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September 28, 2017

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Re: Racial Disparities in Vermont Stakeholder Meeting Survey

Dear Attorney General Donovan and Ms. Richards,

The ACLU of Vermont¹ writes in response to your joint September 1, 2017 letter seeking input on strategies to address racial disparities in Vermont.

As this panel clearly recognizes, racial disparities are widespread in Vermont, including in the areas of education, labor and employment, access to housing and health care, and economic development. In education, for example, existing data shows significant racial disparities in school disciplinary actions: Black/African-American and Native American students are two to three times more likely to be suspended than White students in Vermont public schools.² Allegations and incidents of racial

¹ The ACLU-VT is a statewide nonprofit, nonpartisan organization with more than 7,500 members and supporters dedicated to the principles of liberty and equality embodied in the constitutions and laws of Vermont and the United States. It is the Vermont affiliate of the American Civil Liberties Union, a nationwide nonpartisan organization with over 1,500,000 members. The ACLU-VT is dedicated to protecting the individual rights and liberties embodied in the state and federal constitutions, and has a longstanding interest in advancing the civil rights of Vermonters.

² See Jay Diaz, Vermont Legal Aid, *Kicked Out! Unfair and Unequal Student Discipline in Vermont's Public Schools* (2015), https://www.vtlegalaid.org/sites/default/files/Kicked%20Out_School%20Discipline%20Report.pdf.

harassment, discrimination, and insensitivity in Vermont schools are also recurring and warrant much greater scrutiny.³

It is important to recognize that many individuals and communities are already working to remedy these harms⁴—particularly, students—and that any additional strategies for addressing racial disparities in Vermont’s education system must include, support, and continue to be led by communities directly impacted, particularly students of color and their parents.

The same is true for the many other issues involving racial disparities and discrimination in Vermont.⁵ Any strategies to

³ See, e.g., Dan D’Ambrosio, *Angry crowd demands Milton board respond to racism allegations*, BURLINGTON FREE PRESS (June 22, 2017), <http://www.burlingtonfreepress.com/story/news/2017/06/23/angry-crowd-demands-milton-board-respond-racism-allegations/422069001/>; Taylor Dobbs, *Suspended ‘For Being Called the N-Word?’ Milton Family Calls on Schools to Confront Racism*, VPR (June 14, 2017), <http://digital.vpr.net/post/suspended-being-called-n-word-milton-family-calls-schools-confront-racism#stream/0>; Elizabeth Murray, *S. Burlington school vandalized with racist graffiti*, BURLINGTON FREE PRESS (June 6, 2017), <http://www.burlingtonfreepress.com/story/news/local/vermont/2017/06/06/superintendent-racist-graffiti-found-so-burlington-school/375378001/?hootPostID=306d092599665a2da62f81fd18f5615d>; Molly Walsh, *‘Rebels’ Yell: Protests Build Over South Burlington’s Mascot Change*, SEVEN DAYS (April 19, 2017), <https://www.sevendaysvt.com/vermont/rebels-yell-protests-build-over-south-burlingtons-mascot-change/Content?oid=5173031>.

⁴ Nicole Higgins De Smet, *UVM students push to meet with president on diversity policies*, BURLINGTON FREE PRESS (Sept. 26, 2017), <http://www.burlingtonfreepress.com/story/news/local/vermont/2017/09/26/uvm-students-push-meet-president-diversity-policies/703985001/>; Cyrus Ready-Campbell, *Montpelier sophomores organize rally against racism*, VTDIGGER (Sept. 19, 2017), <https://vtdigger.org/2017/09/19/montpelier-sophomores-organize-rally-racism/#.Wcu5J7J96UK>; Nicole Higgins De Smet, *S. Burlington students push school to redefine Rebel name*, BURLINGTON FREE PRESS (Nov. 7, 2016), <http://www.burlingtonfreepress.com/story/news/2016/11/07/s-burlington-students-push-school-redefine-rebel-name/93060842/>; Milton Inclusion and Diversity Initiative, <https://www.midivt.org/> (a community organization begun in response to the racial incidents in Milton schools).

⁵ See, e.g., Vermont Department of Health, *The Health Disparities of Vermonters 2010*, <http://www.healthvermont.gov/sites/default/files/documents/2016/11/Health%20Disparities%20of%20Vermonters%202010.pdf> (noting that more than twice as many American Indians, Asians, and Blacks reported not having a personal doctor than White non-Hispanic Vermonters); Renee Wunderlich, *Vermont DMV testifies on sharing undocumented immigrant info with ICE*, NBC5 (April 11, 2017), <http://www.mynbc5.com/article/vermont-dmv-testifies-on-sharing-undocumented-immigrant-info-with-ice/9264529> (describing one of the issues with Vermont DMV’s treatment of DPC holders and applicants); Vermont Housing Finance Agency, *2010 Vermont Housing Needs Assessment: Race, Ethnicity and Housing in Vermont*, <http://www.vhfa.org/documents/hna2010/08-race.pdf>, Mullin & Lonergan Associates Inc., *State of Vermont Analysis of Impediments to Fair Housing Choice* (April 2012),

remedy these issues must include the input and involvement of impacted individuals and communities.

The ACLU of Vermont commends this panel for working to address these important issues and we welcome the opportunity to participate. Please do not hesitate to contact us should you need additional information or have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Chloé White".

Chloé White
Policy Director
ACLU of Vermont

<http://acd.vermont.gov/sites/acdnew/files/documents/H-Reports-2012AI.pdf>
(both describing the various racial disparities in home ownership and housing problems in Vermont).