Complete Count Committee, whose focus on hard-to-count populations ensured that the state does not get left behind for the next decade in any decision-making that relies on census data. As communities of color are generally considered “hard-to-count,” this work had large implications for Vermont’s racial equity goals.

[Presidential Executive Order on equity training](#)

In September, the President issued Executive Order 13950. This Executive Order posited that racial/gender equity trainings create racism/sexism—or rather, that they are racist/sexist in nature because they “are designed to divide us,” and “decrease opportunities for minorities,” and “distract from the pursuit of excellence.”¹⁰ Using this premise, the Order essentially

- barred racial/gender equity trainings deemed to teach these “divisive concepts” from being conducted by or for federal employees or their subcontractors;
- required that all government contracting agencies include in every government contract provisions barring the contractor(s) from providing such trainings; and
- established a hotline to receive and investigate complaints alleging violation of this Order.

In October 2020 and January 2021, The Director issued guidance memoranda to state, municipal, and community partners advising how to proceed in light of the Executive Order. In short, the Order is not likely to have a large impact on equity trainings in Vermont. However, the Director and others across the state continue to monitor the pending legal actions brought as a result of the Order.

⁹ Whitfield, Harvey Amani. *The Problem of Slavery in Early Vermont, 1777-1810*. Vermont Historical Society, 2014.

¹⁰ Executive Order on Combating Race and Sex Stereotyping. 22 Sept. 2020

ADMINISTRATIVE MATTERS

Equity Impact Assessments

Equity Impact Assessments (EIAs) are an important part of just governance because they are a primary tool for identifying racial disparity in policy and fiscal decision-making. They mitigate unintended negative consequences and ensure that all communities are meaningfully considered during the decision-making process. The state's executive agencies are now required to complete EIAs for all budget and policy proposals. Legislative members, judicial staff, and staff of the Attorney General's Office have also taken steps to begin incorporating EIAs in their work.

SOV Employee Racial Equity hub

Continued dialogue about equity is important to the workplace, especially when that workplace is government. Government, after all, is a collection of members of the community, and all members of the community are impacted by issues of justice. Particularly in a remote-work environment characterized by physical distancing and individual work locations, it is important to maintain cohesion and collaboration among staff. State of Vermont employees now have a central place to find resources and engage in dialogue around racial equity. Using virtual tools available to all SOV staff, hundreds of state employees have grown the Racial Equity group to be a robust space where thoughtful and illuminating conversations take place daily, and resources are shared between department staff who may otherwise not have had contact with one another. Two fora were held and were open to all state staff, as part of a welcoming and informal environment in which to learn about how state government can advance racial and other forms of equity.

SOV Equity Liaisons

The executive agencies have established a network of Equity Liaisons, SOV staff across the state agencies/departments who would serve as "point person" for equity-related work in their respective agencies/departments, liaise with the Executive Director of Racial Equity, and help agency/department leadership maintain an equity lens in their day-to-day work. This will enhance the state's ability to operationalize the equity practices that are being adopted in state government, and will help leaders identify patterns emerging across agencies through increased and more focused communication.

Workforce Equity

As one of the state's largest employers, SOV government is a prime example of where we can close racial gaps in economics through the workforce. In fiscal year 2019, SOV

- hired less than half of its applicants of color (applicants of color were 12.3% of total applicants, but 6.0% of total hires),
- paid them less on average (\$56,904 for SOV staff of color, \$62,679 for white SOV staff), and
- lost them at higher rates than it did white employees (16.4% turnover rate for SOV staff of color, 12.1% turnover rate for white SOV staff).¹¹

Further, employees of color remain underrepresented in supervisory and managerial positions, in exempt positions, and in positions that are well-suited for teleworking. The state is finalizing its workforce report for fiscal year 2020, and will continue to revise its hiring practices to make SOV reflective of the inclusion we want to see in the state as a whole.

¹¹ Fastiggi, Beth et al. "State of Vermont Workforce Report Fiscal Year 2019". Jan 15 2020.

	Num.	Percent	Average Salary	Average Age	Average LOS	Percent Female	Percent Male	Percent Minority
Manager	423	5.5%	\$95,139	50.8	16.0	53.0%	47.0%	0.9%
Supervisor	1,059	13.8%	\$75,771	48.0	14.7	52.6%	47.4%	3.0%
Non-Management	6,173	80.6%	\$57,871	44.7	9.9	50.8%	49.2%	4.5%
Total	7,655	100.0%	\$62,440	45.5	10.9	51.2%	48.8%	4.1%

Source: The State's Human Resource Information System (VTHR). Data include only classified employees of the Executive Branch for Fiscal Year 2019. Average Salary is annual base salary of full-time employees and does not include benefits or overtime. Average LOS is average length (years) of service.

Note: A managerial employee is defined in 3 VSA § 902(18) and a supervisory employee in 3 VSA § 902(16). Per Personnel Policy 6.3 the criteria used to determine a managerial designation include: the extent to which a position has influence or makes decisions regarding policy, budget, and personnel; and the organizational structure of an agency or department into divisions or major sections. The criteria used to determine a supervisory unit designation include: the number of employees supervised; the degree and type of supervisory discretion exercised; and the extent to which supervision is a significant component of the individual's job duties.

from the State of Vermont FY19 Workforce Report

Table 61 Minority Representation for Classified Job Titles – Fiscal Year 2019

Minority Representation of Most Populous Job Titles FY '19			Job Titles with the Highest Minority Representation FY '19		
Job Title	Ave. Num.	% Minority	Job Title	Ave. Num.	% Minority
Correctional Officer I	339	9.7%	Education Programs Coordinator I	27	14.8%
Family Services Worker	202	5.9%	Administrative Services Technician III	15	13.3%
Trooper	160	5.0%	Probation & Parole Officer I	15	13.3%
Transportation Journeyman Maint. Worker	121	1.7%	Associate Mental Health Specialist	33	12.1%
Correctional Officer II	120	10.8%	Correctional Educator	25	12.0%
Benefits Programs Specialist	118	3.4%	Trooper - Probationary	25	12.0%
Sergeant	92	1.1%	Program Technician I	34	11.8%
Probation & Parole Officer	89	5.6%	Administrative Services Coordinator II	36	11.1%
Administrative Services Coordinator I	83	3.6%	Correctional Officer II	120	10.8%
Transportation Master Maintenance Worker	78	2.6%	Veterans Home Utility Worker	28	10.7%

from the State of Vermont FY19 Workforce Report

Other Items

The state has made and/or is finalizing additional internal policy changes, including those regarding employee resource groups, equal opportunity statements in job postings, and recruiting channels. The state is also working across departments and with local entities to develop a pilot program aimed at increasing municipal engagement on equity.

Since the Director’s 2020 report, the following updates were made to the Director’s mandate

EXISTING	ADDED IN 2020
<ul style="list-style-type: none"> • Comprehensive organizational review of all branches of state government to identify systemic racism • Oversee statewide collection of race data • Develop model diversity policy • Develop performance targets & metrics with the Chief Performance Officer • Develop and conduct trainings for state agencies • Serve as liaison between the Governor’s Cabinet, the Human Rights Commission, and the Governor’s Workforce Equity & Diversity Council • Report to the Racial Equity Advisory Panel • Report annually to House & Senate Committees on Government Operations 	<ul style="list-style-type: none"> • Report to House & Senate committees on Judiciary & Government Operations by Feb 2, 2021, about development of a statewide model use-of-force policy. [Act 165] • Work with law enforcement agencies, Criminal Justice Council, & a vendor [...] on specific goals using data collected by law enforcement agencies. [Act 147] • Work with law enforcement agencies & Crime Research Group to look at sentencing outcomes data. [Act 148] • By Dec 31, 2020, approve a plan by DOC to address systemic racism & bias. Submit the plan to the House committee on Corrections & Institutions & the Senate Committee on Judiciary by Jan 31, 2021. [Act 163] • Work with the Cannabis Control Board to develop outreach, training, & employment programs [for] people disproportionately affected by cannabis prohibition. [Act 164] • Work with the Department of Mental Health and others to explore strategies on collecting data related to people accessing emergency services for a mental health crisis. [Act 154] • Sit on Criminal Justice Council. [Act 166]. • Work with the Government Accountability Committee & others to approve population-level indicators for BIPOC. [Act 166]. • Chair the Racial Equity Task Force & submit recommendations on specific topics in Aug & Dec 2020. [Executive Order 02-20]. • Work with AHS and others to establish Economic Stimulus Equity fund and disburse funds to qualified applicants. [Act 154]. • Create dashboard to track social vulnerability indicators to predict & prevent disparate outcomes in emergency response. [Act 154]. • Identify and deploy specialized training on equity and inclusion to reduce racial disparity in COVID-19 response. [Act 120].

LEGISLATIVE SESSION

One of the ways in which racial inequity presents itself in state government is through the lawmaking process. This occurs not only in the content of the final laws that are passed and signed, but also during

the process of deliberating and hearing those bills. In this way, the legislature plays an instrumental role in ensuring outcomes equity and process equity for marginalized and underrepresented communities in Vermont.

The Director notes that the 2020 session was a difficult one for legislators, staff, and the public. The session was lengthier than usual and it was overtaken by crisis response content that left many participants exhausted and anxious about the state's recovery. Noting these immense challenges (and with deep gratitude to the legislature for its hard work), there were several unused opportunities for greater equity in the 2020 legislative process. Particularly surrounding the flurry of criminal justice and cannabis taxation legislation, there was the distinct sense among the community and in government that these measures moved too quickly for there to be process equity, which resulted in historically marginalized people being further marginalized (on bills that were intended to make things *more* equitable for them, no less). To identify and eradicate systemic racism in state government, we must redouble efforts to engage with communities that are directly impacted by our work. This does not mean just holding hearings; it means incorporating the feedback from people with lived experience *before and during* the process. It means not claiming that equity concerns are “coming out of nowhere” when they have been consistently raised and documented from early on. It means not letting inconvenient timing or looming deadlines dictate the extent or quality of our equity work. Despite the great need for urgent action and the centuries that historically marginalized communities have had to wait for justice, rushed policy is rarely good policy, and historically marginalized communities and their advocates are put in an unjust position when they are given ultimatums to support insufficient proposals immediately or risk losing the opportunity or attention of decisionmakers going forward.

Budget & ESE fund

A proud moment for Vermont in the 2020 session was the establishment of the Economic Stimulus Equity Fund, which provided stimulus payments to Vermont residents who were excluded from CARES Act funding due to their or someone else's immigration status. This included lifelong Vermonters, U.S. citizens, children, legal permanent residents, and more. Notably, it also included undocumented Vermonters, who contribute to the multicultural fabric of the state and are an invaluable part of the Vermont economy. The Fund is in the implementation phase and remains on track to provide these much-needed payments to residents who were left behind by the federal government.

The state also secured federal relief grants for translation of important information for Limited English Proficient (LEP) Vermonters. During the initial phases of the pandemic in Vermont, it became clear that the communications infrastructure across the state was insufficient as daily and weekly guidance was not making its way to LEP communities. Advocacy groups and community providers stepped up to fill the gap, and funding was secured through the Vermont Department of Health and other agencies to continue the translation work throughout the pandemic.

WORKGROUPS

Mainly through its executive and legislative branches, the state of Vermont has created numerous committees that work on issues of equity. Some have existed for decades, others for mere months. Some individuals are appointed to multiple committees, which can have the positive effect of reducing silos and increasing consistency, but can have the less desirable impacts of representation fatigue¹² and

¹² Also known as “representation burnout”: The feelings of exhaustion and isolation stemming from often being the only person of a particular marginalized identity in a group. These individuals are often expected to speak on

missed opportunities to engage different/more people across the state. These committees have delivered important work products and are valuable resources whose existence has benefited all Vermonters. A large part of the state’s work in “identifying and remediating systemic racial bias within State government” happens through the research and deliberations of these workgroups. Therefore, providing adequate support for them is critical. These workgroups include, but are not limited to

Group ¹³	Formal Title ¹⁴
CJC	Vermont Criminal Justice Council [M]
DEW	Diversifying the Educator Workforce (Vermont delegates to NESSC) [M]
EMRTF	Economic Mitigation and Recovery Task Force [M]
ESESAWG	Ethnic and Social Equity Standards Advisory Working Group [M]
FIP	Fair and Impartial Policing Committee
GWEDC	Governor's Workforce Equity and Diversity Council [L]
HHB	Harassment, Hazing and Bullying Advisory Council
HRC	Vermont Human Rights Commission [L]
JRII	Justice Reinvestment [M]
LTRTF	Long-Term Recovery Task Force [M]
RDAP	Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel
REAP	Racial Equity Advisory Panel
RETF	Racial Equity Task Force [M]
SEC	Social Equity Legislative Caucus
SHCSTF	State House Curatorial Special Task Force [M]
VCCC	Vermont 2020 Complete Count Committee
VCNAA	Vermont Commission on Native American Affairs
JDEC	Vermont National Guard Joint Diversity Executive Council [M]

In addition to this non-exhaustive list, Vermont is also home to numerous community-based organizations performing important and impactful equity work across the state. It is equally important that the state actively engage with and support these organizations, given their deep contacts in communities and their contributions to the state’s advancements in equity.

Racial Equity Advisory Panel

The Racial Equity Advisory Panel has submitted a companion report pursuant to 3 V.S.A. Sec. 5002(c)(3).

Racial Equity Task Force

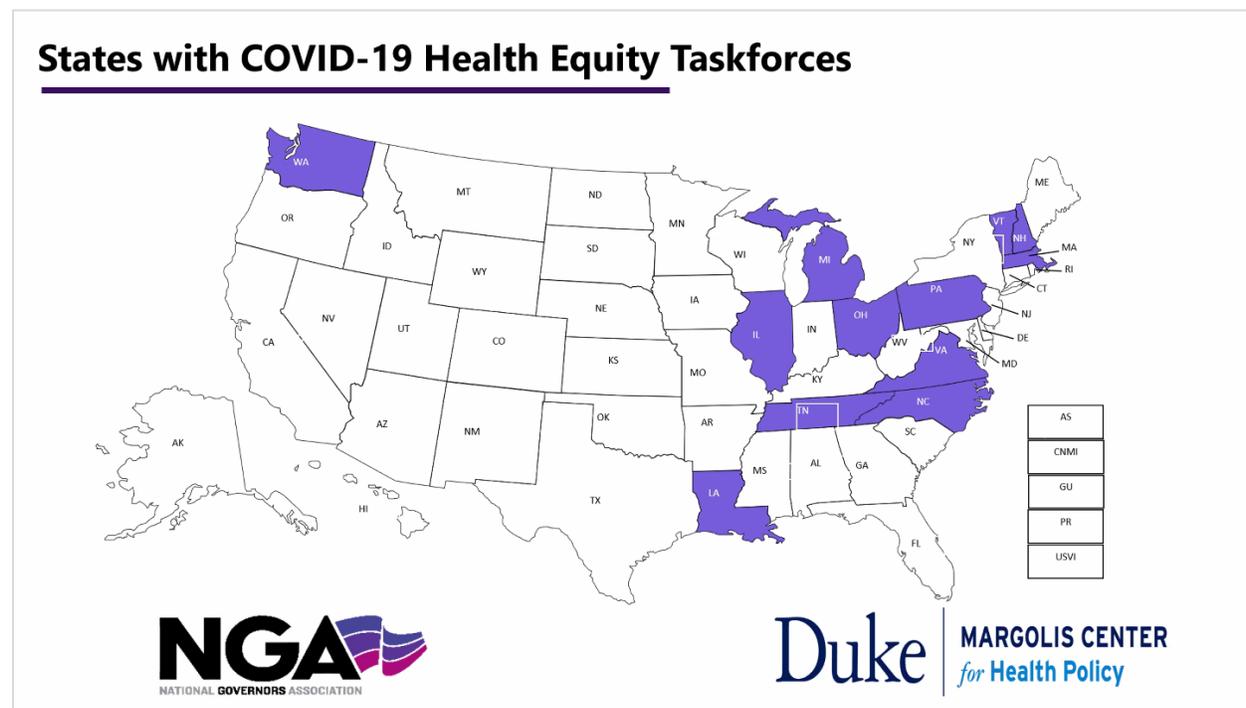
In 2018 and early 2019, the Governor's Office and the Vermont branches of the NAACP worked to create a task force that would address racial equity in the context of hate crimes and fair representation.

behalf of their entire identity groups, are often asked invasive or inappropriate questions, and are often expected to “perform” their identity for the education or benefit of members of dominant groups. In Vermont, it is common for individuals with marginalized identities to be asked to sit on numerous committees (usually without compensation), participate in highly visible displays of diversity such as photo ops, and be present in otherwise homogenous spaces as a way to “check the box.”

¹³ This list does not include the many coalitions and workgroups performing equity work in Vermont’s communities. It includes state-created or state-led groups, which have the distinct characteristic of being legally mandated to serve their specified function and meet defined expectations.

¹⁴ [M]—Director is a member of this workgroup. [L]—Director serves as liaison to this workgroup.

By February 2020, a plan to create the task force had been created but was postponed due to the unexpected arrival of COVID-19. Following calls from the community to create a task force designed to evaluate COVID-19-related racial disparities, the plan was revisited and adapted to incorporate this topic into its charge. In doing so, Vermont became one of few states to create a body specifically to address racial disparities in COVID-19 (see below).



States with COVID-19 Health Equity Task Forces, current as of autumn 2020

Economic Mitigation and Recovery Task Force

With an eye toward pandemic recovery, the Governor created the Economic Mitigation and Recovery Task Force. The Task Force brings government leaders, community-based organizations, and small businesses together to plan how Vermont's economy can successfully emerge from the setbacks it experienced as a result of the pandemic. The Task Force's subgroups generated and mapped out important initiatives, including back-to-school plans and small business support. The Local Support and Community Action subgroup designed and conducted community visits in every County, surveys for small businesses and community organizations, and a municipal guide to help municipalities as they engage in equity work.¹⁵

Long-Term Recovery Task Force

Alongside the Racial Equity Task Force and the Economic Mitigation and Recovery Task Force, the state also established the Long-Term Recovery Task Force, through which Cabinet members and other state staff complemented the efforts around pandemic recovery, with a focus on long-term strategy.

¹⁵ Economic Mitigation and Recovery Task Force. "Vermont Community Recovery - [Municipal Engagement for Diversity, Equity, and Inclusion](#)".

Ethnic and Social Equity Standards in Schools Advisory Working Group

The Ethnic and Social Equity Standards in Schools Advisory Working Group was established through Act 1 of 2019. The working group has extensively engaged community and other stakeholders to deliver its work plan and an analysis tool to help communities understand the degree to which their school curricula meet statewide standards and the degree to which the standards are reflective of inclusion and equity. The Working Group recently submitted a progress report to the General Assembly, containing recommendations and preliminary analyses of state rules and statutes.

Diversifying the Educator Workforce

At the direction of the New England states' education agencies, a six-state collaborative co-led by Vermont embarked on a regional project to make the educator workforce more inclusive in the New England states. The group's recently issued comprehensive framework¹⁶ identifies strategies for various stakeholders to do their part in this work. Additionally, the Vermont team provided a webinar series to Vermont educators to animate the report and build momentum towards implementation of its findings. Through collaboration between the Agencies of Administration, Education, and Commerce, the state is exploring how to amplify this work in concert with other new resident recruitment initiatives.

ONGOING AREAS OF INTEREST

As in the rest of the U.S., there remain important areas for improvement and overhaul to advance equity for residents and visitors of color in Vermont. There are also areas of promise and opportunity, through which the state can effect positive and meaningful change.

Policing and the Justice System

- Vermont is still observing racially disparate rates of traffic stops in the state. The shift to large-scale remote working may reduce these numbers for most of 2020, so we must account for this as we assess our progress in this metric. The persistent myth that people of color from out of state are driving the state's drug crisis fuels these disparities and obfuscates the true drivers of this epidemic.
- Contacts with law enforcement are not limited to traffic stops—the state must do more to capture the full range of interactions that law enforcement is having with civilians to uncover the myriad ways in which disparities and bias may be presenting themselves. This relates to data collection and governance, a topic on which the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel has extensively researched and reported to the legislature.¹⁷

Housing

- Disparities remain in the homeownership rate between Vermont residents of color and white residents. This has several causes related to zoning restrictions, inventory shortages, aging housing stock, lending discrimination, and overarching economic disparities that reduce opportunity for people of color (such as wage gaps, which persist in Vermont and negatively impact the statewide GDP).

¹⁶ Great Schools Partnership. "Increasing the Racial, Ethnic, and Linguistic Diversity of the Educator Workforce". Dec 2020.

¹⁷ Nasreddin-Longo, Etan et al. "Report of the Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel concerning Section 19, Act 148 –an act concerning Justice Reinvestment". Dec 1 2020.

Education

- School discipline remains racially disparate, with students of color in Vermont being 2-3 times more likely than their peers to receive exclusionary discipline.¹⁸ This stems from internalized stereotypes that inaccurately link ethnicity with misbehavior and violence, and is driven by rigid discipline policies that do not acknowledge the broader social harm of exclusion and rising student contact with law enforcement.
- An important part of preparing students for life success is how we teach them to interact with others. This teaching occurs through formal curricula and through the examples we set for them every day. School curricula in Vermont should be revised to include respectful lessons on culture, accurate lessons on history, and sincere opportunities to incorporate and celebrate students' backgrounds and cultures in ways that are not tokenistic or patronizing. Recommendations on these topics were recently submitted to the General Assembly by the Ethnic and Social Equity Standards in Schools Advisory Working Group.¹⁹

Economic Stability and General Wellbeing

- In other jurisdictions, policymakers can often use poverty as a proxy for race when conducting research or evaluating programs. In Vermont, this exercise is trickier because we must understand certain underlying truths: First, that most of Vermont's residents of color live in the Chittenden region, which is the largest economic driver of the state. Thus, socioeconomic disparity for residents living in the Chittenden region is often masked by the overall strength of the region's economy. Second, the *number* of people living in poverty is higher for white Vermonters than for Vermonters of color, but the *rate* of poverty for Vermonters of color is significantly higher than it is for white Vermonters. This distinction is important, and mirrors other troubling trends, such as COVID-19 infection and death rates, in which the raw number and the rate tell competing stories.

Environmental Justice

- As the state prepares for the ever-increasing likelihood of being a receiver state for climate migrants²⁰, the logical prediction is that these new arrivals will be more diverse than Vermont is (considering Vermont is the second least diverse state in the U.S.). The ethnic group(s) experiencing the greatest brunt of climate change in the U.S. is Hispanic/Latinos. In the U.S.,
 - 55% of Latinos and Latino-Americans live in the 3 states experiencing the most serious climate change effects (CA, TX, FL).
 - Latinos are more likely to work in industries deeply affected by climate change such as agriculture, manufacturing, and construction. These are industries upon which Vermont relies for economic prosperity.
 - While 80% of farmworkers in the U.S. are Latino, 16.8% of all Latinos are natural resource laborers (agriculture, forestry, fishing and hunting), compared to 10.3% of non-Hispanic white people.

To continue the state's forward momentum on equity and justice, the Director recommends

¹⁸ Vermont Advisory Committee to the U.S. Commission on Civil Rights. "School Discipline Disparities in Vermont". Dec 2019.

¹⁹ Act. 1 Ethnic and Social Equity Standards Advisory Working Group. "Report to the General Assembly". Jan 4 2021

²⁰ Climate Migrants: People who leave their homes because of climate stressors such as wildfires and sea level rise.

- more engagement at the local level on systemic, upstream issues giving rise to inequity;
- more inclusive policy-shaping processes that permit and encourage broader participation from underrepresented and directly impacted people;
- tangible, meaningful investment in initiatives and sectors that reduce outcome gaps;
- awareness that it is not the job of oppressed people to prove or *improve* the circumstances of their oppression;
- regular reviews of existing protocols and policies, specifically using an equity lens, to identify disparities and opportunities to reduce them; and
- implementation of the recommendations of the workgroups named on page 9 of this report.