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Susanne Young, Secretary

MEMORANDUM

TO: Government Accountability Committee

CC: Dru Roessle, Rep Emilie Kornheiser, Rep. Jessica Brumsted

FROM: Xusana Davis, Director of Diversity; Susan Zeller, Chief Performance Officer; and Rep. Kevin Christie, Co-Chair Social Equity Caucus

DATE: March 1, 2021

SUBJECT: BIPOC Indicator Recommendation for Annual Outcomes Report

In accordance with Act 166 §17 of the 2020 Session, below please find recommendations related to Population-Level Indicators, which are due to the Government Accountability Committee (GAC) on or before March 1, 2021, and which demonstrate quality of life for Vermonters who are Black, Indigenous, or people of color (BIPOC). After review and approval by GAC, the approved BIPOC indicators will be included in the Annual Outcomes Report set forth in 3 V.S.A. § 2311(a)(1) and (c).

SECTION 1. PUBLIC INPUT AND TIMELINE

GAC assigned a Small Working Group to review indicator recommendations from Director of Racial Equity Xusana Davis and to solicit stakeholder input which included: Representative Kevin “Coach” Christie of the Social Equity Caucus, Representatives Emilie Kornheiser, and Jessica Brumsted; Susan Zeller, Chief Performance Officer and Dru Roessle, AHS Performance Improvement Director. The GAC Working Group began working with a list of potential additional indicators assembled by Davis from numerous sources. These sources include community based organizations in Vermont, federal regulatory agencies, and guidance from partner jurisdictions successfully implementing equity policy. The list was reviewed by the Working Group, and indicators were assigned by Outcomes established in 3 VSA 2311 (X). A public hearing was held via ZOOM on January 28, 2020. Testimony was received from 2 members of the public with additional written testimony submitted. A broad group of stakeholders were invited through the Social Equity Caucus, the Racial Equity Task Force, and the Governor’s Racial Equity Task Force to an indicator workshop held on February 20, 2021. Discussion in breakout groups was rich and written documentation was collected. However, the attendance at both events was small despite having sent notifications to numerous stakeholder groups. It has been noted that both events provided facilitation and material only in English, a fact which may have suppressed participation from people with limited English proficiency. The participation at both events was not broad enough, nor inclusive enough of BIPOC voices, to be considered robust public participation.



Due to the Governor’s Emergency Declaration in response to the COVID-19 pandemic, the 2020 Legislative session was adjourned for several months. Eventually the session, which would have ended by June, did not end until the end of September. Consequently, 2020 Act 166 was not signed into law by the Governor until October 7, 2020. The GAC Small Working Group worked very hard trying to provide the recommendation required by March 1st in the very compressed timeframe. However, as the participation levels for the 2 events demonstrated, the timeframe proved to be insufficient.

SECTION 2. CURRENT INDICATORS FOR DISAGGREGATION

Attachment 1 – Current indicators recommended for disaggregation by race , which will be reported in the September 2021 Act 186 Outcomes Report assuming data availability, confirmation by relevant department(s), or established within a data development agenda for future reporting.

SECTION 3. ADDITIONAL INDICATORS TO BE CONSIDERED

Attachment 2 – A list of potential indicators helpful to understanding racial inequity, disparity, and/or disproportionality. List includes recommendations by State Racial Equity Director Xusana Davis, and input from both the Public Hearing and the Workshop is shown in **Attachment 2**. This list should be reviewed, expanded upon, and prioritized through a future public input process, as recommended below.

SECTION 4: SUMMARY AND RECOMMENDATIONS

INDICATORS

Due to both the compressed timeframe caused by the pandemic and the inability to conduct robust public participation and stakeholder engagement to date, we recommend GAC host a facilitated series of events over the summer 2021 which will invite and support the participation of BIPOC community representatives and groups/entities organizing for racial justice and equity across Vermont to recommend indicators for inclusion in Act 186 reporting. The list of BIPOC indicators to be considered should include the list provided by Xusana Davis, Director of Racial Equity, recommendations received from the January 2021 Public Hearing and the February 2021 Workshop (Attachment 2) and the recommendations to be received from the future public event.

OUTCOMES

We further recommend that the summer 2021 workshops be leveraged as an opportunity to revisit Act 186 in totality. Act 186 Outcomes and Indicators of Well-Being for the State of Vermont is an opportunity to sustain and use a measurable and common agenda across the state to align action, investments, and policy to improve outcomes. Given the COVID-19 pandemic and statewide focus on racial equity and justice, we recommend that an equity lens be used to revisit and improve outcome language and indicators to be reflective of the diverse experience of Vermonters.

PROCESS

Our recommendation is that GAC host a series of facilitated workshops over the summer 2021, facilitated by an expert facilitator, preferably BIPOC-led, that can bring expertise in measuring equity and the RBA framework. Final recommendations for changes to outcomes would be prepared for review in the 2022 legislative session, and indicator changes would be recommended to GAC for approval in January 2022.



All members of the GAC Small Working Group are happy to provide additional testimony as necessary.



ATTACHMENT 1 - CURRENT INDICATORS RECOMMENDED FOR DISAGGREGATION

1. VERMONT HAS A PROSPEROUS ECONOMY	
	Indicators
A	employment rate, disaggregated by race
A(i)	percent or rate per 1,000 jobs of nonpublic sector employment;
A(ii)	net change in nonpublic sector employment; and
A(iii)	rate of unemployment per 1,000 people in Vermont;
B	median household income, disaggregated by race;
D	net new business establishments;
E	percent of population living at or below 200% of the federal poverty level. , disaggregated by race;

2. VERMONTERS ARE HEALTHY	
	Indicators
A	percent of adults 20 years of age and older who are obese;
B	percent of adults who smoke cigarettes;
C	percent of Vermonters age 18 and older who binge drank in last month;
D	number of persons who are homeless (adults and children);
E	rate of suicide per 100,000 Vermonters;
F	fall-related deaths per 100,000 adults age 65 and older;
G	percent of adults with any mental health condition receiving treatment;
H	number of accidental (non-suicide) drug deaths involving opioids; and
I	number of opioid analgesic morphine milligram equivalents (MMEs) dispensed per 100 residents

3. VERMONT'S ENVIRONMENT IS CLEAN AND SUSTAINABLE	
	Indicator
	No indicators recommended for disaggregation

4. VERMONT IS A SAFE PLACE TO LIVE [RECOMMENDED CHANGE: VERMONT IS A WELCOMING AND SAFE PLACE TO LIVE]	
	Indicator
A	rate of petitions granted for relief from domestic abuse per 1,000 residents;
B	rate of violent crime per 1,000 crimes;
C	rate of sexual assault committed against residents per 1,000 residents;
D	Recidivism rate;
E	incarceration rate per 100,000 residents;
F	number of first-time entrants coming into the corrections system; and
G	number of highway fatalities involving no or the improper use of seatbelts.

5. VERMONT'S FAMILIES ARE SAFE, NURTURING, STABLE, AND SUPPORTED	
	Indicator
A	rate of substantiated reports of child abuse and neglect per 1,000 children;



B	rate of children and youth in out-of-home care per 1,000 children and youth
C	rate of reports of abuse, neglect, and/or exploitation of vulnerable adults recommended for substantiation per 1,000 vulnerable adults;
D	percent of residents spending less than 30% of income on housing; and
E	percent of Vermont households with food insecurity [placeholder].

6. VERMONT'S CHILDREN AND YOUNG PEOPLE ACHIEVE THEIR POTENTIAL.	
	Indicator
A	percent of women who receive first trimester prenatal care;
B	percent of children ready for school in all four domains of healthy development;
C	percent of children below the basic level of fourth grade reading achievement under State standards;
D	percent of high school seniors with plans for education, vocational training, or employment
E	percent of adolescents in grades 9–12 using marijuana within the last 30 days; and
F	percent of adolescents in grades 9–12 who had a suicide plan

7. VERMONT'S ELDERLY LIVE WITH DIGNITY AND IN SETTINGS THEY PREFER. [RECOMMENDED CHANGE: VERMONTERS LIVE WITH DIGNITY AND IN SETTINGS THEY PREFER]	
	Indicator
A	AARP State ranking on long-term services and supports for older adults, people with physical disabilities, and family caregivers;
B	hospice enrollment: percent of chronically ill Medicare decedents age 65 and older who were enrolled in hospice during the last six months of life

8. VERMONTERS WITH DISABILITIES LIVE WITH DIGNITY AND IN SETTINGS THEY PREFER. [RECOMMENDED CHANGE: VERMONTERS LIVE WITH DIGNITY AND IN SETTINGS THEY PREFER]	
	Indicator
A	estimated employment rate of Vermonters age 21-64 with all disabilities.

9. VERMONT HAS OPEN, EFFECTIVE, AND INCLUSIVE GOVERNMENT.	
	Indicator
A(i)	percent of people who are eligible to register to vote and who have registered; and
A(ii)	percent of registered voters voting in the general election;
E	SOV contractors/vendors identified as MWBEs
G	Membership on public bodies,
H	Law enforcement officers who identify as people of color
K	School administrators who identify as people of color

10. VERMONT'S STATE INFRASTRUCTURE MEETS THE NEEDS OF VERMONTERS, THE ECONOMY, AND THE ENVIRONMENT.	
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	Indicator
A	percent of Vermont covered by state-of-the-art telecommunications infrastructure;
B	percent of structurally deficient bridges, as defined by the Agency of Transportation;
C	percent of Vermont retail electric sales from renewable energy;
D	State highway pavement condition ratings; and
E	public transit ridership.

[END ATTACHMENT 1]

ATTACHMENT 2 – ADDITIONAL BIPOC INDICATORS TO BE CONSIDERED

(1)	VERMONT HAS A PROSPEROUS ECONOMY	
	Indicator	Source
a	rates of homeownership	SOV Racial Eq. Dir./Workshop
b	MWBEs as share of total businesses in VT,	SOV Racial Eq. Dir./Workshop
c	Small business loan discrimination/denial,	SOV Racial Eq. Dir.
d	Unemployment rate (U-6 measure),	SOV Racial Eq. Dir.
e	Adults living ≤200% of federal poverty line	SOV Racial Eq. Dir.
f	Access to affordable childcare and/or head-start programming	SOV Racial Eq. Dir.
g	J-1 visa waivers utilized in Vermont,	SOV Racial Eq. Dir.
h	Financial recovery post-emergency (long term economic outcomes post emergency, e.g., of jobs lost, how many were BIPOC , etc.)	SOV Racial Eq. Dir.
i	Average wage & Benefits	Public Hearing
j	Paid Leave	Public Hearing
k	Rental Availability/Avg. Cost	Public Hearing
l	Tourism industry/Chambers pay funds to be used to promote BIPOC ads to work/live in VT especially farming/dairy	Public Hearing
j	Access to childcare	Workshop
k	Post-COVID Recovery	Workshop
l	Retirement savings	Workshop

(2)	VERMONTERS ARE HEALTHY	
	Indicator	Source
a	Housing evictions (adults without children)	SOV Racial Eq. Dir./Workshop
b	Rental maintenance defects	SOV Racial Eq. Dir./Workshop
c	Homelessness rate	SOV Racial Eq. Dir.
d	Vermonters with access to mental health services	SOV Racial Eq. Dir./Workshop
e	Maternal and infant mortality rates	SOV Racial Eq. Dir./Workshop
f	Adults who are obese	SOV Racial Eq. Dir.
g	Asthma rate	SOV Racial Eq. Dir./Workshop
h	Adults with health insurance	SOV Racial Eq. Dir.
i	Vermonters with primary care providers	SOV Racial Eq. Dir.
j	Vermonters with health insurance	SOV Racial Eq. Dir.
k	Vermonters with dental insurance	SOV Racial Eq. Dir.
l	Chronic Disease Prevention	Public Hearing



m	Hospitals report BIPOC health outcomes	Public Hearing
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(3) VERMONT'S ENVIRONMENT IS CLEAN AND SUSTAINABLE		
	Indicator	Source
a	living near landfills, [R]	SOV Racial Eq. Dir./Workshop
b	Vermonters living near waste treatment facilities, [R]	SOV Racial Eq. Dir./Workshop
c	Vermonters living near flood zones, [R]	SOV Racial Eq. Dir./Workshop
d	Vermonters living near Superfund Sites, [R]	SOV Racial Eq. Dir.
e	Vermonters living with poor air quality (PM 2.5), [R]	SOV Racial Eq. Dir./Workshop
f	By 2024, No violations of hazardous air pollutants from any permitted air source affecting an overburdened community	SOV Racial Eq. Dir.
g	By 2024, 50% of hazardous sites in overburdened communities have a Corrective Action Plan	SOV Racial Eq. Dir.
h	Increased adoption of river corridor ordinances in overburdened communities	SOV Racial Eq. Dir.
i	Engagement in outdoor recreation activities, [R] [B] [S]	SOV Racial Eq. Dir.
j	Visitors to outdoor spaces, [R] [B] [S]	SOV Racial Eq. Dir.
k	Complaints of harassment or discrimination on public lands	SOV Racial Eq. Dir.
l	Include public drinking water	Workshop
m	Impact of 5G on environment	Workshop

(4) VERMONT IS A SAFE PLACE TO LIVE (RECOMMENDED CHANGE: VERMONT IS A WELCOMING AND SAFE PLACE TO LIVE.		
	Indicator	Source
a	Traffic stops and post-stop outcomes	SOV Racial Eq. Dir.
b	Use-of-force incidents	SOV Racial Eq. Dir.
c	Incarceration rate,	SOV Racial Eq. Dir.
d	Granting & revocation of community monitoring,	SOV Racial Eq. Dir.
e	Misdemeanor and felony sentencing,	SOV Racial Eq. Dir.
f	Arrest rates	SOV Racial Eq. Dir.
g	Vermonters facing discrimination in housing rentals, baseline 2015 (Legal Aid Report)	SOV Racial Eq. Dir.
h	Existence of community risk assessment and mitigation plan	SOV Racial Eq. Dir.
i	Adoption/Implementation of anti-discrimination policies in emergency shelters & food shelters	SOV Racial Eq. Dir.
j	Smooth incorporation of equity provisions into mock/drill exercises (emergency planning)	SOV Racial Eq. Dir.
k	Hate Crimes	Workshop
l	Rate of Entry into youth justice	Workshop



m	Rate of Felony sentencing & incarceration	Workshop
n	Diversion vs. sentencing – adult	Workshop

(5)	VERMONT'S FAMILIES ARE SAFE, NURTURING, STABLE, AND SUPPORTED	
	Indicator	Source
a	Vermonters paying ≤30% of income for housing costs,	SOV Racial Eq. Dir.
b	Housing evictions (adults with children),	SOV Racial Eq. Dir.
c	Rental vacancy rate,	SOV Racial Eq. Dir./Workshop
d	Homelessness rate (adults with children),	SOV Racial Eq. Dir./Workshop
e	Eviction rates	Workshop

(6)	VERMONT'S CHILDREN AND YOUNG PEOPLE ACHIEVE THEIR POTENTIAL	
	Indicator	Source
a	Access to affordable childcare and/or head-start programming,	SOV Racial Eq. Dir.
b	High school graduation rate,	SOV Racial Eq. Dir.
c	High school graduates who will attend college,	SOV Racial Eq. Dir.
d	Students in AP classes,	SOV Racial Eq. Dir.
e	Students reading at grade level,	SOV Racial Eq. Dir.
f	School suspension & expulsion rates,	SOV Racial Eq. Dir.
g	Teachers who identify as people of color	SOV Racial Eq. Dir.
h	Schools meeting statewide social or ethnic studies curriculum standards	SOV Racial Eq. Dir.
i	95% of schools achieve lead and PFAS standards (MCLs)	SOV Racial Eq. Dir.
j	school success rates	Public Hearing
k	Funds for Schools (equalized \$\$?)	Public Hearing
l	Bullying in school	Public Hearing

(7)	Vermont's elders live with dignity and in settings they prefer. [Recommended change: Vermonters live with dignity and in settings they prefer]	
	Indicator	Source
a	Rate of reports of abuse, neglect, and/or exploitation of vulnerable adults recommended for substantiation per 1,000 vulnerable adults	Workshop

(8)	Vermonters with disabilities live with dignity and in settings they prefer. <i>[Recommended change: Vermonters live with dignity and in settings they prefer]</i>	
	Indicator	Source
a	Rate of reports of abuse, neglect, and/or exploitation of vulnerable adults recommended for substantiation per 1,000 vulnerable adults	Workshop

(9)	VERMONT HAS OPEN, EFFECTIVE, AND INCLUSIVE GOVERNMENT.	
	<i>**This outcome is a hybrid, speaking both to statewide systems as well as state government administration. You will therefore see a mixture of indicators and performance measures**</i>	
	Indicator	Source
a	SOV contractors/vendors identified as MWBEs	SOV Racial Eq. Dir.
b	Equity impact assessments conducted on proposed legislation	SOV Racial Eq. Dir./Workshop
c	Membership on public bodies,	SOV Racial Eq. Dir./Workshop
d	Law enforcement officers who identify as people of color	SOV Racial Eq. Dir.
e	Schools meeting statewide social or ethnic studies curriculum standards	SOV Racial Eq. Dir.
f	Schools with an equity liaison or equivalent role	SOV Racial Eq. Dir.
g	School administrators who identify as people of color	SOV Racial Eq. Dir.
h	Number of professional exams offered in multiple languages	SOV Racial Eq. Dir.
i	Statewide and municipal use of Equity Impact Assessment tool	SOV Racial Eq. Dir.
j	Municipal adoption of state model policies on equity, inclusion, anti-discrimination, or data collection	SOV Racial Eq. Dir.
k	Publications translated into Vermont's 11 most commonly spoken languages	SOV Racial Eq. Dir.
l	SOV offices with prominently posted statement of rights of Immigrants/refugees	SOV Racial Eq. Dir.
m	Public-facing SOV offices with "I Speak" cards available	SOV Racial Eq. Dir.
n	SOV workforce who identify as people of color	SOV Racial Eq. Dir./Workshop
o	Average wages and salaries of SOV employees, managers and executives, race disaggregated, baseline 2010	SOV Racial Eq. Dir./Workshop
p	SOV employment separation type and rate, [R]	SOV Racial Eq. Dir.
q	By 2021, all exempt SOV employees have RE responsibilities Incorporated into their responsibilities	SOV Racial Eq. Dir.
r	By 2022, 50% of all nonexempt SOV employees have RE responsibilities incorporated into their responsibilities	SOV Racial Eq. Dir.
s	Existence & adoption of model policy across state agencies	SOV Racial Eq. Dir.
t	Workplace complaints received by DHR & HCR related to racial bias or racial discrimination	SOV Racial Eq. Dir.
u	SOV employees trained in racial discrimination/implicit bias	SOV Racial Eq. Dir./Workshop



v	Court staff trained in racial discrimination/implicit bias	SOV Racial Eq. Dir./Workshop
X	Judicial officers trained in racial discrimination/implicit bias	SOV Racial Eq. Dir./Workshop
Y	Rate & timing of SOV employee promotions,	SOV Racial Eq. Dir.
Z	SOV employees who are managers, supervisors, and executives,	SOV Racial Eq. Dir.
aa	Distribution of supervisors from historically marginalized groups across titles and agency,	SOV Racial Eq. Dir./Workshop
ab	#/prominence of such portrayals in Agency materials; # of partnered events hosted by and for people of color around natural resources and the outdoors	SOV Racial Eq. Dir.
ac	Feedback from leaders of indigenous groups. Track use of free Abenaki hunting/fishing licenses, and the donations of natural resource and wildlife materials.	SOV Racial Eq. Dir.
ad	Number and geographic distribution of outdoor education programs	SOV Racial Eq. Dir.
ae	Improvement in public survey responses regarding hunting/fishing licensing process	SOV Racial Eq. Dir.
af	2022: Evidence of a system in place by which all new and replacement sign requests are reviewed for applicability to the Abenaki place name requirement; 2024: Number of signs generated with the alternative Abenaki place name added	SOV Racial Eq. Dir.
ag	Number of languages (including aids for the visual and hearing impaired) of key Agency documents and signage	SOV Racial Eq. Dir./Workshop
ah	Employers receiving state funding report annual turnover	Public Hearing

(10)	VERMONT'S STATE INFRASTRUCTURE MEETS THE NEEDS OF VERMONTERS, THE ECONOMY, AND THE ENVIRONMENT	
	Indicator	Source
a	Statewide geographic residential patterns	SOV Racial Eq. Dir.
b	Access to technology necessary to learn remotely	SOV Racial Eq. Dir.
c	Reported incidents of emergency-related discrimination or bias-motivated behavior (come from NAACP report; if and how many FEMA incidents were reported for VT)	SOV Racial Eq. Dir.
d	Average cost of public transportation, benchmark 2019	SOV Racial Eq. Dir.
e	Existence and adoption of equity guidelines in all environmental planning processes	SOV Racial Eq. Dir.
f	Number of direct transportation options to and from Burlington, benchmark 2019	SOV Racial Eq. Dir.
g	Number of direct transportation options to from Vermont from NY, MA and MTL, benchmark 2019	SOV Racial Eq. Dir.
h	Average number of hours of local transportation service, benchmark 2019	SOV Racial Eq. Dir.



[END ATTACHMENT 2]