



Building Authenticity in Relationships

Presented by

Dru Roessle, Recovery Vermont

Holly Wilkinson, Whole Heart LLC

Desire

My desire
is always the same; wherever Life
deposits me:
I want to stick my toe
& soon my whole body
into the water.
I want to shake out a fat broom
& sweep dried leaves
bruised blossoms
dead insects
& dust.
I want to grow
something.
It seems impossible that desire
can sometimes transform into devotion;
but this has happened.
And that is how I've survived:
how the hole
I carefully tended
in the garden of my heart
grew a heart
to fill it.

~ *Alice Walker*

Invitation to reflect:

- Remember a time when you acted on your desire to fully immerse yourself in something. What sparked that desire? What did you learn from it? How did you feel while doing it?
- What are you tending in your heart right now?
- With whom are you growing or want to grow?



Essential Concepts for Data Equity

Presented by

Jay Greene, State of Vermont

Laura Carter, State of Vermont

Essential Concepts for Data Equity

Thursday, October 26, 2023
2023 Office of Racial Equity Apiary for
Movement Builders Conference



Jay Greene, MPH (they/them)
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Division of Racial Justice Statistics Racial Justice Data Analyst

Presentation Overview

- Overview, Learning Objectives
- Somatic/“Bodymind” Practice
- Data “Life Cycle”
- Key Concepts, Part 1
- 10 Minute Break
- Key Concepts, Part 2
- Comparing/Contrasting 2 Articles on Mass Incarceration
- Further Resources

Learning Objectives:

- 1) **Understand** the concept of Data Equity and its relevance to fairness, inclusivity and accuracy in data collection, analysis, and interpretation
- 2) Gain starting tools to **critically evaluate** the presence or absence of data equity principles in news articles and research reports
- 3) **Identify** where data equity principles may apply in your day-to-day life or work

“Data are never neutral. They are always the output of unequal social, historic, and economic conditions.”

*- Data Feminism, 2020,
Catherine D’Ignazio and
Lauren F. Klein*

Positionality & Somatic Exercise

Positionality Definition:

“the advantages and disadvantages a person holds based on their perceived social identity and the social groups in which they belong, such as their education level, gender, ethnicity/race, and class” (WISE, 2018).

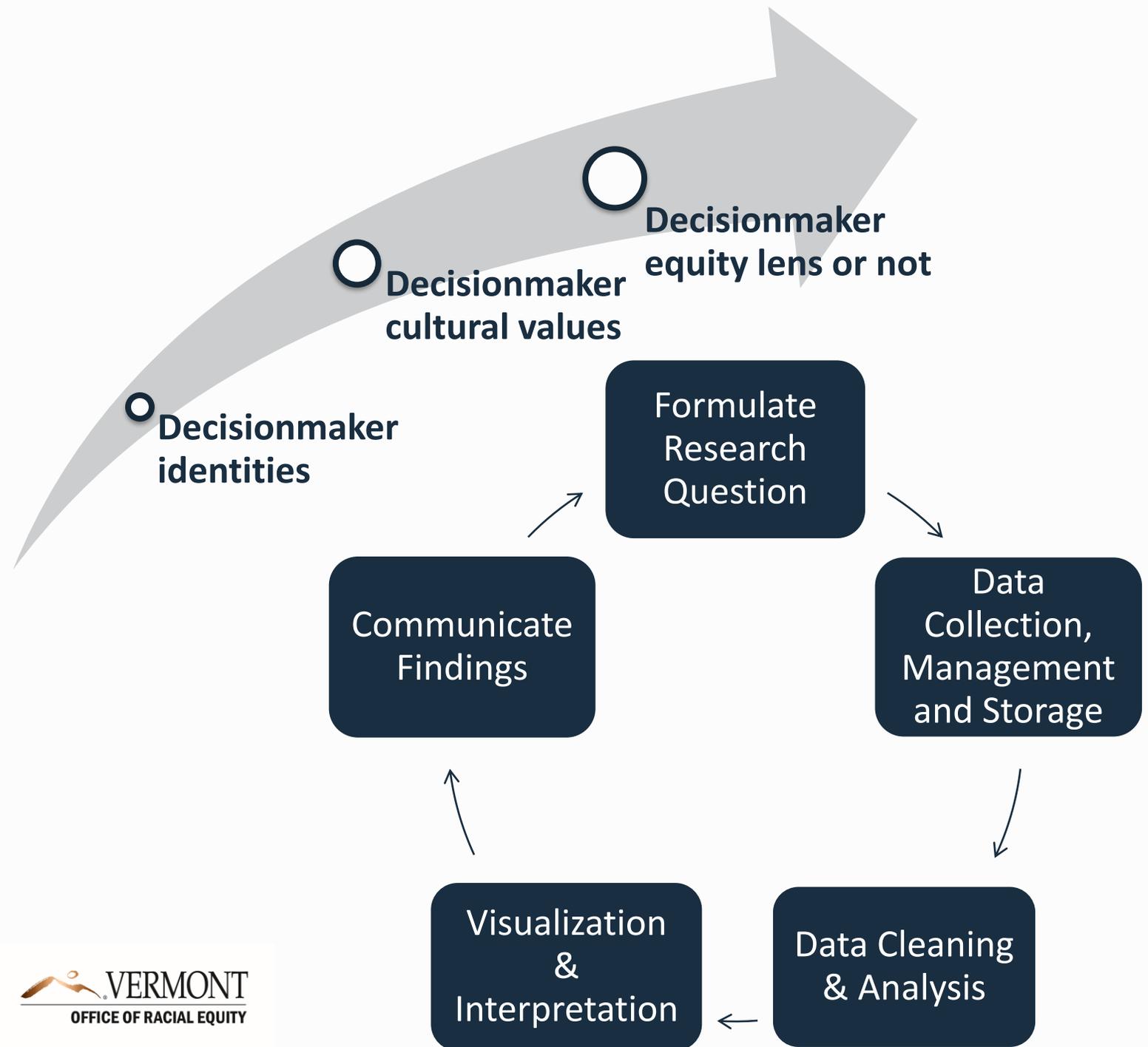
Important Caveat:

- Positionality is useful for **critical thinking** and self-reflection, not as a tool for judging others.
- Potential trap: **identity determinism** (making assumptions about an individual person’s values or experiences based on their social identities) (Ross, 2023).

Somatic Exercise Modified From Resmaa Menakem, Understanding and Cultivating Your Resources (resmaa.com)

The Data Life Cycle with an Equity Lens

- Who potentially benefits from the injustice and inequity?
- Will one's positionality affect ability or will to make change?
- Will research findings be used to sustain, reinforce or address an injustice/inequity?



Power Asymmetry/Paradox of Exposure

Understanding interests/priorities underlying data collection and research processes. Often, Science (universities), Surveillance (government) and Selling (corporations) (*Data Feminism*, 2020). Understanding the vulnerability of subjects sharing sensitive information.

Social Constructs/Proxy Variables

Because of the history and impact of social constructs like race being used to create social hierarchies, we often now measure social constructs as a substitute (**proxy**) for measuring the impacts of systemic oppression (Krause, 2020a and Krause, 2020b).

Data Disaggregation

Splitting large, general categories into specific groups. This can occur by race/ethnicity, gender, or other subgroups, and is an essential process to identify **disparities** and **disproportionality**.

Deficit Narratives

Attributing disparate outcomes to individual flaws in members of racialized groups (or other **socially constructed categories**) rather than considering the contributions of history, policies and other systemic factors (Patton & Museus, 2019).

Themes & Concepts to Note

“Right or wrong, research can drive decisions. If we do not address the power dynamics in the creation of research, at best, we are driving decision-making from partial truths. At worst, we are generating inaccurate information that ultimately does more harm than good in our communities. This is why we must care about how research is created.”

- *“Why Am I Always Being Researched,”
Executive Summary (Chicago Beyond, 2018)*

Power Asymmetry

The Paradox of Exposure

- Back to **positionality**—who is collecting the data, whose data are collected? Some data are stigmatizing, sensitive information.
- **Resources** are often allocated based on data collection, but data collection can come with risk of revealing sensitive info, burden of social stigma that may or may not be apparent
- **Emotional toll** of sharing data: *“It’s like they turn you inside out.”* [“Janice,” African-American mother, as quoted in “Not Out in the Field: Studying Privacy and Disclosure as an Invisible (Trans) Man” by Cayce C. Hughes (Compton et. al, 2018).]
- **Data Storage**: who has access? How long are records retained? (VT Public Records Statute: 1 V.S.A. §315-§320)

Social Constructs: Race

- Includes concepts like race, gender, money
- Highly context-specific (time, location, intersecting social constructs)

I. QUADRUPEDIA.			
<i>Corpus hirsutum. Pedes quatuor. Feminae viviparæ, lactiferæ.</i>			
ANTHROPO- MORPHA. Dentes primores 4. u- trinq; : vel nulli.	Homo.	Nosce te ipsum.	H { Europæus albesc. Americanus rubesc. Asiaticus fuscus. Africanus nigr.
	Simia.	ANTERIORES. POSTERIORES. Digiti 5. 5. Posteriores anterioribus similes.	Simia cauda carens. Papio. Satyrus. Cercopithecus. Cynocephalus.
	Bradypus.	Digiti 3. vel 2. . . 3.	Ai. Ignavus. Tardigradus.

Carl Linnaeus' 1735 manuscript *Systema naturae* describing 4 varieties of man (Linnean Society, n.d.)

White – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Black or African American – A person having origins in any of the Black racial groups of Africa.

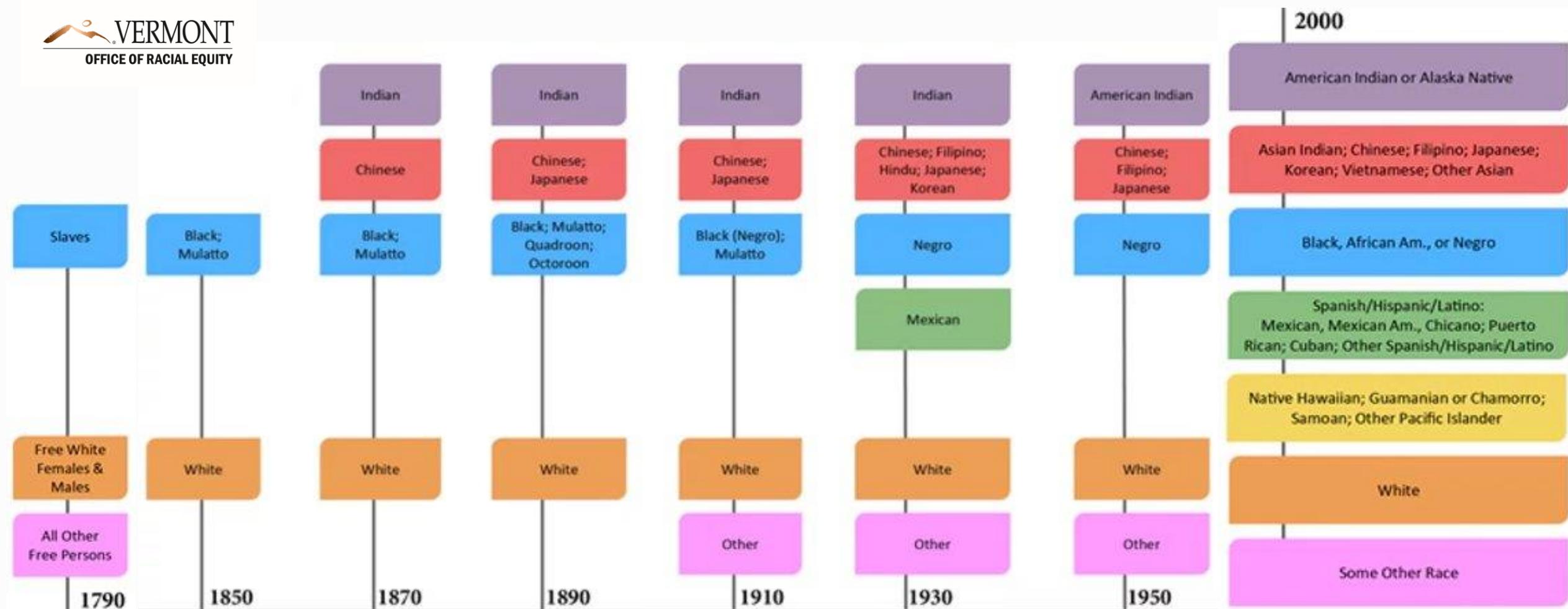
American Indian or Alaska Native – A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Native Hawaiian or Other Pacific Islander – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

U.S. Census Bureau's definitions of race for Census data collection & research, last updated March 2022 (US Census Bureau, 2022)

Measuring Race and Ethnicity Across the Decades: 1790-2010, US Census Bureau





Mt. Mansfield, August 6, 2023. Photo credit: Jay Greene

Break

10

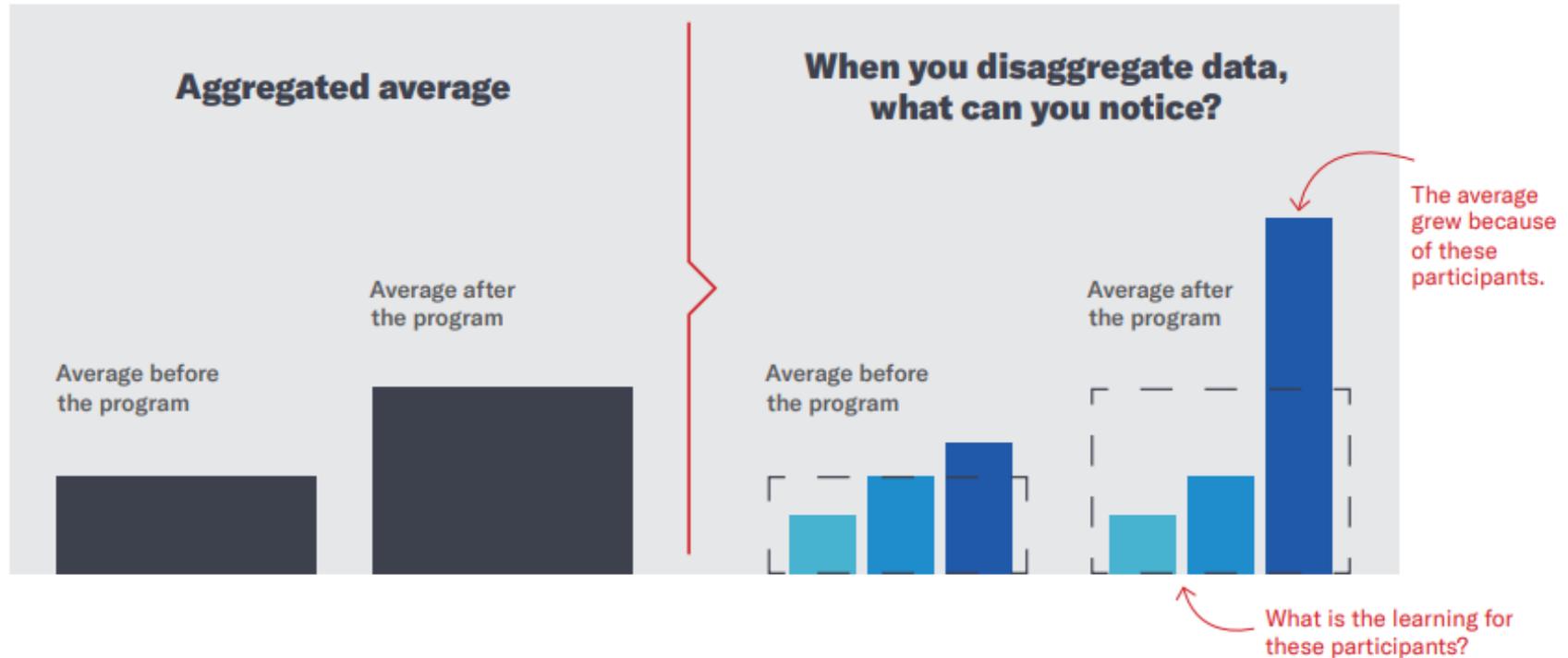
MINUTES REMAINING

Limitations of Aggregated Data

- Nuance is lost once data are aggregated to those five or six broad categories of race and ethnicity.
- County of origin, immigrant status, language, socioeconomic status, and experiences with structural and interpersonal racism.
- In the US, aggregated data can obscure ethnic, cultural, and linguistic diversity, as well as mask different challenges within communities.

Aggregation, Disaggregation & Data Analysis

Understanding the significance of aggregated vs. disaggregated averages for an intervention or program



“Why am I Always Being Researched” (Chicago Beyond, 2018, p. 55)

Proxy Variables Disparities Disproportionality

- Often use a **proxy variable** as a substitute for directly measuring experiences of systemic oppression (Krause, 2020a and Krause, 2020b)
 - Gender of leadership in a company or field as a proxy variable to measure systemic gender-based discrimination
 - Research subject's race used to measure their experiences with discrimination
- **Disparities** or **disproportionality** (a **proxy variable**) are often used to measure systemic oppression
 - Example: comparing proportions of Black adults and White adults arrested in Vermont on charges related to cannabis between 2010-2018 vs. the proportions of Black adults and White adults in the general population of Vermont (ACLU, 2020)

**Example: ACLU
(2020) Cannabis
Arrest Report
Demonstrates
Racial Disparities,
Disproportionality
in Vermont from
2010-2018**

Counties with the largest racial disparities

Counties with a pop. of >30,000, a data coverage of >50% and at least 10 marijuana possession arrests are included.

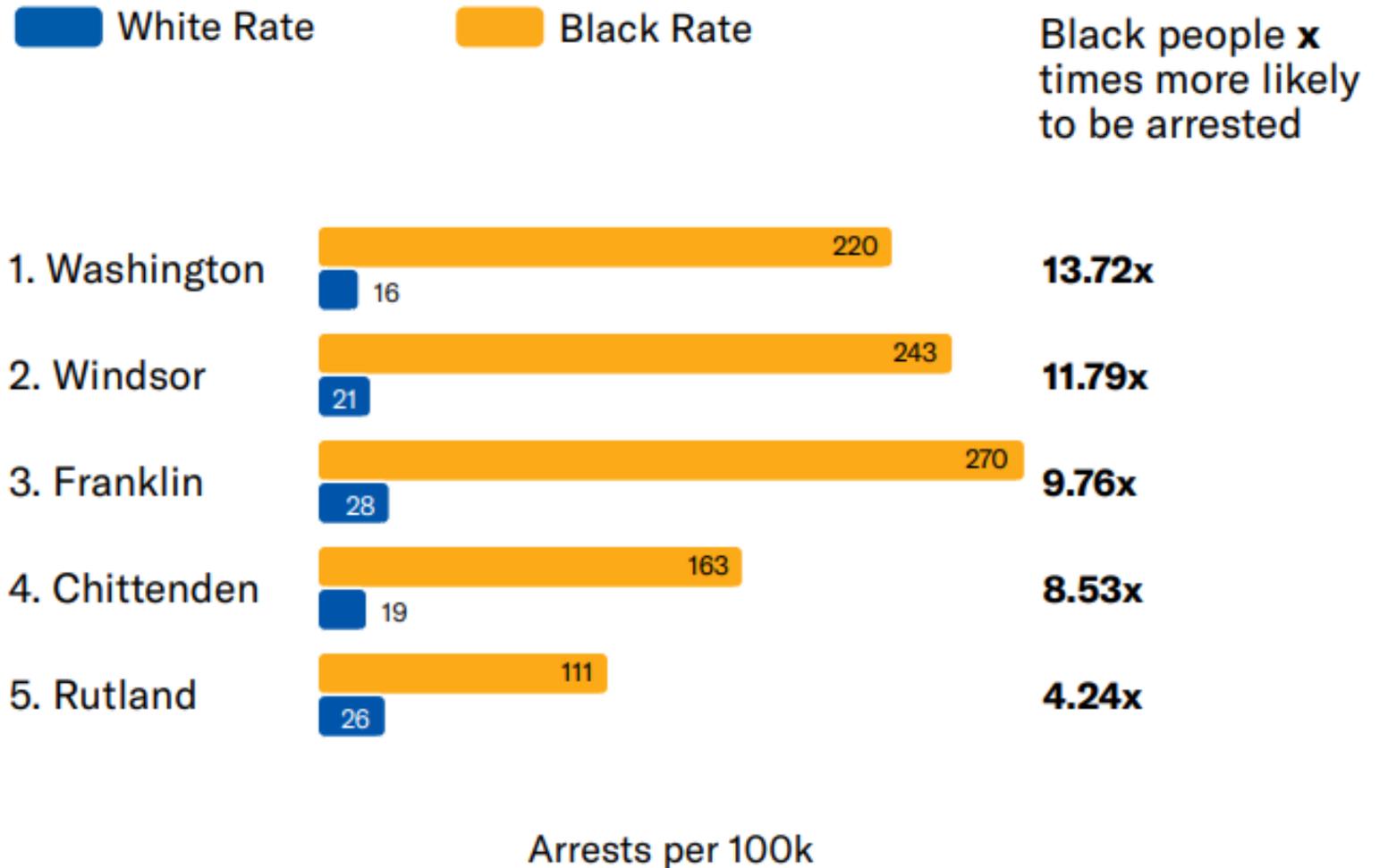


Figure from "Vermont 2018 Summary" (ACLU, 2020, p. 92)

Heather Krause, We All Count

"Framing Research Questions Around Who Is Expected to Change"

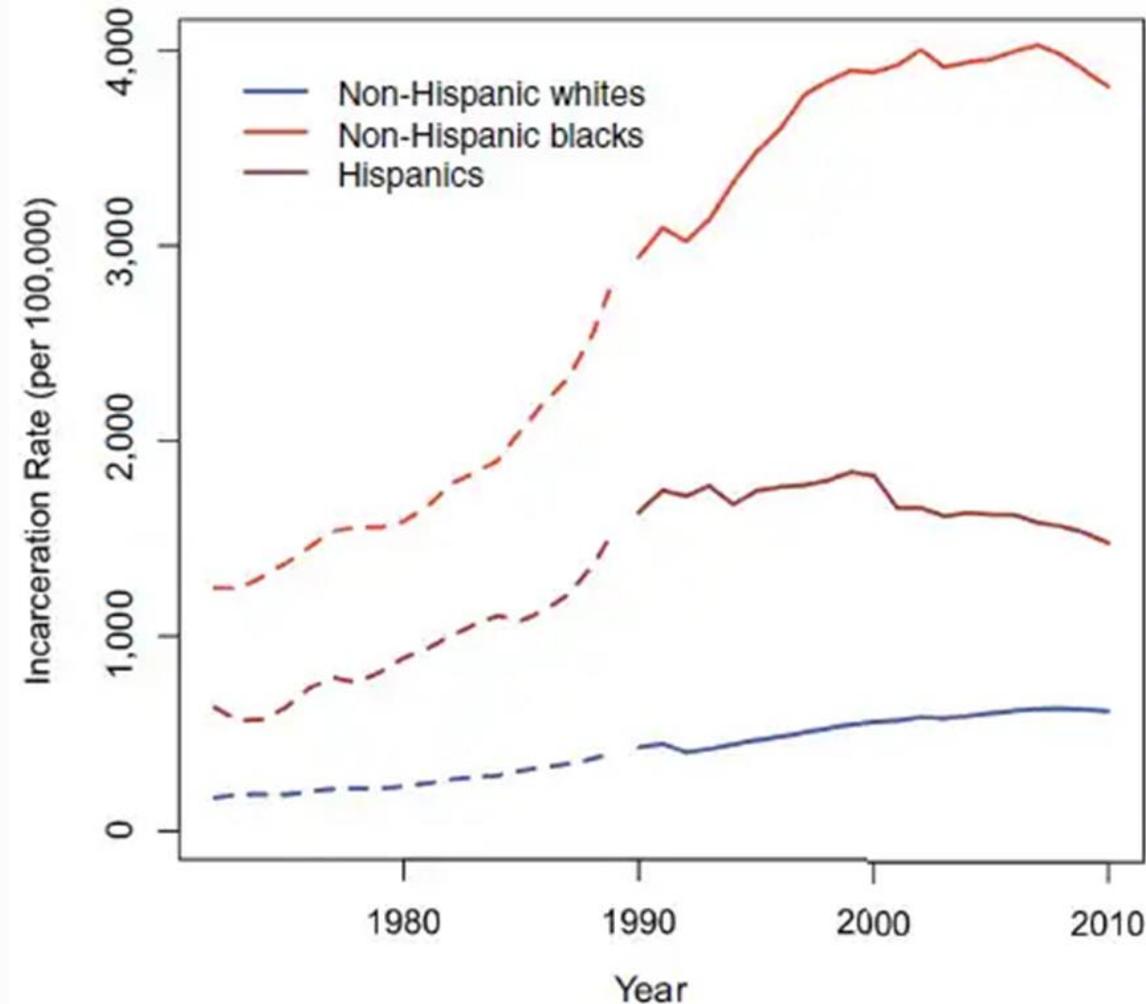
Compare these research questions:

1 "Why are LGBTQ+ students dropping out of school?"

"How can our school systems better support LGBTQ+ students?" or "What barriers are preventing LGBTQ+ students from succeeding?" **2**

**Deficit
Narratives**

Deficit Narratives



How are those questions investigated? (often via deficit narratives)

In addition, incarceration rates for some groups has risen much faster than others.

Data from National Research Council. Image: Badger (2014)

“These questions we are asked, where do they come from? Whose lab are we in? When I was doing my Masters I had to do research too. The starting question was never ‘how is this going to benefit the people being researched?’”

- *Asiaha Butler, Founder and President, Resident Association of Greater Englewood, from “Why am I Always Being Researched?” (Chicago Beyond, 2018)*

**Next Steps:
Duty of Care for the
People from Whom
Data are Collected**

Equity-Related Questions to Ask About Data

- Are the voices of the people most affected by what's happening included?
- How are “experts” defined in the study?
- Did the authors engage with a diverse range of sources, even when the story or project isn't explicitly about marginalized groups? Are the authors over-emphasizing the claims of one group?
- Are they making assumptions about groups?
- Are groups conflated? For example, are data presented in a way that combines the experiences or identities of two or more groups?
- Is the language being used up-to-date and easy to understand?

Opinion | New data show a dire forecast about incarceration rates didn't come true



By [Charles Lane](#)
Editorial writer and columnist | [+ Follow](#)

July 12, 2023 at 7:30 a.m. EDT



A rainbow is seen overhead as inmates walk through the yard at the Richard J. Donovan Correctional Facility in San Diego in 2014. (Sam Hodgson/Bloomberg)

Same Publication, Different Framing

The meteoric, costly and unprecedented rise of incarceration in America



By [Emily Badger](#)

April 30, 2014 at 2:55 p.m. EDT



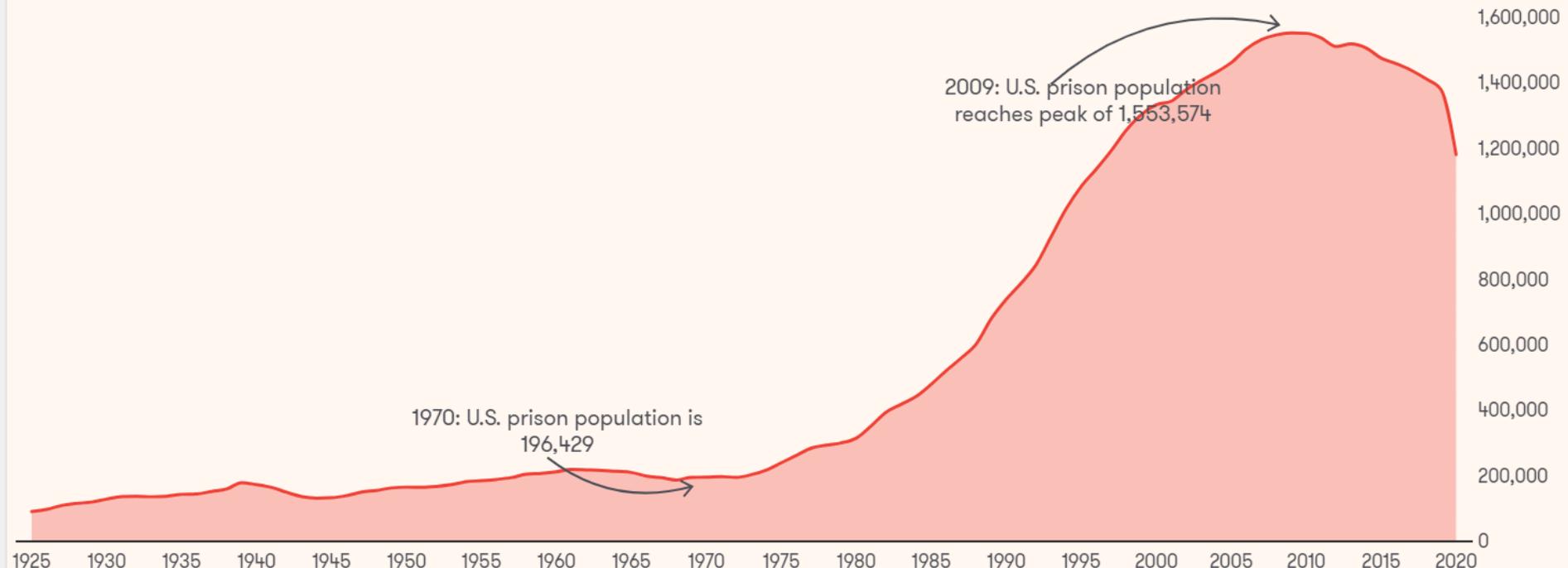
A "No Trespassing" sign is displayed on fencing surrounding the Marine Technology Training Center, part of the California Prison Industry Authority (CALPIA) of the California Institution for Men state prison in Chino. (Patrick T. Fallon/Bloomberg)

Vera Institute: History of Mass Incarceration

What is lost by telling the “decrease in incarceration” story starting in 1999 vs. 1970?

The rise of mass incarceration

The U.S. incarceration rate increased dramatically between 1970 and 2000, growing by about 400 percent —and resulting in the highest rate of incarceration in the world. This rise wasn't by accident. Elected officials and **policymakers made deliberate decisions that grew the prison population.**



Further Resources on Data Equity

- D'Ignazio, Catherine & Klein, Lauren F. 2020. Data Feminism: Challenging Ideas available at <https://data-feminism.mitpress.mit.edu/> (e-book available for free at this link, also available in audiobook and printed book formats.)
- Eubanks, Virginia. 2018. Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor. <https://us.macmillan.com/books/9781250074317/automatinginequality> (available as printed book or audiobook)
- Criado Perez, Caroline. 2019. Invisible women: Data Bias in a World Designed for Men. https://books.google.com/books/about/Invisible_Women.html?id=GdmEDwAAQBAJ (available as book/e-book)
- Thorn, Abigail. 2021. "Social Constructs, (or, 'What is a Woman, Really?')". YouTube.com. <https://youtu.be/koud7hgGyQ8?si=F2KtbnSD44jF5lYa> (a beginner-friendly introductory video essay on the topic of social constructs from transgender actress Abigail Thorn)
- WISE. (2021, June 4). *The Power of Positionality in Social Justice Efforts*. WISE. <https://www.womenofwise.org/post/positionality-social-justice> (essay on positionality)
- Chicago Beyond. (2018). Why Am I Always Being Researched? Chicago Beyond. Retrieved August 22, 2023, from <https://chicagobeyond.org/researchequity/> (Downloadable report on data equity and empowering community participation in research)
- Urban Institute. Elevate Data for Equity toolkit. Available at <https://www.urban.org/elevate-data-equity/equitable-data-practice>
- Episode 10, "Citizen Thind", Biewen, J., & Kumanyika, C. (2017). *Seeing White – Scene on Radio*. Scene on Radio. <https://sceneonradio.org/seeing-white/> (A discussion of the US Supreme Court cases classifying people as White for the purpose of citizenship. The whole "Seeing White" series is a great resource on the history of the social construction of race/racism, specifically through the lens of what being White means.)
- "We All Count" Data Equity Trainings, Tools, Articles, Forum: www.weallcount.com

Questions?

A teal-colored horizontal bar with rounded ends, positioned above the contact information.

Email us at AOA.ORE@vermont.gov to request a copy of these slides or ask questions about the Essential Concepts for Data Equity presentation

References Cited by Slide Title (1 of 2)

Learning Objectives:

D'Ignazio, C., & Klein, L. F. (2020). *Data feminism*. MIT Press. <https://data-feminism.mitpress.mit.edu/>

Positionality & Somatic Exercise:

WISE. (2021, June 4). *The Power of Positionality in Social Justice Efforts*. WISE. <https://www.womenofwise.org/post/positionality-social-justice>

Understanding and Cultivating Your Resources. (n.d.). Resmaa Menakem | Embodied Anti-Racist Education. Retrieved August 17, 2023, from

<https://www.resmaa.com/somatic-learnings/understanding-and-cultivating-your-resources>

Ross, L. J. (2023, August). Calling In Learning Course Lab. <https://lorettajross.com/online-courses>

Themes & Concepts to Note:

D'Ignazio, C., & Klein, L. F. (2020). *Data feminism*. MIT Press. <https://data-feminism.mitpress.mit.edu/>

Krause, H. (2020a, June 12). *Introduction to Proxy Variables*. We All Count. <https://weallcount.com/2020/06/12/introduction-to-proxy-variables/>

Krause, H. (2020b, June 26). *Proxy Variables Part 2: Race*. We All Count. <https://weallcount.com/2020/06/26/proxy-variables-part-2-race/>

Davis, L. P., & Museus, S. D. (2019). What Is Deficit Thinking? An Analysis of Conceptualizations of Deficit Thinking and Implications for Scholarly Research. *NCID Currents*, 1(1). <http://dx.doi.org/10.3998/currents.17387731.0001.110>

Power Asymmetries:

Chicago Beyond. (2018). *Why Am I Always Being Researched?* Chicago Beyond. Retrieved August 22, 2023, from <https://chicagobeyond.org/researchequity/>

The Paradox of Exposure:

Hughes, C. C. (2018). "Not Out in the Field: Studying Privacy and Disclosure as an Invisible (Trans) Man" In D. Compton, T. Meadow, & K. Schilt (Eds.), *Other, Please Specify*.

University of California Press. <https://www.ucpress.edu/book/9780520289277/other-please-specify>

Vermont Statutes Online. Vermont State Legislature. Title 1: General Provisions Subchapter 3: Access to Public Records. Retrieved October 23, 2023, from

<https://legislature.vermont.gov/statutes/chapter/01/005>

Social Constructs: Race

Linnaeus and Race. (n.d.). The Linnean Society. Retrieved August 21, 2023, from <https://www.linnean.org/learning/who-was-linnaeus/linnaeus-and-race>

US Census Bureau. (n.d.). *About the Topic of Race*. Census.Gov. Retrieved August 21, 2023, from <https://www.census.gov/topics/population/race/about.html>

Measurement of Race and Ethnicity Across the Decades: 1790-2020

US Census Bureau. (n.d.). *U.S. Decennial Census Measurement of Race and Ethnicity Across the Decades: 1790-2020*. Census.Gov. Retrieved August 21, 2023, from

<https://www.census.gov/library/visualizations/interactive/decennial-census-measurement-of-race-and-ethnicity-across-the-decades-1790-2020.html>

Break:

Photo credit Jay Greene, Mt. Mansfield Nose, taken August 6, 2023

References Cited by Slide Title (2 of 2)

Aggregation, Disaggregation, & Data Analysis:

Chicago Beyond. (2018). Why Am I Always Being Researched? Chicago Beyond. Retrieved August 22, 2023, from <https://chicagobeyond.org/researchequity/>

Limitations of Aggregated Data:

Kauh, Tina, et al. "The critical role of racial/ethnic data disaggregation for health equity." *Population research and policy review* 40 (2021): 1-7. <https://pubmed.ncbi.nlm.nih.gov/33437108/>

Kader, Farah, et al. "Disaggregating race/ethnicity data categories: Criticisms, dangers, and opposing viewpoints." *Health Affairs Forefront* (2022).

<https://www.healthaffairs.org/content/forefront/disaggregating-race-ethnicity-data-categories-criticisms-dangers-and-opposing>

Proxy Variables & Disproportionality

Krause, H. (2020a, June 12). *Introduction to Proxy Variables*. We All Count. <https://weallcount.com/2020/06/12/introduction-to-proxy-variables/>

Krause, H. (2020b, June 26). *Proxy Variables Part 2: Race*. We All Count. <https://weallcount.com/2020/06/26/proxy-variables-part-2-race/>

American Civil Liberties Union. (2020). A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform. American Civil Liberties Union. <https://www.aclu.org/report/tale-two-countries-racially-targeted-arrests-era-marijuana-reform>

Example: ACLU (2020) Cannabis Arrest Report Demonstrates Racial Disparities, Disproportionality in Vermont From 2010-2018:

American Civil Liberties Union. (2020). A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform. American Civil Liberties Union. <https://www.aclu.org/report/tale-two-countries-racially-targeted-arrests-era-marijuana-reform>

Deficit Narratives:

Krause, H. (2020c, May 22). *Framing Research Questions that Reflect Who is Expected to Change*. We All Count. <https://weallcount.com/2020/05/22/framing-research-questions-that-reflect-who-is-expected-to-change/>

Deficit Narratives:

Badger, E. (2014, April 30). The meteoric, costly and unprecedented rise of incarceration in America. *Washington Post*. <https://www.washingtonpost.com/news/wonk/wp/2014/04/30/the-meteoric-costly-and-unprecedented-rise-of-incarceration-in-america/>

Next Steps: Duty of Care for the People from Whom Data are Collected

Chicago Beyond. (2018). Why Am I Always Being Researched? Chicago Beyond. Retrieved August 22, 2023, from <https://chicagobeyond.org/researchequity/>

Same Publication, Different Framing

Lane, C. (2023, July 12). Opinion: New data show a dire forecast about incarceration rates didn't come true. *Washington Post*.

<https://www.washingtonpost.com/opinions/2023/07/12/good-news-black-incarceration-rate-declines/>

Badger, E. (2014, April 30). The meteoric, costly and unprecedented rise of incarceration in America. *Washington Post*. <https://www.washingtonpost.com/news/wonk/wp/2014/04/30/the-meteoric-costly-and-unprecedented-rise-of-incarceration-in-america/>

Vera Institute: History of Mass Incarceration

Vera Institute: History of Mass Incarceration *Causes of Mass Incarceration*. (n.d.). Vera Institute of Justice. Retrieved August 22, 2023, from <https://www.vera.org/ending-mass-incarceration/causes-of-mass-incarceration>



Fostering Government and Community Collaboration

Presented by

Amanda Garces, State of Vermont



Fostering Government and Community Collaboration

Amanda Lucía Garcés
Director of Policy,
Education and
Outreach



October 27th, 2023

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802-828-2580 - <https://hrc.vermont.gov/>



What are the tools to foster an equitable partnership between a state agency and community?

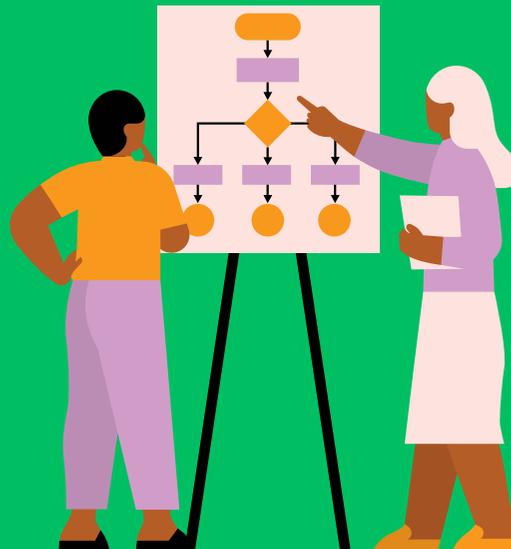
TODAY WE WILL LEARN FROM EACH OTHER!

WHAT ARE THE BENEFITS?
WHAT ARE THE BARRIERS ?
WHAT ARE THE STRATEGIES?
WHAT ARE BEST PRACTICES ?
AND HOW DO WE START ?



Benefits

What are the benefits of effective collaboration between government and communities?



BARRIERS

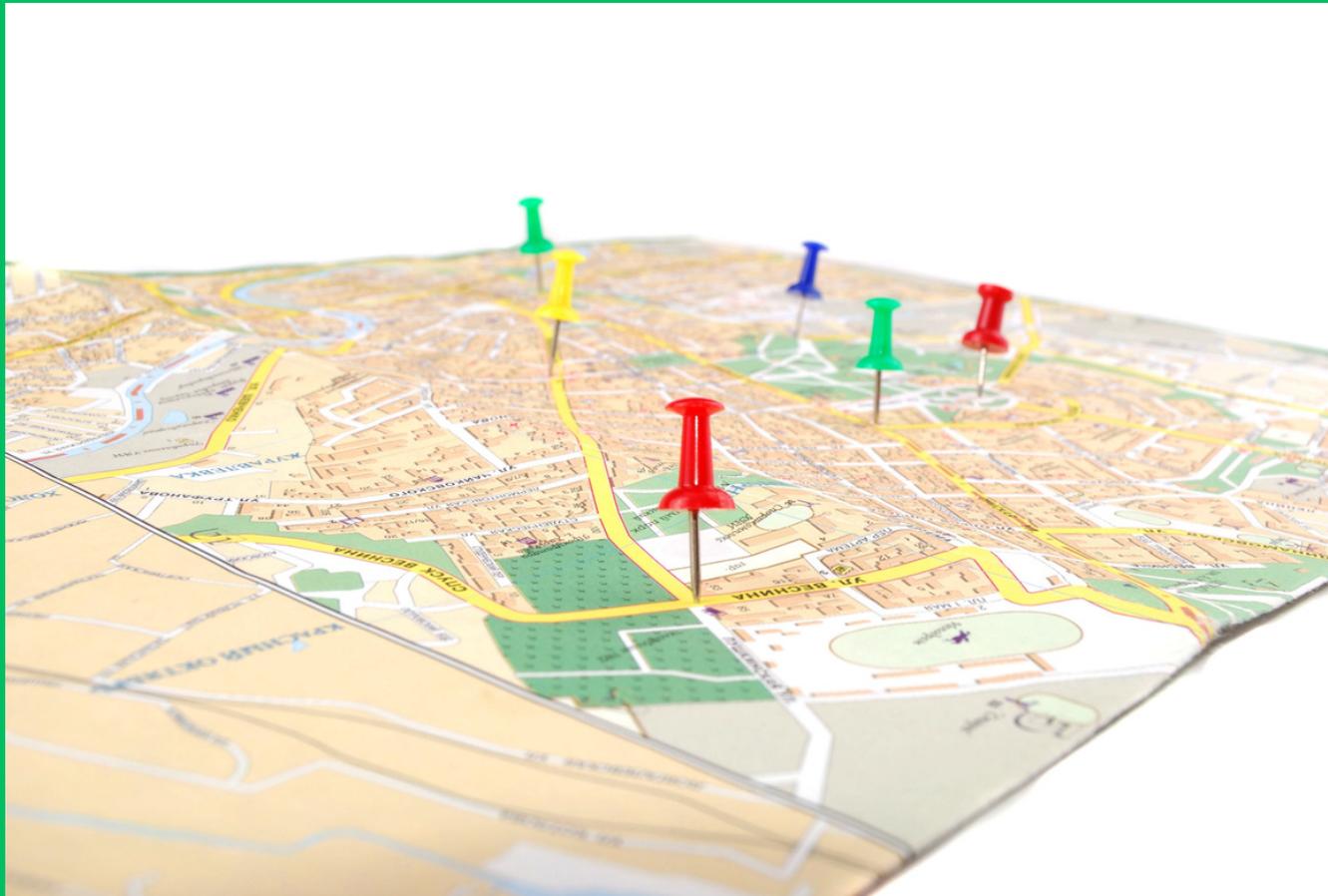
What are the barriers of effective collaboration between government and communities?



WHAT ARE THE STRATIGES



WHERE DO WE START?



POWER MAP

What does 'tokenize' mean to you?



What are community partners' experience?

BENEFITS



Valuing communitie's expertise





**CONSIDER TIME AND
RESOURCES**

Community-Based Initiatives in Which the Human Rights Commission Is Active



BEST PRACTICES

ABOVE ALL

COMMITTMENT TO TRANSPARENCY

CLEAR ROLES AND RESPONSIBILITIES

PRACTICE ACCOUNTABILITY

EVALUATE, LEARN AND DO IT AGAIN

PRAXIS!!!!!!!!!!!!



How to Write a Policy Pitch

Presented by

Falko Schilling, ACLU Vermont

How to Write a Policy Pitch

10/27/2023

Falko Schilling – Advocacy Director ACLU of Vermont

WHY VALUES-BASED MESSAGING?

Values are our most fundamental principles, the ideas so essential to our personal and national identities that violating them seems unthinkable. They are also a powerful communications tool, a means of establishing a human connection that can cut through stereotypes and partisan suspicion. Leading with facts and figures can reinforce an idea, but it doesn't do much to persuade, particularly in this age of "fake news." Leading with values, on the other hand, activates emotions and opens an audience's hearts and ears to the message.

The Opportunity Agenda's signature communications structure – Value, Problem, Solution, Action – guides the creation of values-based messages that motivate audiences to action.

Leading with **VALUES** creates broad points of agreement and shared goals that will resonate with nearly any audience.

Being explicit about the **PROBLEM**, and how it threatens shared values, creates a sense of urgency and connects individual stories to broader systems and dynamics.

Offering a **SOLUTION** gives audiences a sense of hope and motivation. The best solutions are connected directly to the problem offered, and make clear where the responsibility for change lies.

Assigning an **ACTION** gives the audience a concrete next step that they can picture themselves doing, and creates a feeling of agency.

Created by The Opportunity Agenda - Available at opportunityagenda.org/our-tools/vpsa-messaging

ENDING CASH BAIL IN VERMONT

MAY 1, 2023 - 3:45PM

Value: Nobody should be held in prison simply because they don't have enough money for bail.

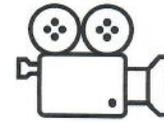
Problem: And yet, under Vermont's bail system, people who can't afford to pay for their release after an arrest are held behind bars to await trial, even for low-level offenses, and even if they do not pose a danger to the community.

Solution: S.27 is a bill before the Vermont legislature that would end the use of cash bail for people charged with most misdemeanors and advance a study on how to end cash bail for all crimes. Although we hope to see Vermont end the practice of cash bail altogether, we support S.27 as an important step towards rooting out injustice in our criminal legal system.

Vermont has made tremendous progress on creating a smarter, fairer justice system and bail reform is a critical next step in that process.

Action: We urge the Vermont legislature to pass S.27 and commit to studying how to end the use of cash bail for all charges in the coming years.

Media training cheat sheet



When developing talking points, consider the following:

- How can I make this relatable?
- Who is the audience, and what will speak to them?
- What is something a viewer/listener would be likely to remember and repeat to a friend?
- What are some concrete facts I can present?
- What are some anecdotes I can offer to make the content “real”
 - Imagine if...
- What will I leave my audience with?
 - Consider sharing a direct call to action

When challenged, aim for short, declarative statements. Then, repeat your key points. Examples include:

- Maybe not, but what I have seen is...
- The important thing to remember is...
- I think we can all agree that...
- I think we could all say with confidence that...
- There are legitimate concerns about A, B, C, but it’s important to keep in mind...
- Interesting point, but...
- You have to remember that...

If you can’t answer a question, try these:

- I can’t answer that, but what I do know is...
- That’s a good question. But I want to bring us back to the overarching point...
- Thanks for your question. But I think a more pertinent point is...
- I appreciate your point. I’d really just like to reiterate that...

Value

Problem

Solution

Action



Inclusive Recruitment, Onboarding, & Retention

Presented by

Curtiss Reed, Vermont Partnership for Fairness and Diversity

Tino Rutanhira, Vermont Professionals of Color Network

Kheya Ganguly, State of Vermont



"You can't dig a new well by digging an old well deeper."

Well digger • Bilma, Niger



Vermont Partnership
FOR FAIRNESS AND DIVERSITY

Recruitment

Vision
Strategic partnerships
Pitch Vermont
Affinity Groups
Motivation
Fluency
Cultural humility



Vermont Partnership
FOR FAIRNESS AND DIVERSITY

Invitation

Tagline Welcome to the Champlain Valley, the most international and culturally diverse destination in Northern New England!

Whether you are a recent hire or considering a move, this guide gives you a glimpse through a multicultural lens of the rich and varied opportunities to truly make Vermont your home.

We invite you to explore all that your new home has to offer and if there is something missing give us a call. Our staff might be able to help you find the missing piece or to create that piece for others to join you in a favorite pursuit.

On boarding

Frame of reference
Demographics
Outdoor Recreation
Cultural Events & Venues
Faith Communities
Wellness
Specialty Grocers
Schools K-12
Higher Education
Civic Engagement



Vermont Partnership
FOR FAIRNESS AND DIVERSITY

Retention

Quality of life
Hostile v. Inclusive
Timeframe
Site
Culture
Core values



Vermont Partnership
FOR FAIRNESS AND DIVERSITY



Vermont Partnership

FOR FAIRNESS AND DIVERSITY

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Curtiss Reed, Jr., President and CEO



Introduction to Language Access Planning

Presented by

Jay Greene, State of Vermont

Introduction to Language Access Planning

Mx. Jay Greene, MPH (they/them)
Policy and Research Analyst
Office of Racial Equity

Friday, October 27, 2023

Office of Racial Equity Apiary for Movement Builders Conference

Disclaimer

- ▶ This presentation is for informational purposes only and does not constitute legal advice on any entity's current level of compliance with federal language access or Americans with Disabilities Act regulations

Presentation Outline

- ▶ Note on respectful word choices
- ▶ Important technical definitions
- ▶ Why create a language access plan?
- ▶ How do we get started?
- ▶ Four factor test and vital documents
- ▶ Budgeting for language access
- ▶ Further resources
- ▶ Audience Question and Answer (10 min)

Note on Respectful Word Choice: “Limited English Proficiency” or “LEP”



“LEP” or “Limited English Proficiency” is commonly used in federal and some State of Vermont documents to describe people who speak English less than “very well”



Community outreach to immigrant and refugee service organizations in Vermont led to recommendation to avoid using LEP



Will be substituting “people who use languages other than English,” “people with communication access needs,” or “people with language access needs” for “Limited English Proficiency” or “LEP”

Important Technical Definitions

- ▶ Communicative Autonomy/Meaningful Access
- ▶ Language Services/Language Services Providers
 - ▶ Interpretation/Interpreter
 - ▶ Translation/Translator
- ▶ Language Access Plan
 - ▶ Language Access Policy
 - ▶ Language Access Operations Manual

Why Create a Language Access Plan?

- ▶ Essential for welcoming people with language access needs into Vermont communities
- ▶ It's federally required!
 - ▶ Title VI of Civil Rights Act of 1964
 - ▶ Executive Order 13166 (2000)
 - ▶ Equal Educational Opportunities Act, 1974
 - ▶ Supreme Court Rulings (e.g., *Lau v. Nichols* 1974)
 - ▶ Americans with Disabilities Act (1990)
- ▶ Applies to all entities receiving federal funding, including state government agencies and subcontractors who receive federal grant funding through state agencies

How do we get started?

- ▶ First, understand the language access needs of the people you serve (community outreach and engagement required per federal guidance) AND plan to periodically reassess needs
- ▶ Consider a phased strategy according to what is most likely to provide meaningful access
 - ▶ Four Factor Test
 - ▶ Notices of Language Assistance Services
 - ▶ Website updates – DO NOT use Google Translate without a disclaimer and Notice of Language Assistance Services!
- ▶ Accessibility audit (websites, documents, spaces)



**Notice of Language Assistance
Notice of Proposed Rulemaking
Title IX of the Education Amendments of 1972
April 6, 2023**

Notice of Language Assistance: If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), or email us at: Ed.Language.Assistance@ed.gov.

Aviso a personas con dominio limitado del idioma inglés: Si usted tiene alguna dificultad en entender el idioma inglés, puede, sin costo alguno, solicitar asistencia lingüística con respecto a esta información llamando al 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), o envíe un mensaje de correo electrónico a: Ed.Language.Assistance@ed.gov.

給英語能力有限人士的通知: 如果您不懂英語, 或者使用英語有困難, 您可以要求獲得向大眾提供的語言協助服務, 幫助您理解教育部資訊。這些語言協助服務均可免費提供。如果您需要有關口譯或筆譯服務的詳細資訊, 請致電 1-800-USA-LEARN (1-800-872-5327) (聽語障人士專線: 1-800-877-8339), 或電郵: Ed.Language.Assistance@ed.gov。

Four Factor Test and Vital Documents

01

How many people with communication access needs are served by the program, activity, or service? What proportion of the total number of people served is comprised of people with communication access needs?

02

How often do people with communication access needs interact with the program, activity, or service?

03

What is the nature of the program, activity, or service?
How important is the program, activity, or service to the lives of people served?

04

What resources are available to the entity providing the program, activity, or service? Would providing certain types of language access services be prohibitively expensive?

▶ Vital Documents:

- ▶ Public-facing, non-confidential
 - ▶ Essential for ensuring meaningful access to services or programs
 - ▶ May need to create a plain language version of a vital document before translation
- ▶ Frequently asked question: what languages to prioritize for translation of vital documents?

Budgeting for Language Access

- ▶ Full methods for estimating document translation cost available in Appendix G of 2023 Office of Racial Equity Language Access Report
- ▶ Budget for both first translation AND ongoing maintenance of documents as they are updated

Budgeting for Interpretation Process Overview



Use data from previous years to inform your estimate if data are available, keeping in mind that demand will likely increase over time

Further Resources

- ▶ Read the 2023 Office of Racial Equity Language Access Report, view a recorded webinar discussing the Report, read the Plain Language Summary, and access translated versions of the Plain Language Summary here: <https://racialequity.Vermont.gov/language-access/>
- ▶ Appendix B: Further Resources (2023 Office of Racial Equity Language Access Report)
- ▶ Appendix D: Model Minimum Language Access Plan (2023 Office of Racial Equity Language Access Report), see also San Diego Association of Governments. (2022). *2022 SANDAG Language Assistance Plan*. SANDAG. [language-assistance-plan-2022-08-01.pdf](https://www.sandag.org/language-assistance-plan-2022-08-01.pdf) ([sandag.org](https://www.sandag.org))
- ▶ <https://www.LEP.gov> federal language access resources
- ▶ <https://www.plainlanguage.gov> federal plain language resources
- ▶ 2021 Migration Policy Institute Report “A Framework for Language Access: Key Features of US State and Local Language Access Laws and Policies” <https://www.migrationpolicy.org/research/state-local-language-access-policies>
- ▶ Example of great language access on a website: Vermont Legal Aid <https://www.vtlegalaid.org/>
- ▶ Federal compliance and planning checklist: Federal Coordination and Compliance Section Civil Rights Division. (2011). *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs*. https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Audience Question and Answer

- ▶ Email AOA.ORE@vermont.gov to receive a copy of these slides and/or to ask follow-up questions after the conference

Sources Listed by Slide Title

Why Create a Language Access Plan?

- ▶ Civil Rights Act of 1964, Pub. L. No. 88–352 (1964). <https://www.govinfo.gov/content/pkg/STATUTE-78/pdf/STATUTE-78-Pg241.pdf>
- ▶ President William J Clinton. (2000, August 16). *Executive Order 13166—Improving Access to Services for Persons With Limited English Proficiency*. Federal Register. <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>
- ▶ *Lau v. Nichols*, 414 U.S. 563 (1974). (n.d.). Justia Law. Retrieved October 24, 2023, from <https://supreme.justia.com/cases/federal/us/414/563/>
- ▶ Wright, W. E. (2010, February 3). *Landmark Court Rulings Regarding English Language Learners* [Text]. ¡Colorín colorado!. <https://www.colorincolorado.org/article/landmark-court-rulings-regarding-english-language-learners>
- ▶ US Department of Justice Civil Rights Division. (2023, October 24). *Communicating Effectively with People with Disabilities*. ADA.Gov. <https://www.ada.gov/topics/effective-communication/>
- ▶ US Department of Labor Office of Disability Employment Policy. (n.d.). *Disability & Employment: A Timeline*. DOL.Gov. Retrieved October 25, 2023, from <http://www.dol.gov/agencies/odep/ada30/timeline>

Important Technical Definitions

- ▶ Greene, J., & Davis, X. (2023). *2023 Office of Racial Equity Language Access Report, Appendix A: Glossary of Abbreviations and Terminology*. State of Vermont Office of Racial Equity. <https://racialequity.vermont.gov/language-access>
- ▶ U.S. Department of Health and Human Services. (2003, August 4). *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*. HHS.Gov. <https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/guidance-federal-financial-assistance-recipients-title-vi/index.html>

How Do We Get Started?

- ▶ Greene, J., & Davis, X. (2023). *2023 Office of Racial Equity Language Access Report, Appendix C: Population Estimates of People who Speak or Sign Languages Other Than English in Vermont*. State of Vermont Office of Racial Equity. <https://racialequity.vermont.gov/language-access>
- ▶ Federal Coordination and Compliance Section Civil Rights Division. (2011). *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs*. https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf
- ▶ US Department of Education. (2023, April 6). *Notice of Language Assistance—Notice of Proposed Rulemaking Title IX of the Education Amendments of 1972*. <https://www2.ed.gov/about/offices/list/ocr/docs/t9-aih-nprm.pdf>

Four Factor Test and Vital Documents

- ▶ U.S. Department of Health and Human Services. (2003, August 4). *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*. HHS.Gov. <https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/guidance-federal-financial-assistance-recipients-title-vi/index.html>
- ▶ Centers for Medicare & Medicaid Services. (2022). *Guide to Developing a Language Access Plan*. <https://www.cms.gov/About-CMS/Agency-Information/OMH/Downloads/Language-Access-Plan.pdf>

Budgeting for Language Access

- ▶ Greene, J., & Davis, X. (2023). *2023 Office of Racial Equity Language Access Report, Appendix G: Summary of Executive Branch Agencies' Vital Document Translation Cost Estimate*. State of Vermont Office of Racial Equity. <https://racialequity.vermont.gov/language-access>



Know Your Rights Training

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Know Your Rights:

Protests, Public Records, and Open Meetings

**2023 Apiary for Movement
Builders**

1. Know your rights at protests

Your Right To Protest

The right to protest is fundamental to our democracy and protected by the Vermont Constitution and the First Amendment of the U.S. Constitution.



Organizing a Protest

- You generally don't need a permit to march in the streets or on sidewalks, as long as marchers don't obstruct car or pedestrian traffic. If you don't have a permit, police officers can ask you to move to the side of a street or sidewalk to let others pass or for safety reasons.
- Certain types of events may require permits. These include a march or parade that requires blocking traffic or street closure; a large rally requiring the use of sound amplifying devices; or a rally over a certain size at most parks or plazas. The Government must post these requirements, though.
- **A permit cannot be denied because the event is controversial, will express unpopular views, or will generate counter-protests.**

Attending a Protest

Can my free speech be restricted because of what I say—even if it is controversial?

No. The First Amendment prohibits restrictions based on the content of speech. While Police and government officials are allowed to place certain nondiscriminatory and narrowly drawn “time, place and manner” restrictions on the exercise of First Amendment rights, any such restrictions must **apply to all speech regardless of its point of view.**

Where can I engage in free speech activity?

Generally, all types of expression are constitutionally protected in traditional “**public forums**” such as **streets, sidewalks and parks.** In addition, your speech activity may be permitted to take place at other public locations that the government has opened up to similar speech activities, such as the plazas in front of government buildings.

But: the general rule is that the owners of **private property** may set rules limiting your free speech. If you disobey the property owner's rules, they can order you off their property or seek to have you arrested for trespassing.

Can I distribute leaflets and other literature on public sidewalks?

Yes. You may approach pedestrians on public sidewalks with leaflets, newspapers, petitions and solicitations for donations without a permit. These types of free speech activities are legal as long as entrances to buildings are not blocked and passers-by are not physically and maliciously detained. Generally, tables may also be set up on sidewalks for these purposes if sufficient room is left for pedestrians to pass -- but a permit may be required to set up a table.

Recording Police



- When you are lawfully present in any public space, you generally have the right to photograph **anything in plain view, including federal buildings and the police.**
- Police officers **may not** confiscate or demand to view your photographs or video **without a warrant**, nor may they delete data under any circumstances. However, they may order citizens to cease activities that are truly interfering with legitimate law enforcement operations (recording from a distance generally will not).

If You are Stopped or Detained By the Police During a Protest

- **Try to Stay calm.** Make sure to keep your hands visible. Don't argue, resist, or obstruct the police, even if you believe they are violating your rights. Point out that you are not disrupting anyone else's activity and that the First Amendment protects your actions.
- **Politely ask if you are "free to leave."** If the officer says yes, calmly walk away.
- In Vermont, you must identify yourself to law enforcement officers who ask if they believe that you have committed a crime or broken a municipal ordinance. That requirement does **not** mean that you have to carry any particular piece of identification with you at any time. And even if you give your name, you are **not** required to answer other questions.

If You are Stopped or Detained By the Police During a Protest (cont'd)

- You **never have to consent to a search** of yourself or your belongings. If you do explicitly consent, it can affect you later in court.
 - But: police may “pat down” your clothing if they suspect you have a weapon and may search you after an arrest.
- If you are under arrest, you have a **right to ask why**. Otherwise, **say you wish to remain silent and ask for a lawyer immediately**. Don't say anything or sign anything without a lawyer.
- You have the right to make a local phone call, and if you're calling your lawyer, police are **not** allowed to listen.

If you think your rights were violated



- Treat it like a car accident or break in.
- Write down or record everything you can as soon as possible, including the officers' badge and patrol car numbers and the agency they work for.
- Get contact information for witnesses.
- Take photographs of any injuries.
- Talk to an attorney.

Privacy Best Practices for Protests

- If you anticipate a large police presence, consider wearing a mask to protect you from facial recognition used by police.
- Ensure your devices have strong passwords, either six digits or a full password.
- Avoid using biometrics like face or fingerprint recognition to unlock your phone that police can use to unlock your phone for you or you risk exposing your data and information about your loved ones.
- Keep your phone in airplane mode when you don't need to communicate. Radio signals can be used by law enforcement to track your device.
- If you do have to communicate, use encrypted messaging apps, like Signal.
- If you get arrested, make sure your device is turned off or locked with a secure password.



2. Know your rights to access public records

A constitutionally protected “right to know”

Vt. Const. of 1777, art. VI

Public Records Act

1 V.S.A. §§ 315–320

Open Meeting Law

1 V.S.A. §§ 310–314

Public Records Act

*Balancing
privacy and the
public interest*

“Officers of government are *trustees and servants of the people* and it is in the *public interest* to enable any person to review and criticize their decisions even though such examination may cause inconvenience or embarrassment.

All people, however, have a *right to privacy in their personal and economic pursuits*, which ought to be protected unless specific information is needed to review the action of a governmental officer.

Consistent with these principles, the general assembly hereby declares that *certain public records shall be made available to any person* To that end, the provisions of this subchapter shall be *liberally construed*”

Who can request a record?

Anyone!

- “Any person may inspect or copy any public record of a public agency.” 1 V.S.A. § 316(a).

For anything!

- Motive and intent for record use are irrelevant
- Beware the litigation exemption

Who is a record holder?

State entities

- All state branches, departments, agencies and subdivisions
- e.g., Agency of Education

Local entities

- All county, municipal and town governments, their boards and commissions
- e.g., Police departments, city manager's office, school districts, regional planning commissions, and regional waste disposal, sewer and water authorities

Private actors performing government functions?

NOT the courts!

What is a public record?

Criteria:

- Anything written or recorded
- In any form (physical, electronic, or otherwise)
- Produced or acquired
- In the course of agency business

Examples:

- Telephone call logs
- Electronic records
- Emails
- Text messages
- Social media posts



Reponses

Permissible Responses

- Here's what you asked for!
- No such record exists
- The record is currently in use but will be available by X date
- Due to unusual circumstances, we'll respond in 10 days
- The record (or parts of it) are exempt, and here's why

Frequent Responses

- ...
- All requests must be in writing
- We won't say if we have it, but you should ask a different entity
- We need to ask a different entity if we can release it

Fees

Charges:

- Mailing or faxing costs
- Cost of making paper copies, if:
 - The agency does the copying
 - Using the agency's equipment
- Cost of staff time for complying with a request for a *copy*, if:
 - Assembling copies takes more than 30 minutes
 - Agency creates a record
 - Agency provides the records in a non-standard format



The record holder can withhold production until the bill is paid

Generally, \$.33 - \$.57 per minute (after 30 minutes free)

Timeline

Request to Record Holder

Record Holder responds within 3 business days

Administrative appeal (no deadline)

Agency head response in writing with 5 business days

Filing suit

Exemptions

*narrowly
construed with
doubts resolved
in favor of
disclosure*

- Exemption 4: attorney-client privilege
- Exemption 5: police records
- Exemption 7: personal records
- Exemption 14: relevant to litigation
- Exemption 15: contract negotiation records
- Exemption 17: inter-/intra-departmental deliberative records

FOIA

5 U.S.C. § 522

Applies to executive branch, federal regulatory agencies, and federal corporations

- *NOT Congress, courts, or parts of the Executive Office of the President*
- Different fees and requirements

Exemptions

1. National Security
2. Personnel rules, substantially internal matters
3. Information exempt under other laws
4. Confidential business information
5. Inter- or intra-agency communication subject to deliberative process, litigation, or other privileges
6. Personal privacy
7. Police records that implicate personal privacy
8. Financial institutions
9. Geological information

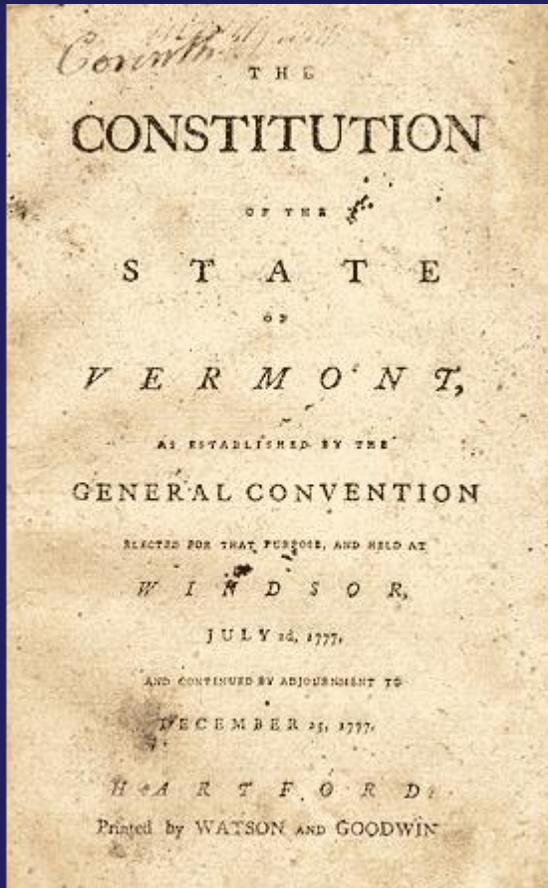
3. Know your rights to attend public meetings

Statement of legislative intent

In enacting this subchapter, the legislature finds and declares that public commissions, boards, and councils and other public agencies in this State exist to aid in the conduct of the people's business and are accountable to them pursuant to Chapter I, Article VI of the Vermont Constitution.



Article VI of the Vermont Constitution



That all power being originally inherent in and co[n]sequently derived from the people, therefore, all officers of government, whether legislative or executive, are their trustees and servants; and at all times, in a legal way, accountable to them.

Before the Meeting: Notice

Regularly occurring meetings:

- Scheduled time and place must be established by statute, regulation, ordinance, or order of the public body and is available to anyone upon request
- Agenda must be posted 48 hours in advance
- **Special meetings** must be publicly announced, and the agendas posted, 24 hours in advance
- **For an emergency meeting**, normal public notifications are waived, but there must be “some public notice . . . given as soon as possible before any such meeting.” An emergency meeting can only take place where an unforeseen occurrence requires “immediate attention by the public body.”

At the Meeting: “Public Body”?

“Public body” means any board, council, or commission of the State or one or more of its political subdivisions, any board, council, or commission of any agency, authority, or instrumentality of the State or one or more of its political subdivisions, or any committee of any of the foregoing boards, councils, or commissions, except that “public body” does not include councils or similar groups established by the Governor for the sole purpose of advising the Governor with respect to policy.

At the Meeting: “Meeting”?

“Meeting” means a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action.



At the Meeting: “Executive Session”?

Going into executive session :

- Requires public vote (majority of municipal body; 2/3 of state body)
- Must specify the subject of the executive session

Permissible subjects for executive session (most common):

- specified topics about which “public discussion would clearly place the public body or a person involved at a substantial disadvantage”
- the hiring, discipline, or evaluation of a public employee
- negotiating real estate transactions
- academic records of students
- imminent threats to public safety



At the Meeting: “Executive Session”?

During executive session:

- Can only consider the subject specified in the vote
- Cannot take any binding action except for conducting real estate transactions
- Can only be attended by members of the public body, and, “in the discretion of the public body, its staff, clerical assistants and legal counsel, and persons who are subjects of the discussion or whose information is needed”

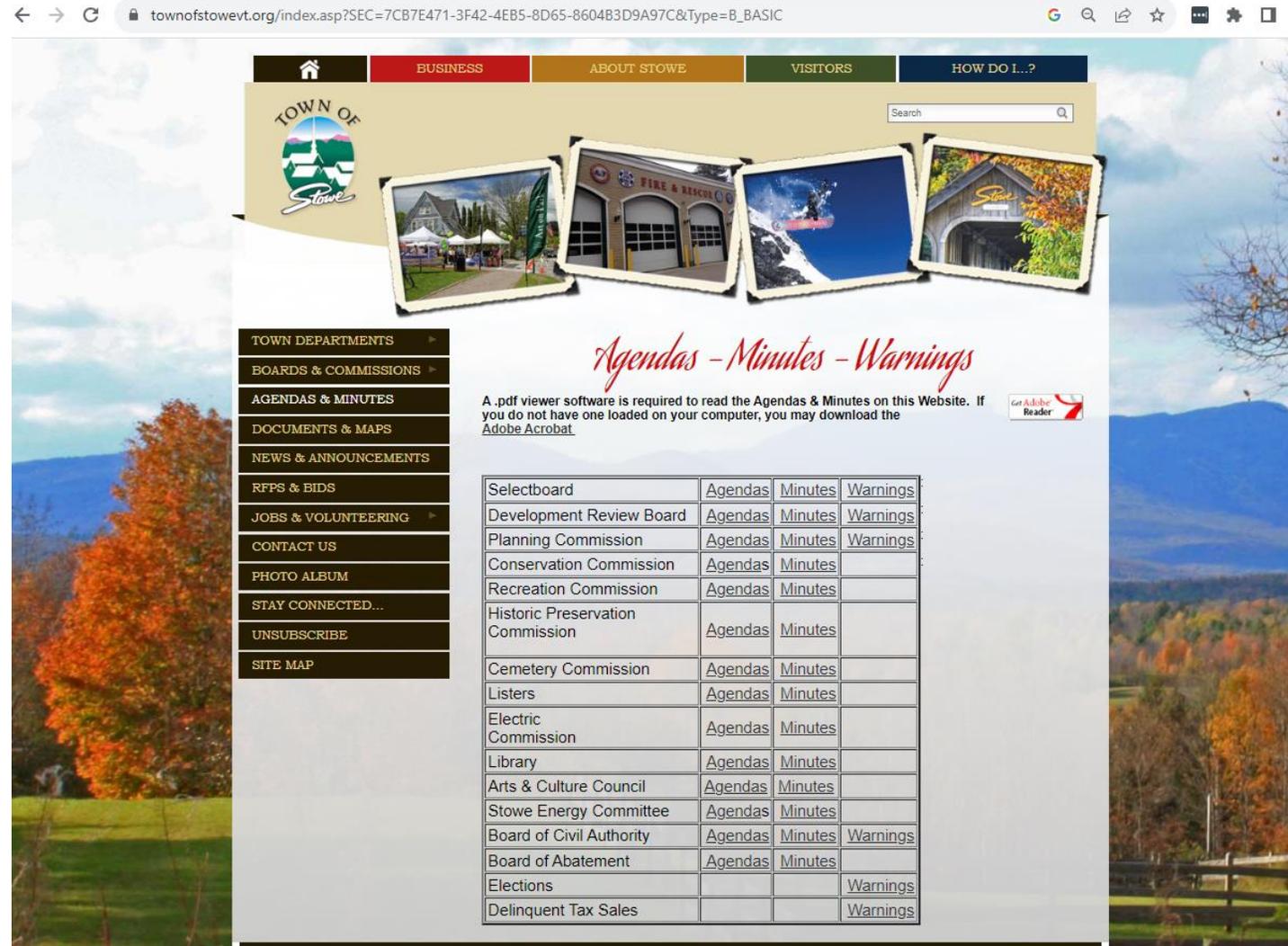
After executive session:

- May take public vote on matters discussed in executive session



After the Meeting: Minutes

- Minutes must be available within 5 days of the meeting
- If the body has a website, the minutes must be posted to it
- Minutes must include:
 - the names of the public body's members who attended the meeting
 - all motions or proposals considered (and their results)
 - the names of "other active participants in the meeting."



townofstovewt.org/index.asp?SEC=7CB7E471-3F42-4EB5-8D65-8604B3D9A97C&Type=B_BASIC

TOWN OF Stowe

BUSINESS ABOUT STOWE VISITORS HOW DO I...?

Search

Agendas - Minutes - Warnings

A .pdf viewer software is required to read the Agendas & Minutes on this Website. If you do not have one loaded on your computer, you may download the Adobe Acrobat

Selectboard	Agendas	Minutes	Warnings
Development Review Board	Agendas	Minutes	Warnings
Planning Commission	Agendas	Minutes	Warnings
Conservation Commission	Agendas	Minutes	
Recreation Commission	Agendas	Minutes	
Historic Preservation Commission	Agendas	Minutes	
Cemetery Commission	Agendas	Minutes	
Listers	Agendas	Minutes	
Electric Commission	Agendas	Minutes	
Library	Agendas	Minutes	
Arts & Culture Council	Agendas	Minutes	
Stowe Energy Committee	Agendas	Minutes	
Board of Civil Authority	Agendas	Minutes	Warnings
Board of Abatement	Agendas	Minutes	
Elections			Warnings
Delinquent Tax Sales			Warnings

Violations of the Open Meeting Law



- OML violations are enforceable in the Superior Court
- But first, you must provide the body written notice of the problem
- The body must respond within 10 calendar days by:
 - Acknowledging the problem and describing its intent to cure the violation within 14 calendar days; OR
 - Stating that it has determined that there was no violation and that, therefore, no cure is necessary
- **The cure must:**
 - Either ratify or void any action taken at improperly warned meeting, meeting from which someone was improperly excluded, or unauthorized executive session; AND
 - “adopt[] specific measures that actually prevent future violations.”

Questions?



Psychological Effects of Harassment & Bullying in the Workplace

Presented by

Pat Ferris, Pat Ferris Consulting



Workplace Bullying

Presented to the
Vermont Office of
Racial Equity
2023 Apiary for
Movement Builders
Conference

Bee'ing aware

Bee'ing proactive

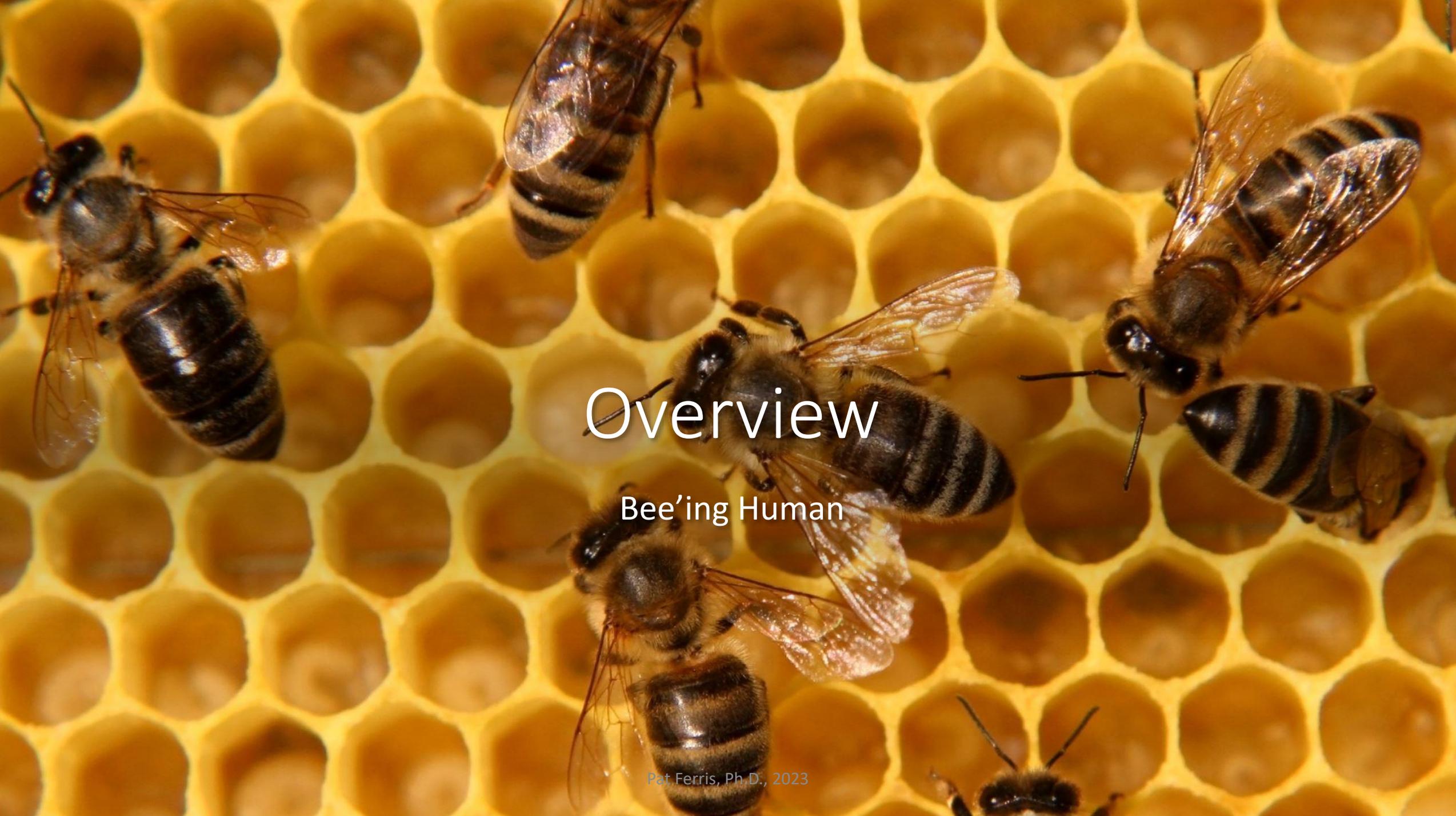
Bee'ing a leader



Objectives

- What workplace bullying is and is not
- Psychological, social, financial, neurological, and physical impact of workplace bullying
- What makes the injury worse: personal and organizational
- How to lead a movement toward fairness, respect, and forgiveness





Overview

Bee'ing Human

Some Questions



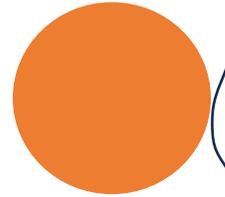
- **What is Workplace Bullying?**
 - a form of **repeated, persistent, and aggressive** behaviour directed at an individual or individuals that is **intended to cause (or should be known to cause)** fear and distress and/or harm to another person's body, feelings, self-esteem, or reputation.
- **What is not workplace bullying?**
 - The right to manage work and performance
- **How prevalent is it?**
 - At any one time, some 3%–20% of the working population is targeted*
 - US: Bullying: 7% in last year, 20% in working career; 11% witness (Workplace Bullying-Zogby Survey, January 2014)
- **Does exposure to workplace bullying have an impact on people that is worth considering?**
 - reduced motivation and productivity, severe mental and physical health problems, and risk of exclusion from the organization and working life*

*Einarsen & Agnotes. (2023). Bullying and Harassment in the Workplace. *Oxford Research Encyclopedia of Psychology* DOI: [10.1093/acrefore/9780190236557.013.103](https://doi.org/10.1093/acrefore/9780190236557.013.103)
<https://www.purdue.edu/newsroom/purduetoday/releases/2022/Q1/workplace-bullying-takes-an-emotional,-physical-toll-support-is-in-place-to-help.html>

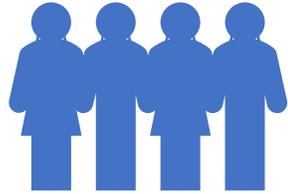
Humans are hardwired to connect

Humans thrive when they experience a high sense of belonging/humanity. This means:

- Being acknowledged (seen and heard)
- Being appreciated
- Being treated respectfully and justly
- Having thoughts, feelings, and experiences validated
- Having safety to show up authentically
- Having opportunities for growth and development



Some Facts About Humans



We are the most social species



Our brains are wired to scan for the negative, scanning our environment (unconsciously) 5 times per second for potential threats



We have 5 times more neurons in our brain that are dedicated to scanning for danger and keeping us safe, than looking for pleasure or reward



Baumeister, Bratslavsky, Finkenauer, & Vohs, (2001). Bad Is Stronger than Good, *Overview of General Psychology 5(4)*, 323-370. DOI: : [10.1037/1089-2680.5.4.323](https://doi.org/10.1037/1089-2680.5.4.323)



What is Workplace Bullying?

Frame as to what is and is not workplace
bullying

Continuum of Behavior



- Respectful Disagreement
- Friendly Competition
- Creative

Bullying
Mobbing
Discrimination
Harassment

- Destructive
- Dangerous Climate
- Violent

Sebok, T. (2014). Promoting a respectful working environment. Workshop presented at the Annual International Ombudsman Association Conference, Denver, CO, April.



Some Examples of Workplace Bullying Behaviors

- Spreading malicious rumors, gossip, or innuendo
- Excluding or isolating someone socially, interpersonally, or work
- Intimidating a person through body behavior or threatening words
- Undermining or deliberately impeding a person's work
- Cutting out of communication, e.g. emails, meetings, information
- Threatening to fire, hurt the person
- Removing areas of responsibility without cause
- Constantly changing work guidelines
- Micromanaging without cause, e.g. monitoring phone calls and correspondence repeatedly



What is Not Bullying



Assigning work

Managing performance

Discipline

Work related stress

Exclusion based on the occupational requirement

Budget constraints

Supervisory mistakes

Friendly gestures





Impact of Bullying on the Individual

Social, psychological, financial, personality,
physical, neurological

The Importance of Understanding the Neurobiology of Workplace Bullying Important





What Does Exposure to Workplace Bullying Feel Like?



“I felt like I was psychologically raped

“I would rather have been assaulted.”

“I am not the same person, I can’t trust, I have no joy.”

“I felt stripped of humanity.”

it was like soul murder”

“I felt like I had an abusive boyfriend who beat me and said it was my fault and then said he loved me.”

“I lost me”

“I used to be so strong!”

“But I love my job...I just want to do my job!”

Bullying Violates Four Basic Human Needs



Attachment and belonging

- adrenocorticotrophic hormone, corticotrophin-releasing factor, adrenalin and cortisol

Control over one's environment and feeling safe

- Less: serotonin release, communication to the prefrontal cortex, cortical blood flow to the left prefrontal cortex (problem-solving skills)
- more: norepinephrine, corticotrophin-releasing factor, adrenocorticotrophic hormone, production of adrenalin and cortisol

The need for self-esteem enhancement & protection (identity)

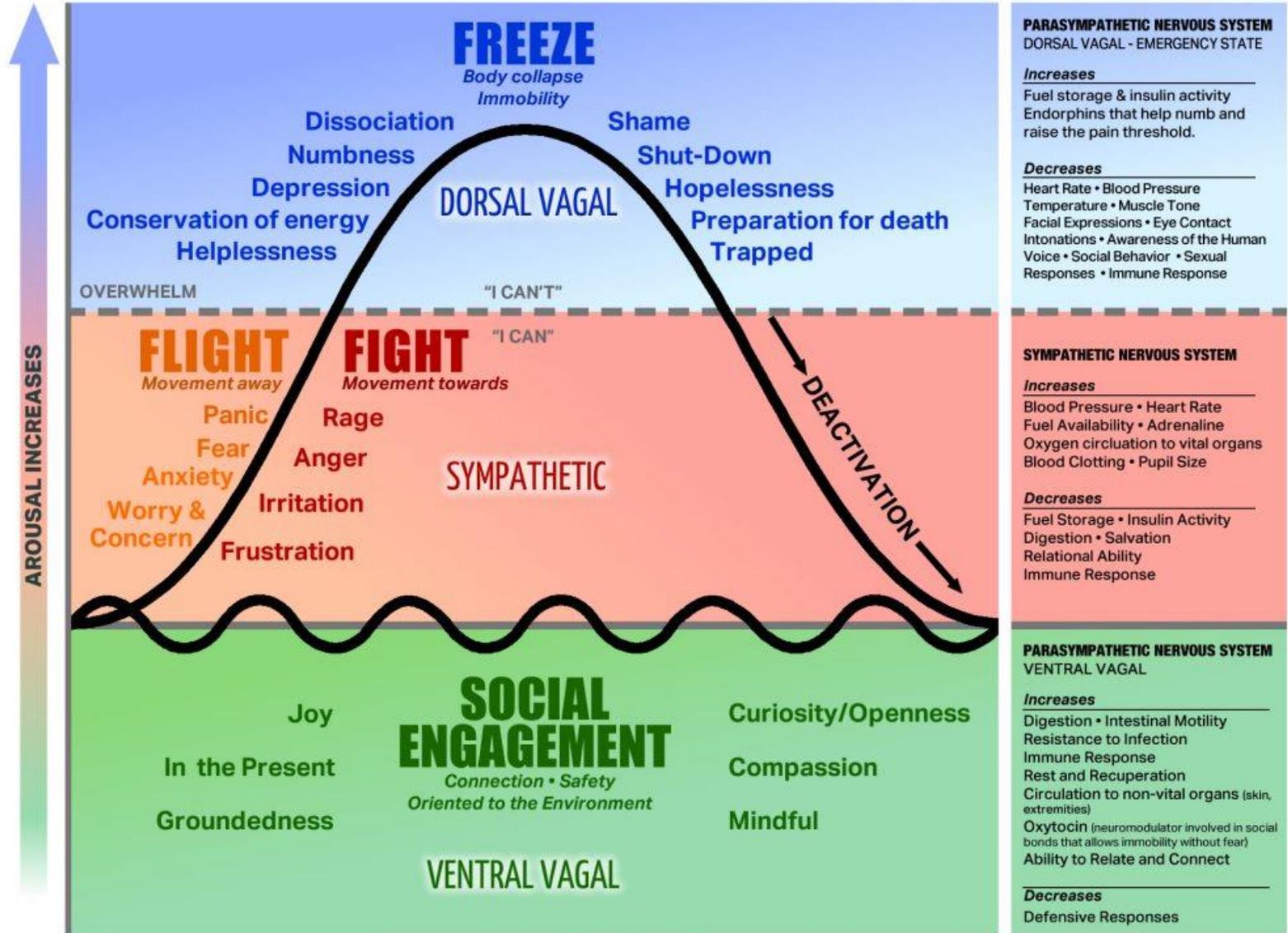
- closed feedback loops in neural activation, which is the result of pain, hurt and fear responses
- reduction in open neural activation, neural growth, and cortical blood flow to the frontal regions of the neocortex
- impairments in the ability to problem solve and to use self-soothing strategies

The need for pleasure & pain avoidance (meaningful life)

- increased stress reactions and down-regulation of pleasure - little or no dopamine release
- inhibits effective neural firing, neural growth and the proliferation of neural connections

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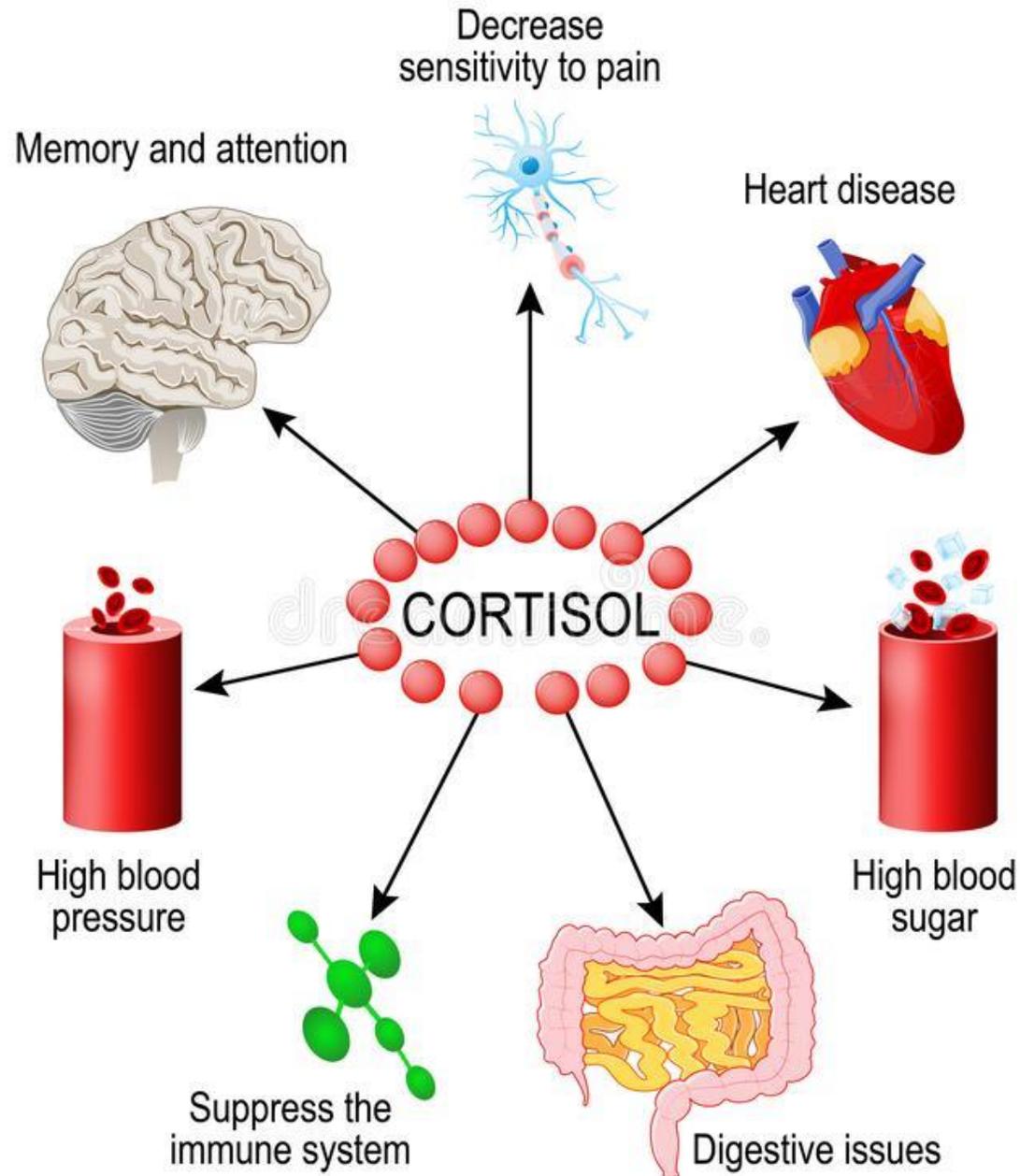
Stress Response



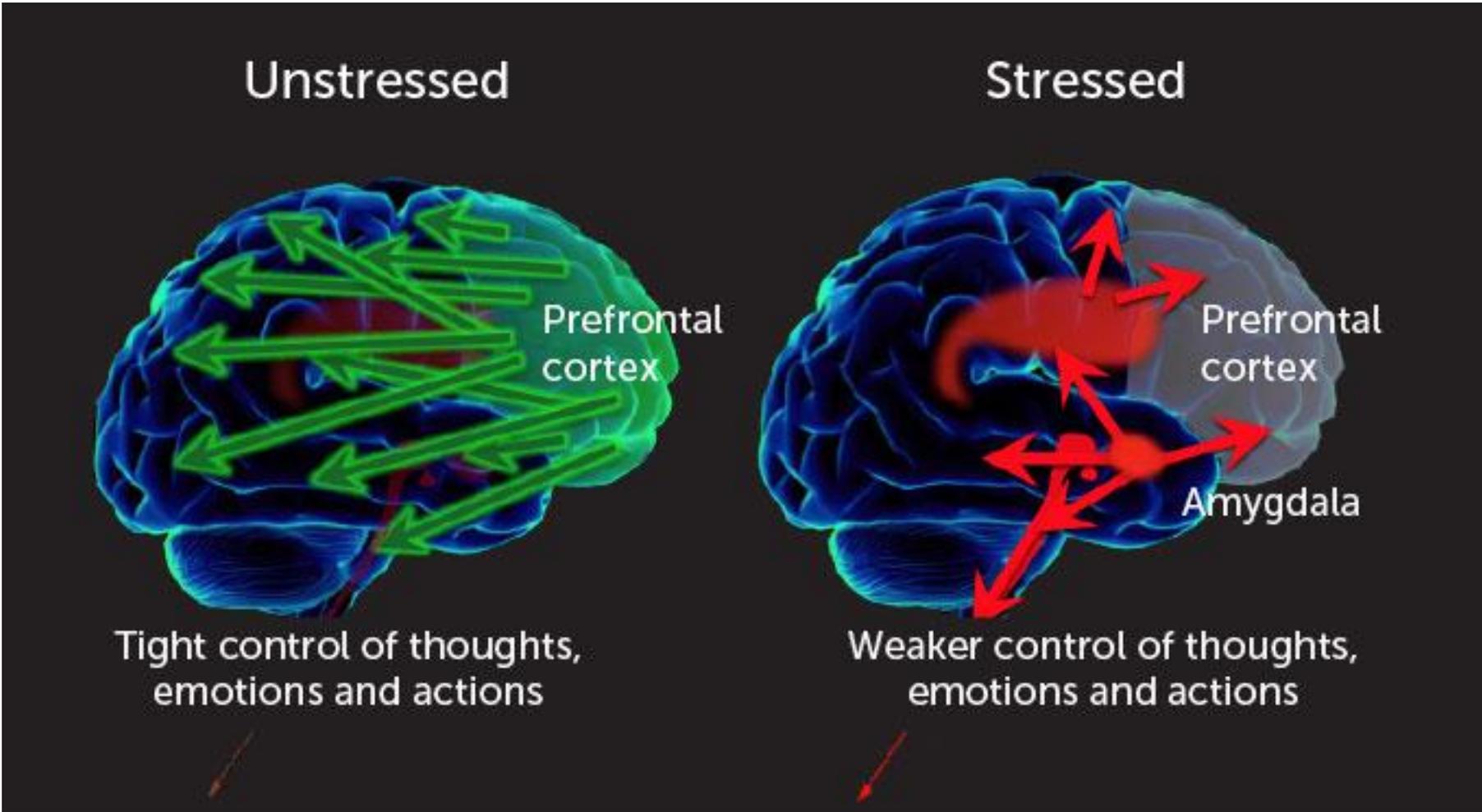
Adapted by Ruby Jo Walker from: Cheryl Sanders, Steve Hoskinson, Steven Porges and Peter Levine

rubyjowalker.com

<https://www.thequietway.com/cancer/fight-flight-or-freeze-our-response-to-chronic-stress-or-trauma/>



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<https://www.sciencenews.org/article/coronavirus-covid19-stress-brain>

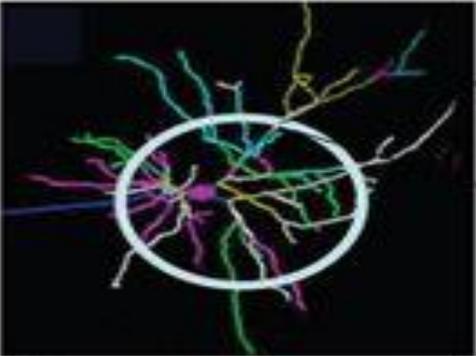
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Impact of Toxic Stress On Neurons



Persistent Stress Changes Brain Architecture

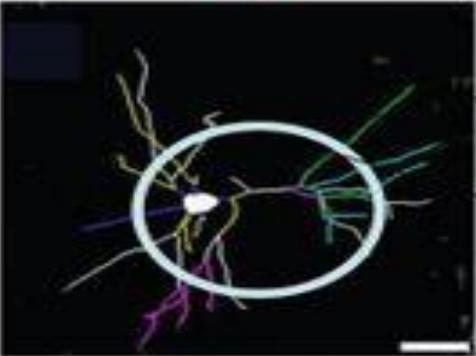
Normal



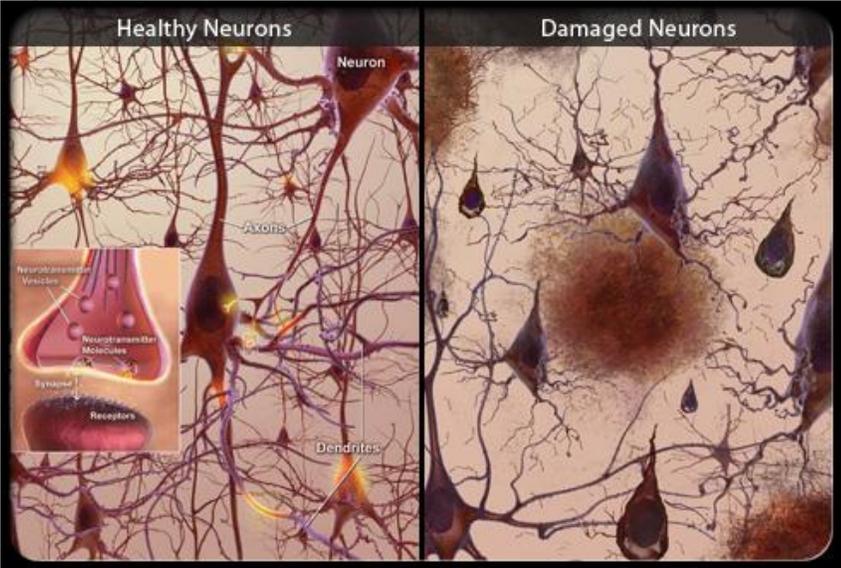
Typical neuron – many connections



Toxic Stress

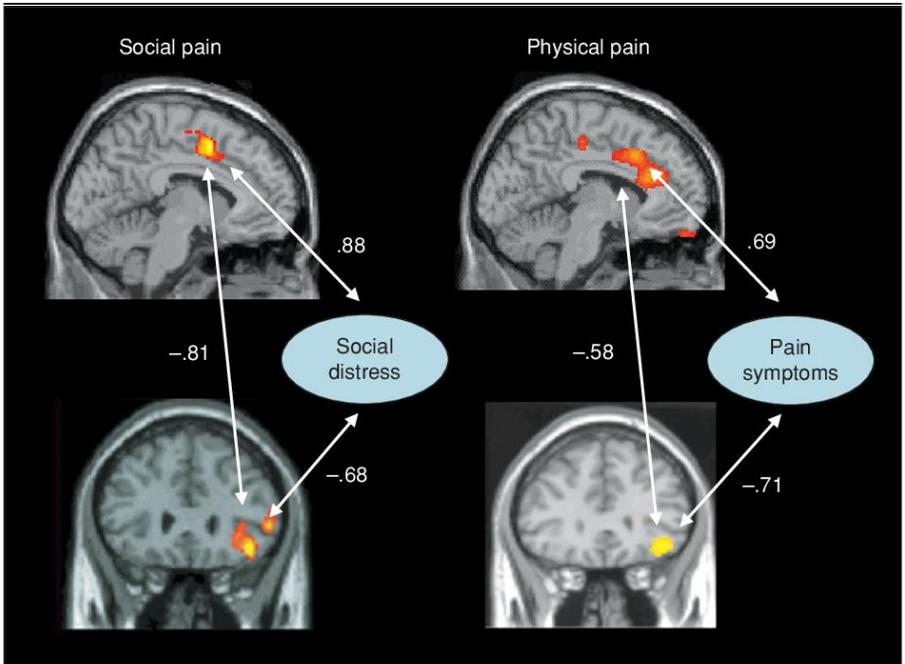
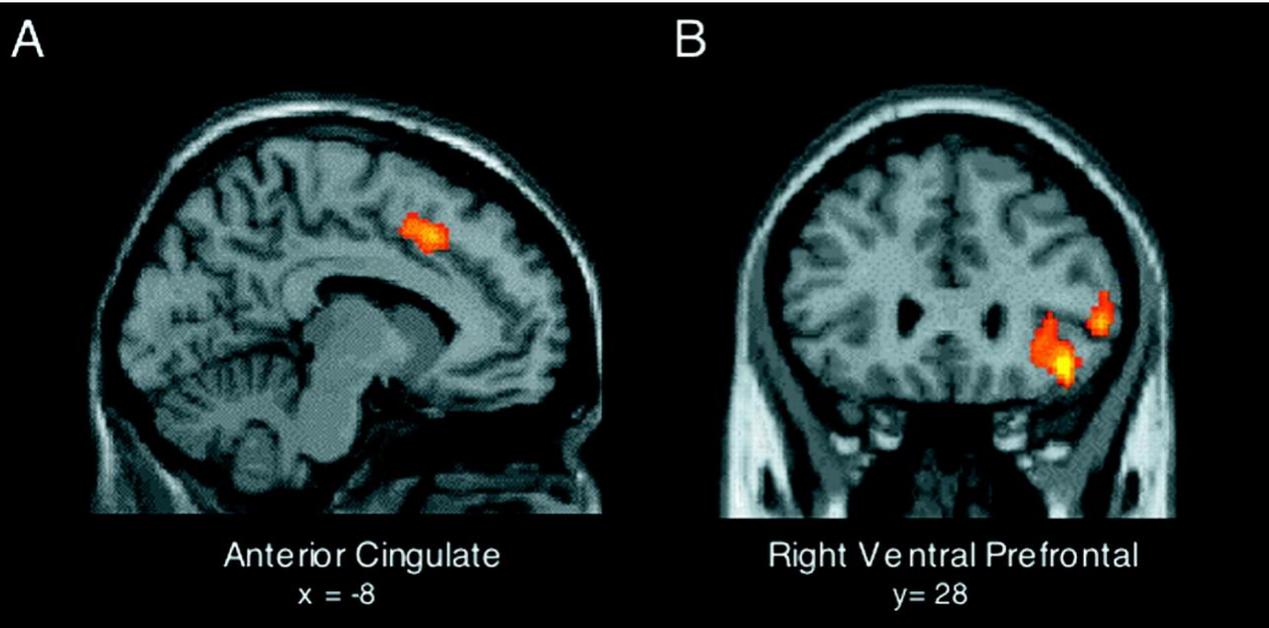


Damaged neuron – fewer connections



<https://www.youtube.com/watch?v=chhQc0HShCo>

Source: Center on the Developing Child at Harvard University (2007).

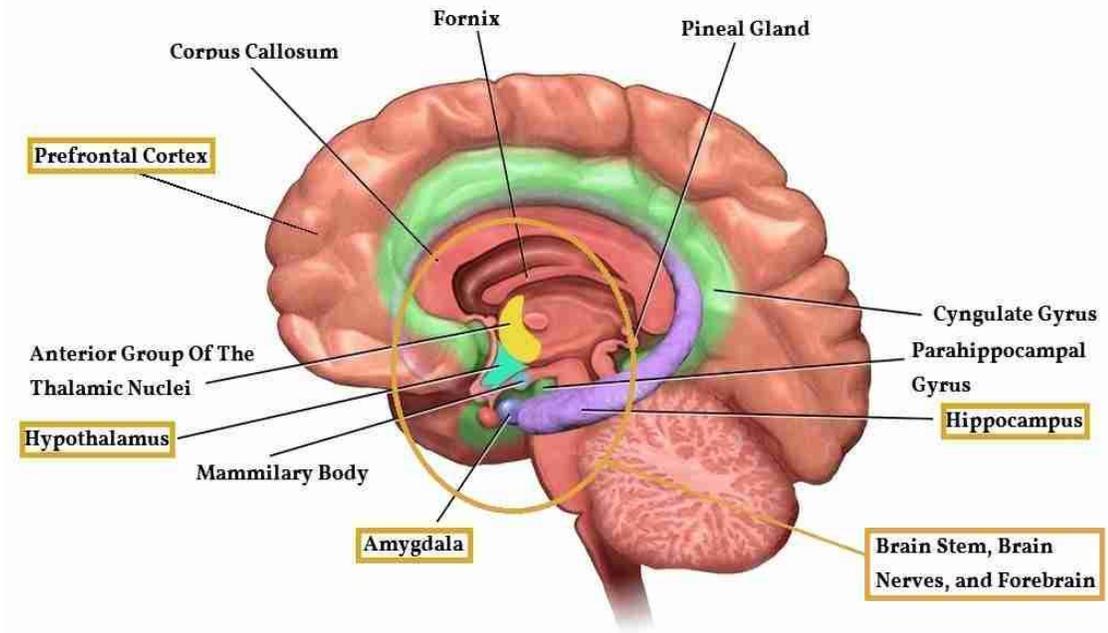


<https://www.semanticscholar.org/paper/Why-Rejection-Hurts%3A-What-Social-Neuroscience-Has-Eisenberger/3f9452c4773ef7ed13d887044b25bfa06340aff6>

Bullying and Neural Structures



- **Amygdala:** bullying upregulates the fear system, heightening activation
- **Putamen and caudate:** (Quinlan et al., 2020): movement/learning
- **Hippocampus:** overproduction of cortisol reduces the survival of new neurons
- **Corpus callosum:** fibres may be impacted (Teicher, 2010; Vaillancourt, 2008)
- **Anterior cingulate cortex:** rejection impairs the structural integrity of dACC, which upregulates the more primitive fear-based and survival systems,
 - empathy and moral code development are impacted
 - Eisenberger, Lieberman: social pain may use the same pathway as physical pain (dACC)
- **Prefrontal cortex:** damage results in changes of behaviour impacting social appropriateness and wellbeing, not activated in trauma
- **Peri-Aqueductal Gray:** self-protecting behaviours such as startling, hypervigilance, and cowering (Van der Kolk, 2015)



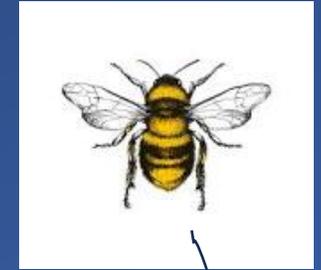
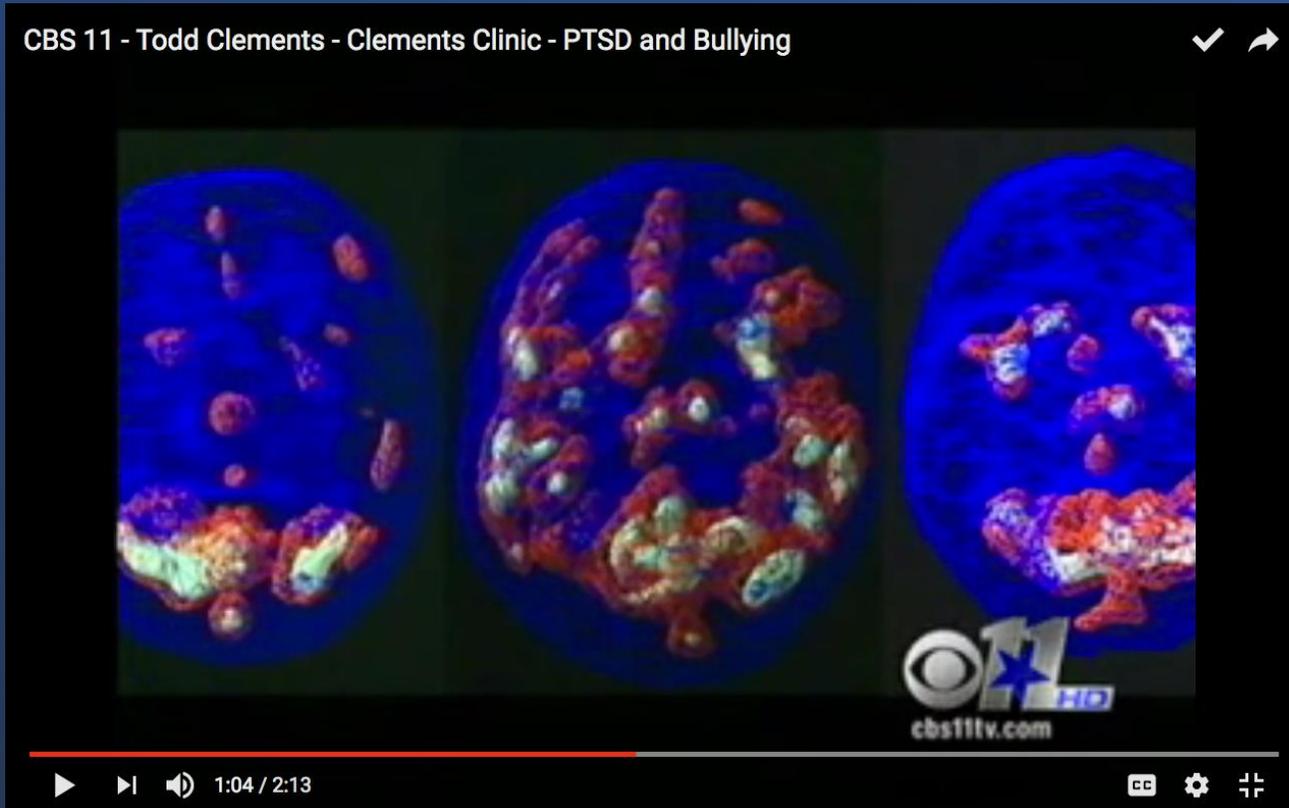
<https://www.freepik.com/free-photos-vectors/brain-structure>

Neurological Impact

Normal
Brain

Bullied
Brain

PTSD brain



Cognitive Functioning can be impacted e.g. memory, focus, concentration, retraining information, decision-making, behaviors, reactions, and inaction.

<http://www.clementsclinic.com>



Adult Study Nolve et al., 2018

- Smaller hippocampal volume
 - Researchers found no correlation between hippocampus volumes and the duration of work distress or the level of depressive and anxious symptoms
- Significant reduction in grey matter in the inferior temporal gyrus, left cuneus and the left inferior occipital gyrus (language areas)
- The researchers concluded that
 - Bullying had an impact on language and long-term memory processing
 - Hippocampal atrophy was related to occupational stress and to harassment in the workplace

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6111669/>

Psychological Impact on Bullied Employees

- Suicidal ideation is ten times greater in those who have been bullied
- 9 times the incidence of depression in frequently bullied employees
- 2-3 times greater reported sleep problems
- Lower cortisol levels indicating chronic stress
- Development of headache, fibromyalgia and neck pain
- Correlation with anxiety and Post Traumatic Stress Disorder symptoms
- Complex PTSD

Mikkelsen, E.G., Hansen, Å.M., Persson, R., Fosgrau, M. & Høgh, A. (2020). Individual consequences of being exposed to workplace bullying. Chapter 4 in S. Einarsen, H. Hoel, Zapf, D. & Cooper, C.L.: *Bullying and harassment in the workplace. Theory, research and practice* (3rd ed.). Boca Raton, FL; CRC Press. Taylor and Francis Group





Psychological Impact



Psychiatric injury
Anxiety/Panic Attacks
Poor Concentration and focus
Reactive Depression
Impoverished or intermittently functioning memory
Guilt/Shame
Suicidal Ideation
Flashbacks
Feelings of isolation
Insecurity
Feelings of desperation
Feelings of disbelief/confusion - why me?

Behavioural Impact



Tearfulness
Irritability
Angry outbursts
Obsessiveness (experience takes over your life)
Hypervigilance
Hypersensitivity
Mood swings
Indecision
Loss of humour
Increased reliance on drugs (tannin, caffeine, alcohol, prescription drugs)
Self-Harm
Avoiding people and places related to work
Wanting justice/revenge

Physical Impact



Sleeplessness
Fatigue
More frequent mid-sleep awakenings
Headaches/migraines
Back pain
Chest pain or angina
Muscular pain, chronic muscle pain
Sweating
Trembling
Increased blood pressure
Emotional numbness
Irritable bowel syndrome
Weight gain/loss
Skin irritations and disorders

Financial Impact



Reduced income due to long term sickness absence
Loss of income from leaving job
Inability to complete job applications
Applying for jobs at a much lower level of seniority/pay
Only feel able to work part time - eventually
Increasing debts
Selling personal items
Selling home
Unable to work for another company ever again

Effect on Personality



Shattered self-confidence and self-esteem
Low self-image
Loss of self-worth and self-love
Strong feelings of fear
Shame
Embarrassment
Guilt

"Most of all, I lost myself"

Physical Illness and Sickness Absence



- 2 times the incidence of cardiovascular disease
- 1.5 times the incidence of development of diabetes
- Greater sickness-absence and intent to leave, presenteeism
- Early retirement and disability pension

Mikkelsen, E.G., Hansen, Å.M., Persson, R., Fosgrau, M. & Høgh, A. (2020). Individual consequences of being exposed to workplace bullying. Chapter 4 in S. Einarsen, H. Hoel, Zapf, D. & Cooper, C.L.: *Bullying and harassment in the workplace. Theory, research and practice* (3rd ed.). Boca Raton, FL; CRC Press. Taylor and Francis Group
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Personal and Organizational Characteristics That Interact With Bullying



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Institutional Betrayal

Smith & Freyd, 2014, 2017,
Smidt & Freyd, 2018)

<https://www.institutionalcourage.org/>



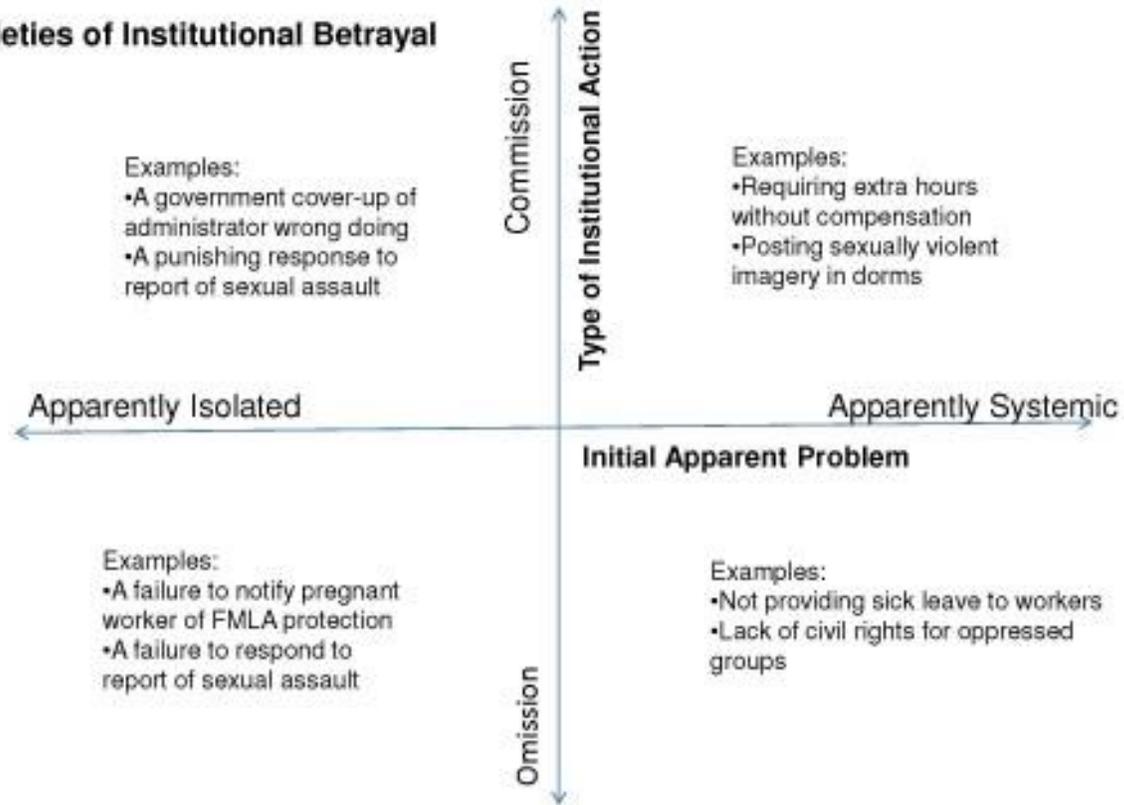
- Wrongdoings perpetrated by an institution upon individuals who are dependent on that institution, including failure to prevent or respond supportively to wrongdoings by individuals within the institution’s context.”
- Failure to prevent or respond supportively to wrongdoings within the institution when there is a reasonable expectation of protection.
- Origins in research around betrayal of trust and safety in the context of attached relationships
- Trust and dependency needs result in the expectation that these organizations are safe – the psychological contract of safety.

- Lack of or not following policy, procedures, training
- Ignoring bullying culture
- Deny Accuse Reverse Victim Offender: DARVO
- Use of the performance system to get rid of someone
- Inappropriate use of mediation
- Poorly conducted investigations
- Unfair sick leave
- Refusal to accommodate
- Lack of support by the organization or union
- Multiple confusing policies

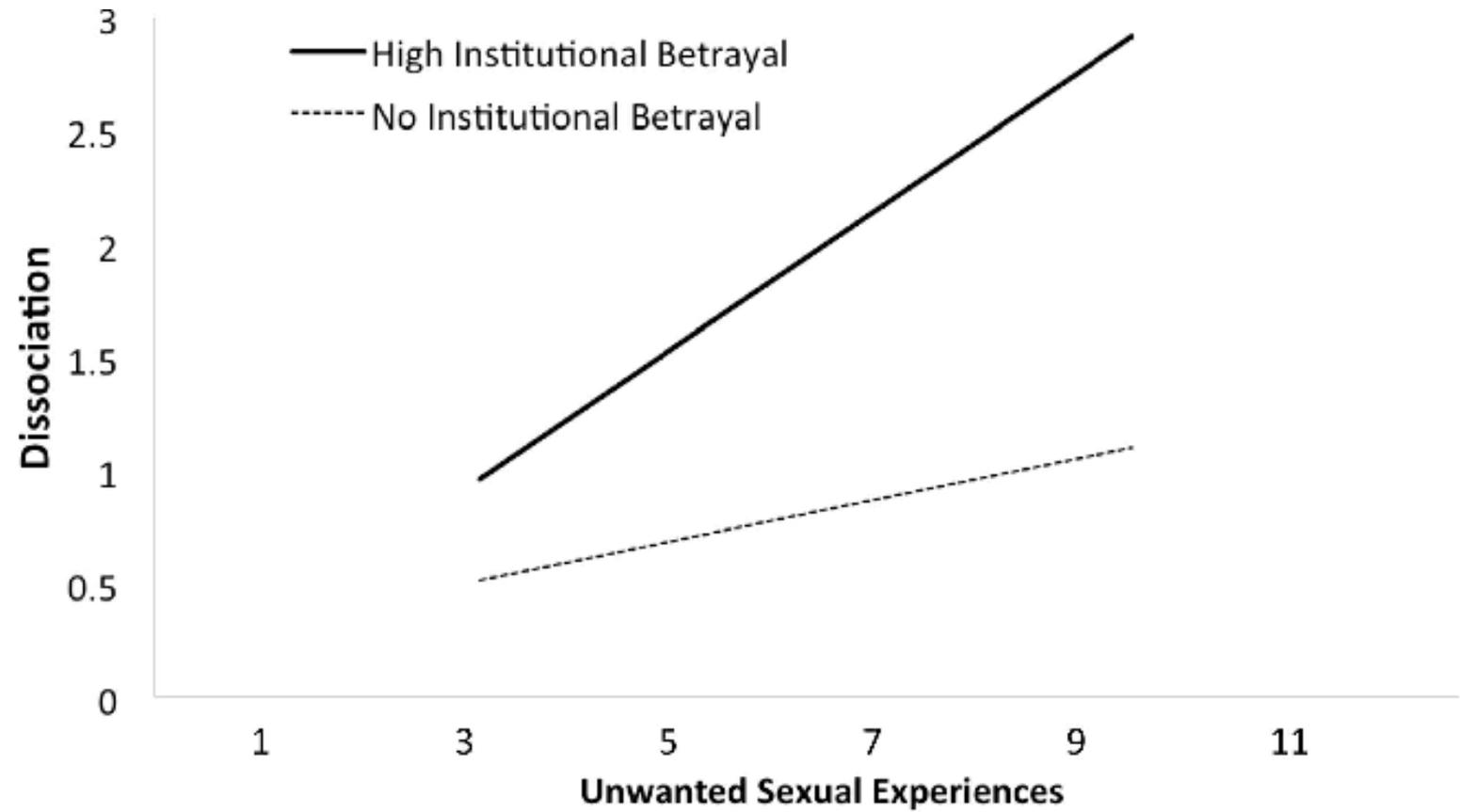




Varieties of Institutional Betrayal



Copyright © 2013, Jennifer J. Freyd and Carly P. Smith

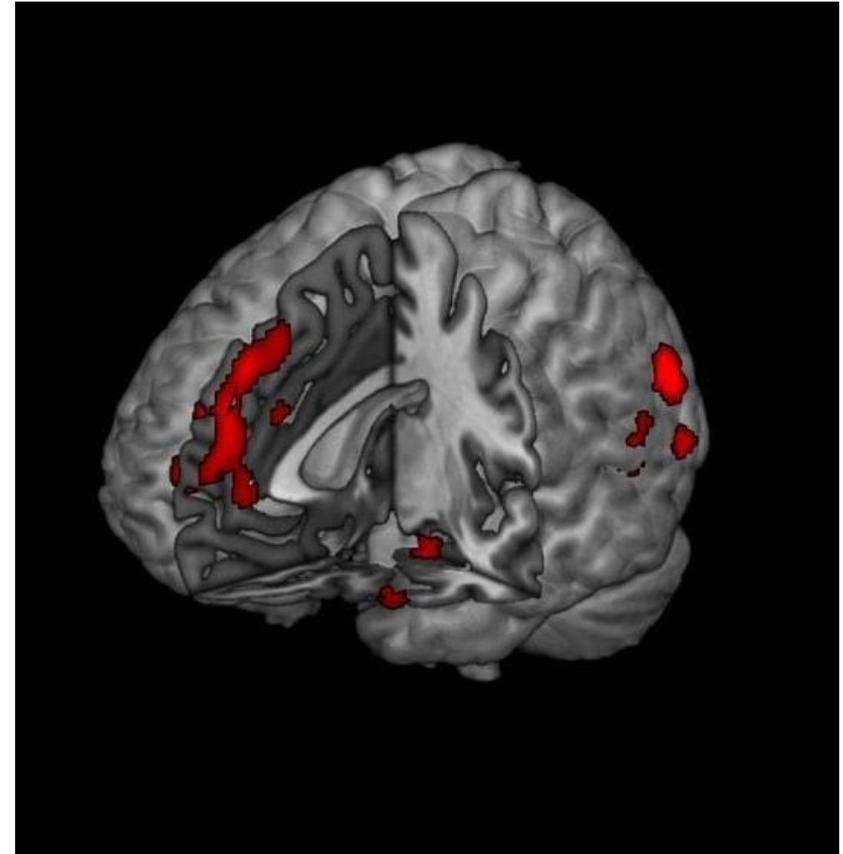


<https://www.institutionalcourage.org/>



Belief in a Just World

- We are socialized to believe that good is always rewarded and evil is punished.
- The just-world hypothesis refers to our belief that the world is fair and, consequently, that the moral standings of our actions will determine our outcomes.
 - belief that those who do good will be rewarded, and those who exhibit negative behaviors will be punished.
- Some people react more strongly to injustice than others
- Researcher has shown that “Individuals who are sensitive to justice and fairness do not seem to be emotionally driven. Rather, they are cognitively driven.”
- Target ruminate extensively on lack of justice



“The Good, the Bad, and the Just: Justice Sensitivity Predicts Neural Response during Moral Evaluation of Actions Performed by Others” by Keith J. Yoder and Jean Decety in Journal of Neuroscience. Published online March 19 2014 doi:10.1523/JNEUROSCI.4648-13.2014

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Moral Outrage

- Moral outrage is a type of anger that often feels good, healthy, and even productive.
- Typically felt it after witnessing or being the victim of an injustice.
- Anger can become unhealthy, depending on how someone uses this emotion
- Moral outrage can lead the way to judgment and the desire for retaliation, even vengeance, which can quickly escalate toward abuse or violence
- Moral outrage can be productive if it guides us toward justice and healing.
- BUT, it can quickly overwhelm us if used to harm others or elevate ourselves
- In workplace bullying, a strong belief in a just world, coupled with institutional betrayal, can lead to a lasting outrage that destroys a life



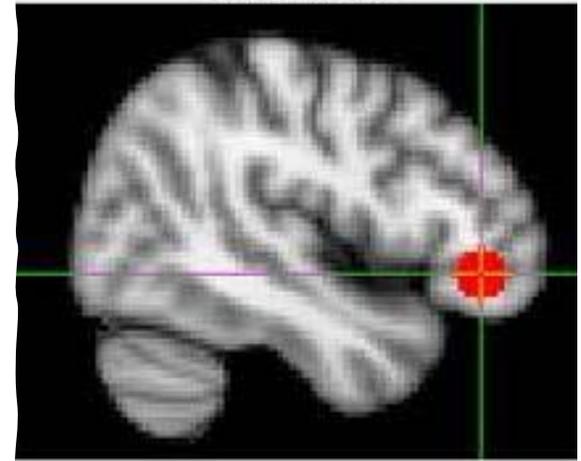
Revenge



<https://www.psychologytoday.com/ca/blog/the-harm-done/201811/the-neuroscience-revenge>



The VLPFC Region-Of-Interest
(side-view)



- After suffering an offence, it's almost inevitable not to want the other person to suffer the same way. Feeling this way is neurologically and emotionally normal.
- most people will reflect on the situation, manage their emotions properly, hold back their rage, and then move on.
 - The process of moving on happens in the dorsolateral prefrontal cortex, where self-control processes are present.
- The trigger for most acts of revenge seems to be rejection. Rejection is that anguished feeling when someone is separated from something that was meaningful to them.
- Revenge starts in the amygdala, with fear, security, and trust disappear
- Anger and urge to punish emerge, and punishment is rewarding
- Then, the superior temporal gyrus works alongside the amygdala. These two areas intensify the need for a vengeful act
- Then the dorsolateral prefrontal cortex engages to appease emotional intensity

Managing revenge in the legal and investigational process: How do you do this?

Generalized Negative Reciprocity



- Targets will “payback” unfair behaviour
- This is transferred even to those who have not been involved (generalized)
- There needs to be a suitable outlet for negative feelings to calm emotions, making it possible not to transfer negative emotions to uninvolved persons and to be more rational
- A study showed that the best way to calm negative emotions was to write an email complaint to the perpetrator, although it was irrelevant whether the perpetrator received the email

“Generalized Negative Reciprocity in the Dictator Game – How to Interrupt the Chain of Unfairness” by Sabrina Strang, Xenia Grote, Katarina Kuss, Soyoung Q. Park and Bernd Weber in *Scientific Reports*. Published online February 29 2016 [doi:10.1038/srep22316](https://doi.org/10.1038/srep22316)

Moderators

Organizational and personal resilience
Treatment, Disability management

Clarity/forgiveness seeking, ingratiation, abuse, defensive ostracism, acceptance, resignation

Antecedents

(target/perpetrator, organization)



Exposure

Activation of social monitoring system



Threatened Needs:

Belonging, control, self-esteem, meaningful existence



Activation of General Stress Response

freeze, flight, fight, collapse



Coping Attempts



Exhaustion and Injury



Development of Injury

dACC discrepancy detection and distress

Periaqueductal grey activation

Social pain: impairment in thought, regulation
Increased NE, CRH, adrenalin, cortisol
Decreased blood flow to PFC, GABA, dopamine



Start a Movement

Bee the Change

Strategies for Creating a Culture of Respect and Inclusion

Institutional Courage

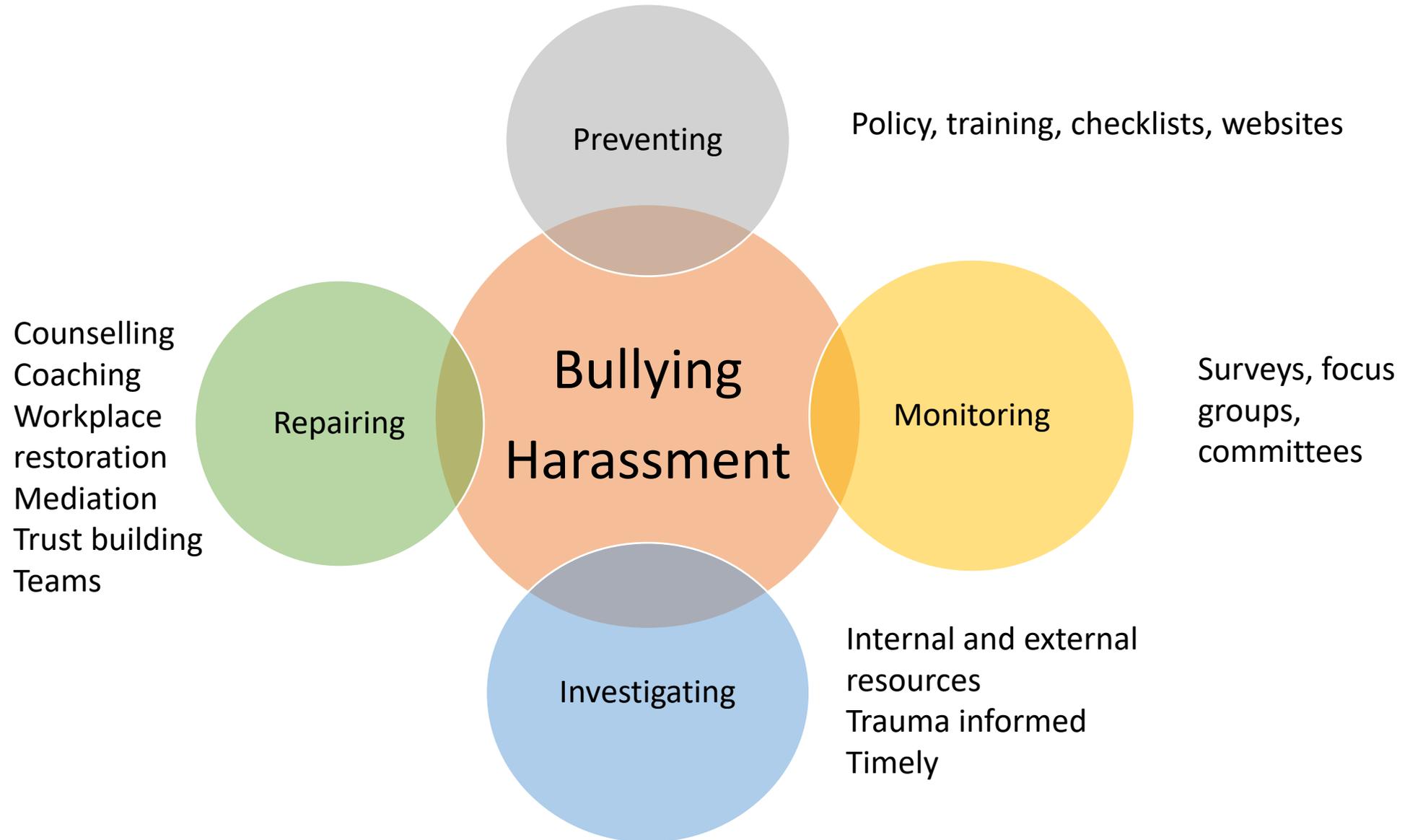


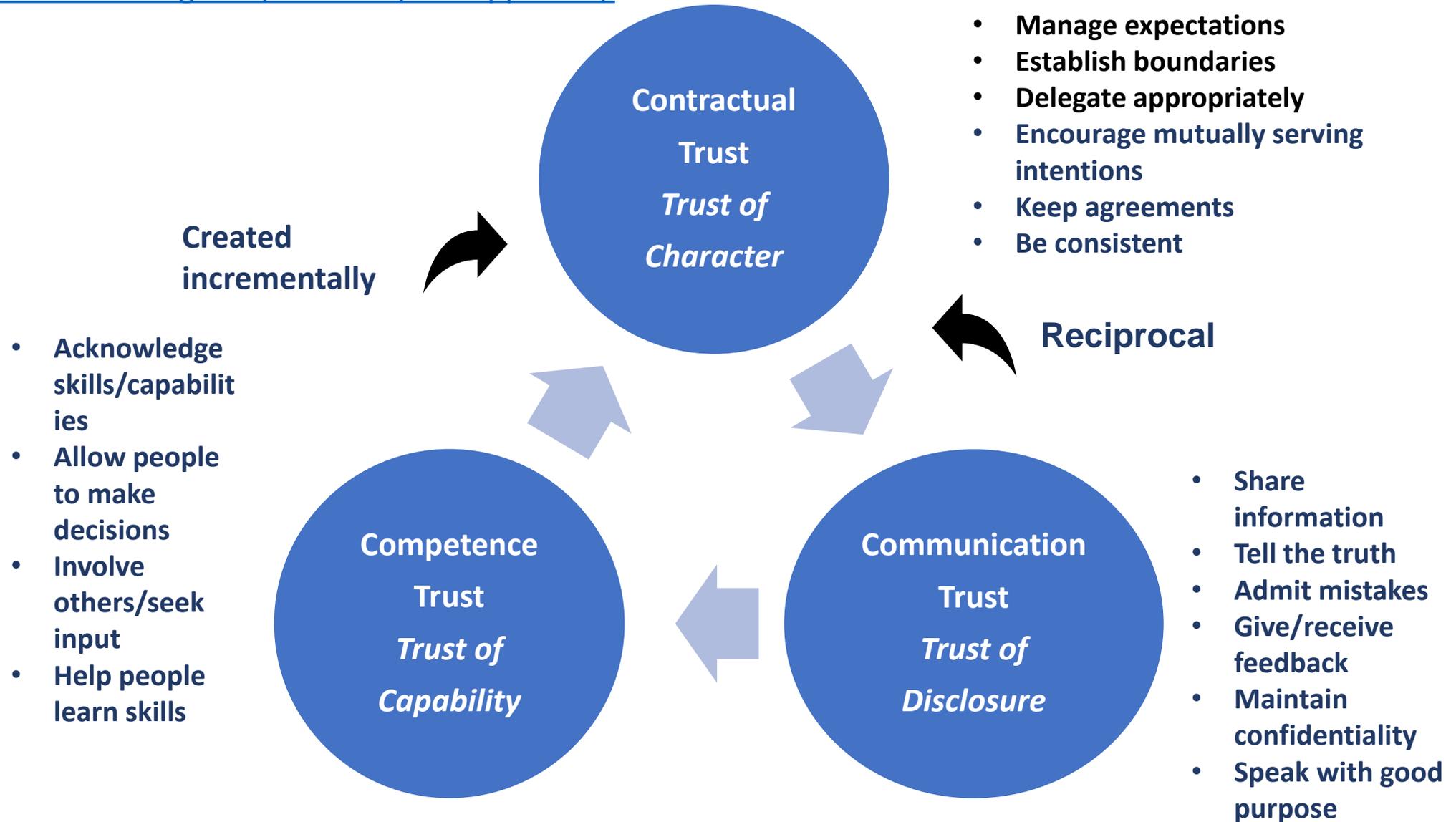
An institution's commitment to seek truth and engage in moral action despite unpleasantness, risk, and short-term cost. It is a pledge to protect and **care for** those who depend on the institution.

<https://www.institutionalcourage.org/knowledge-base-and-research-priorities#:~:text=Institutional%20courage%20includes%20institutional%20accountability,the%20antidote%20to%20institutional%20betrayal.>



A Guiding Model for a Management System





Change Behaviour In Order of Effectiveness

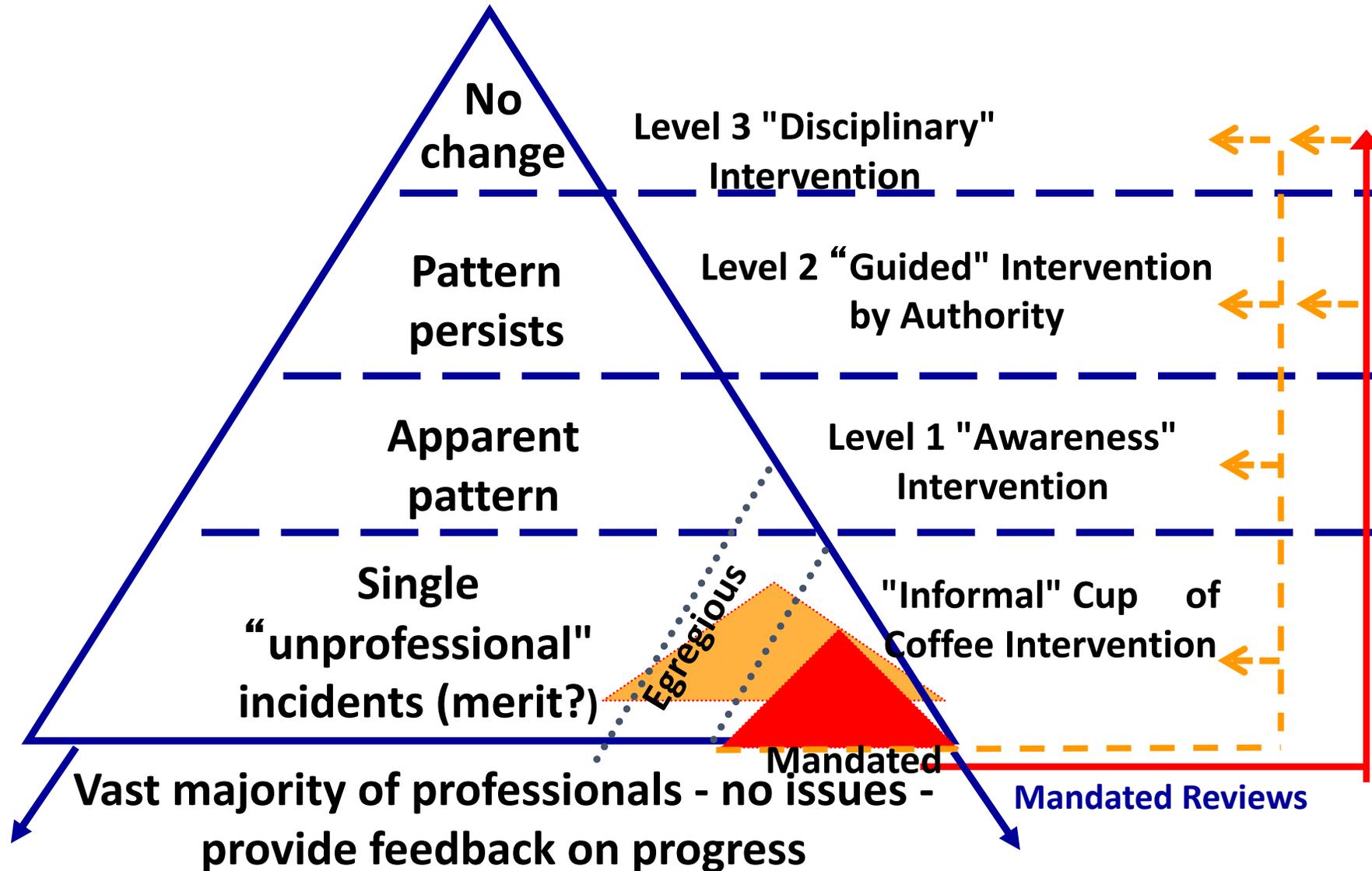


1. Reinforce and reward good behavior
 - is inconsistent with and blocks the bad behavior.
2. Reinforce good behavior
 - role-modelling from senior people (indeed from all of us)
 - performance reviews
 - other forms of acknowledgement
3. .Punish bad behavior
4. "Name" what is good behavior and bad behavior
5. Ignore bad behavior (and good behavior)
6. Reward bad behavior
7. Alternately reward and punish bad behavior --- this may cast it in concrete forever

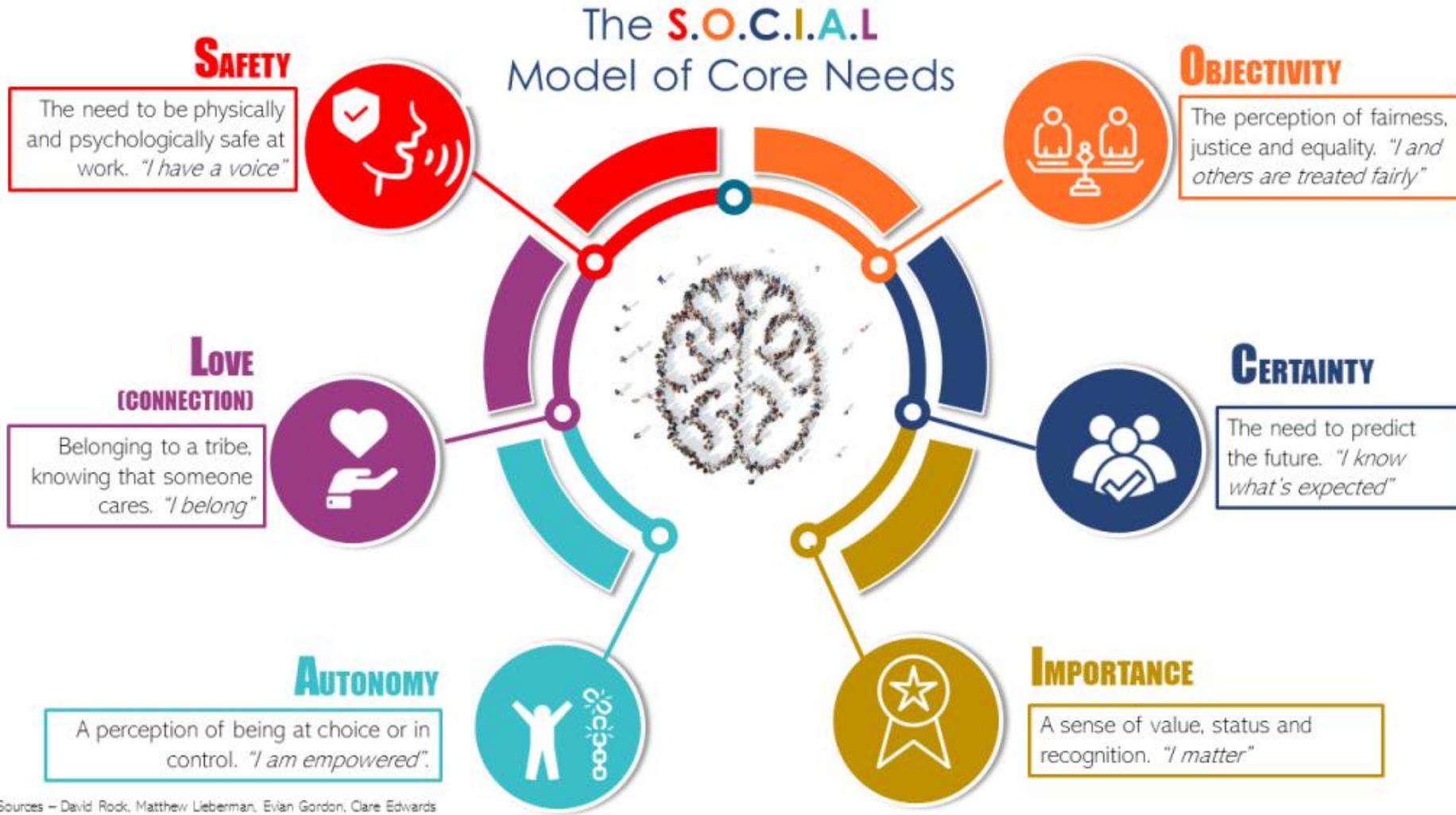
(Keashly, 2015. used with permission from the MIT Ombuds Office, MIT 10-213, Cambridge, MA 02139)

•

Address Behavior



What Behaviors Show Each Factor?



Shared Norms: Discussion Points For Teams

- I feel respected when ...
- I feel disrespected when
- If you have a concern or complaint that you would like to address with another group member, what will you agree to do?
- If you are the receiver of a complaint, what will you agree to do?
- If both parties make a good-faith effort to resolve the problem but cannot, what are the options?
- If one party initiates a conversation with a colleague about an issue with a third person in the department, what should the person approached do? What should they not do?
- How do we create a culture of forgiveness?



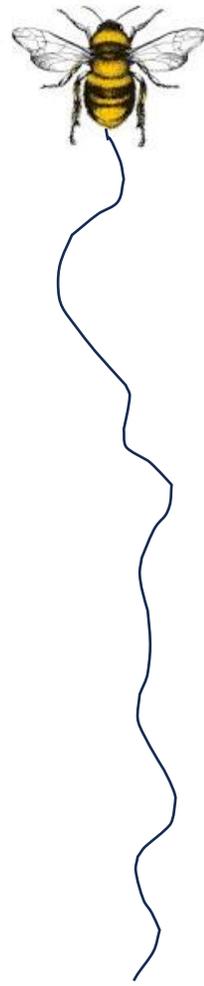
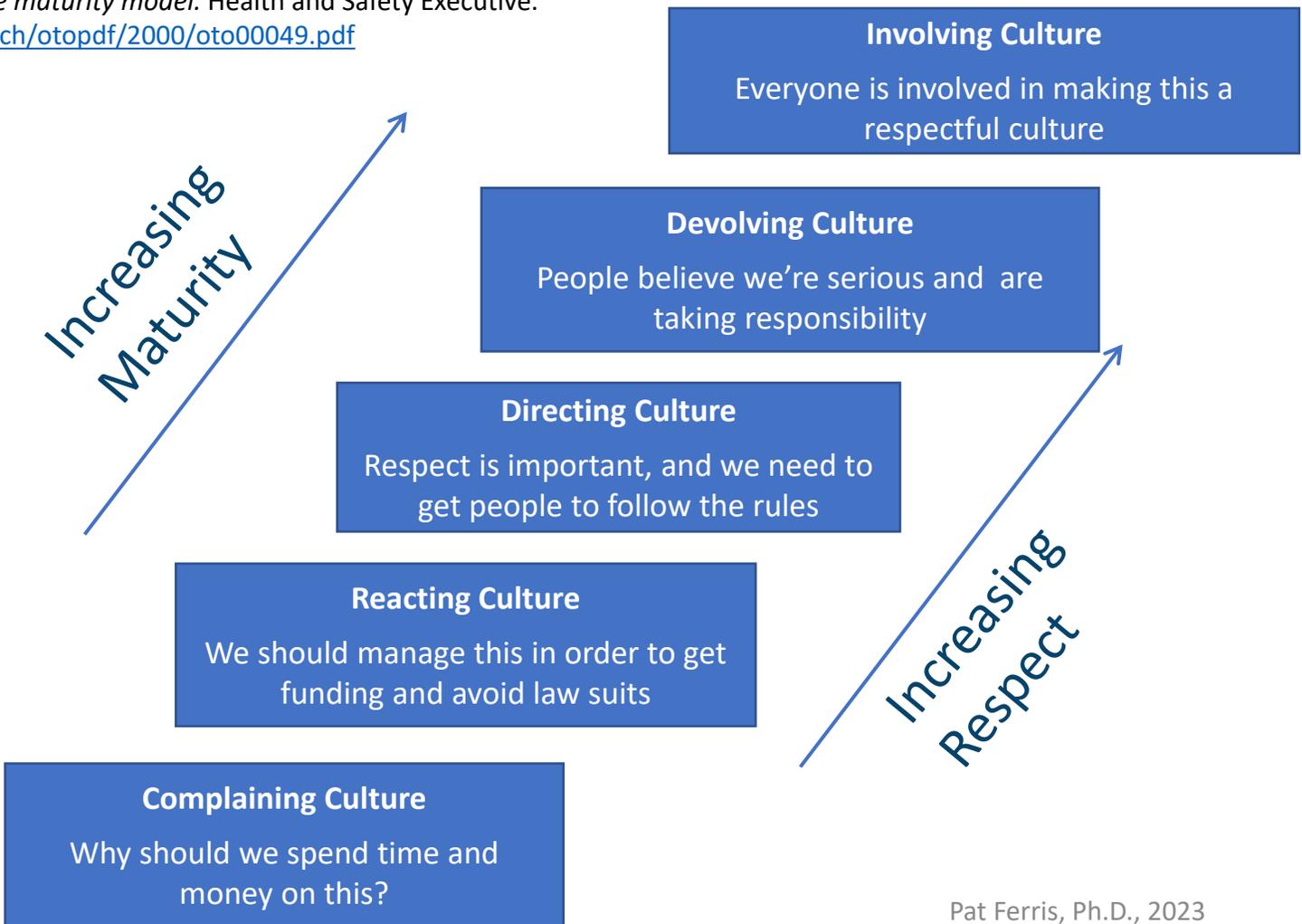
<https://www.freepik.com/free-photos-vectors/healthcare-team>



EDIT Culture Growth

- **E: Engage**
 - At every level, know your people
 - Be present: Attend meetings and gatherings
 - Support initiatives
- **D: Discuss**
 - Tell stories at every meeting that reflect demonstrating respectful behavior
- **I: Intervene**
 - Monitor behavior and intervene early in concerning behavior
 - Reward positive behavior
 - Provide adequate resources
- **T: Train**
 - Train everyone on respectful behavior and how to build a respectful culture

Adapted from Keil Center. (2001). *Safety culture maturity model*. Health and Safety Executive.
Available free at <http://www.hse.gov.uk/research/otopdf/2000/oto00049.pdf>





Your Commitment?

What three actions will you take to create respect at work?

- 1.
- 2.
- 3.

“Lt. Gen. David Morrison (Australian Chief of Army) 2013 speech

*“Show moral courage and take a stand.
The standard you walk past is the
standard you accept.”*

Web Resources

- <https://workplacebullying.org/>
- <https://workplacebullying.org/>
<https://positivepsychology.com/workplace-bullying/>
- <https://stopbullyculture.com/>
- <https://www.eeoc.gov/harassment>
- <https://www.osha.gov/workplace-violence>





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Reflecting DEIJ in Strategic Planning

Presented by

Kell Arbor, Pride Center of Vermont

Jessica Savage, Vermont Council on Rural Development

Reflecting Diversity, Equity, Inclusion and Justice in Strategic Planning

Kell Arbor (they/them), Pride Center of VT

Jessica Savage (she/her), VT Council on Rural Development



So what do we
mean anyway?

DEIJ: a party?



Strategic Planning: huh?

Hallmarks of Organizations That are Ready

- Strong Infrastructure
- No Silos
- Committed Leadership
- Culture that Welcomes Change, Discomfort, Imperfection, Learning
- Mindset of Abundance
- Others?



Hallmarks of a Great DEIJ Infused Strategic Plan

- Transparency and accountability to others outside of your organization
- Authentic expression of commitments
- Engagement with community stakeholders
- Clarity and simplicity of language
- Full team commitment including leadership
- others?

Resources

- Short Read: [How to Integrate Diversity, Equity, and Inclusion into Everyday Operations](#)
- Handbook: [Beyond Diversity – A Roadmap to Building an Inclusive Organization](#)
- Handbook: [Awake to Woke to Work – Building a Race Equity Culture](#)
- Foundational Read: [White Privilege – Unpacking the Invisible Knapsack](#)
- Handbooks: [Speak Up](#) and [CALLING PEOPLE IN](#)
- Short Reads: [The ABC's of L.G.B.T.Q.I.A.+](#) and [Everyday words and phrases that have racist connotations](#)
- Do/Take Short Tests (IAT): [Implicit Bias Modules](#)
- Short Reads: [DiversABILITY](#) and [Disability Etiquette Re-imagined](#)
- [White Supremacy Culture](#)
- [3 Examples of Great DEI Strategic Plans from the Public Sector](#)
-



Training & Educating for DEIJ

Presented by

Nikki Fuller, State of Vermont

Rachel Edens, State of Vermont



TRAINING & EDUCATING FOR DEI

OCTOBER 26, 2023



Rachel Edens

Rachel is the Director of Race, Gender, Equity, and Accessibility at Vermont DCF. She is an advocate, activist, educator, writer, and organizer dedicated to promoting equity for under-represented, non-dominant, and marginalized communities and individuals. Her work focuses on advancing equity across all intersections of identity, educating for civic engagement, and community asset building.



Nikki Fuller

Nikki is the Deputy Commissioner of the Vermont Department of Human Resources. She is a certified HR and diversity & inclusion professional with over 20 years of experience in supporting Vermont businesses, schools, government, healthcare institutions and non-profit agencies in their DEI endeavors.

AGENDA

- The Headlines
- Key Strategies
- Key Takeaways
- Q&A



THE HEADLINES

**Florida Gov. Ron DeSantis
signs a bill banning DEI
initiatives in public
colleges**

May 15, 2023
NPR

The Assault on DEI

October 6, 2023
*The Chronicle of Higher
Education*

**UNT Dissolves DEI Office;
South Carolina Bans
Diversity Statements,
Training.**

August 21, 2023
Insight into Diversity

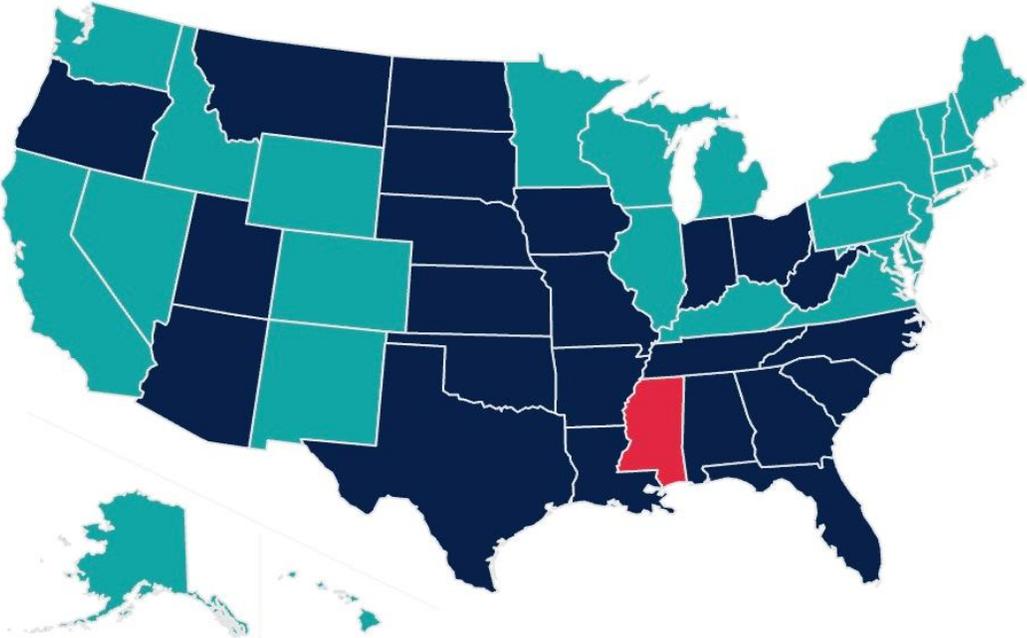
**Republicans Ban All Racial
Diversity Offices Inside
Military**

Jul 14, 2023
Newsweek

States Where DEI Legislation Has Been Introduced, Been Approved, or Failed

Hover over states for Bill details.

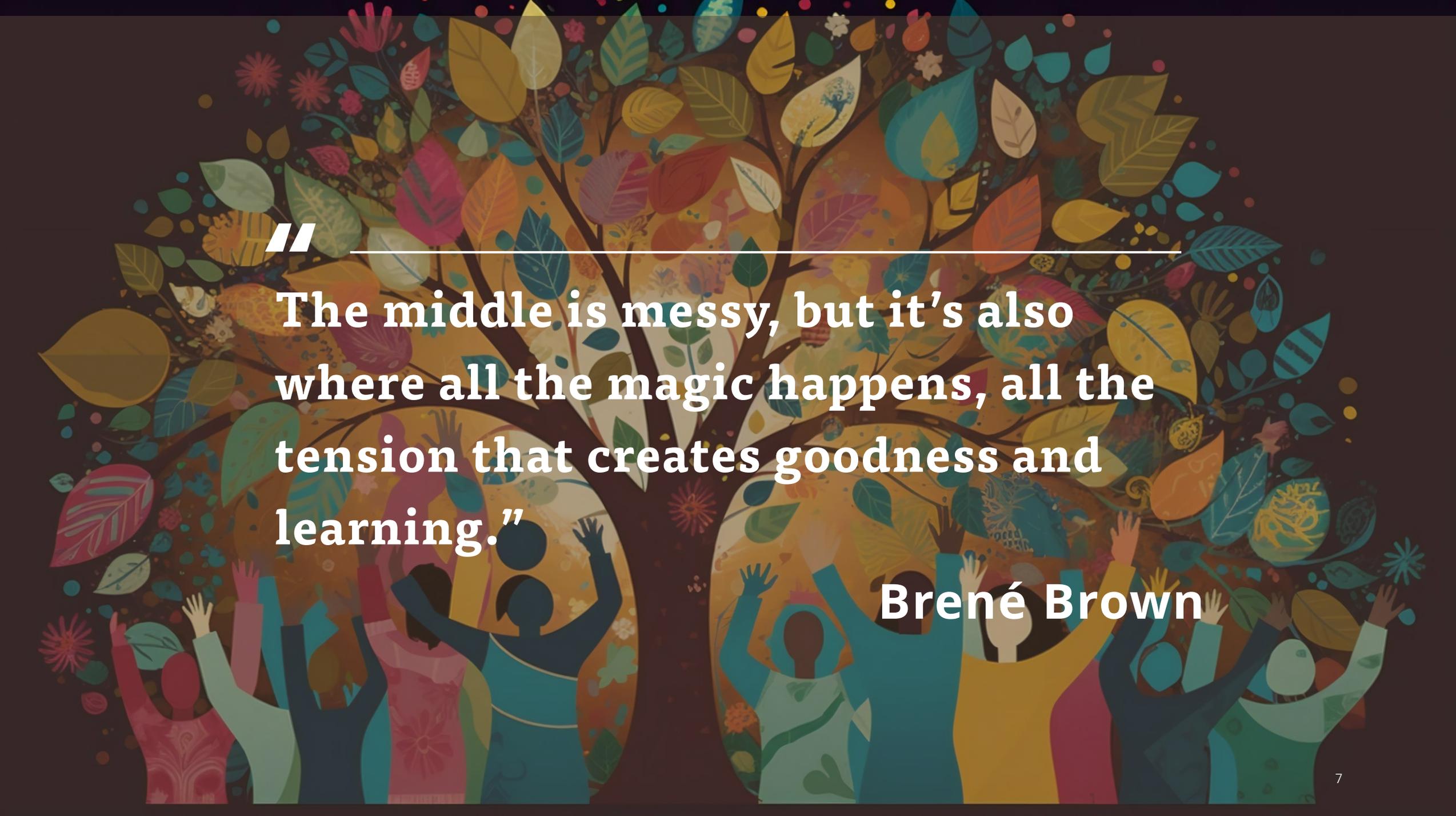
■ On watch ■ Bills Introduced or Approved ■ No Bills





KEY STRATEGIES

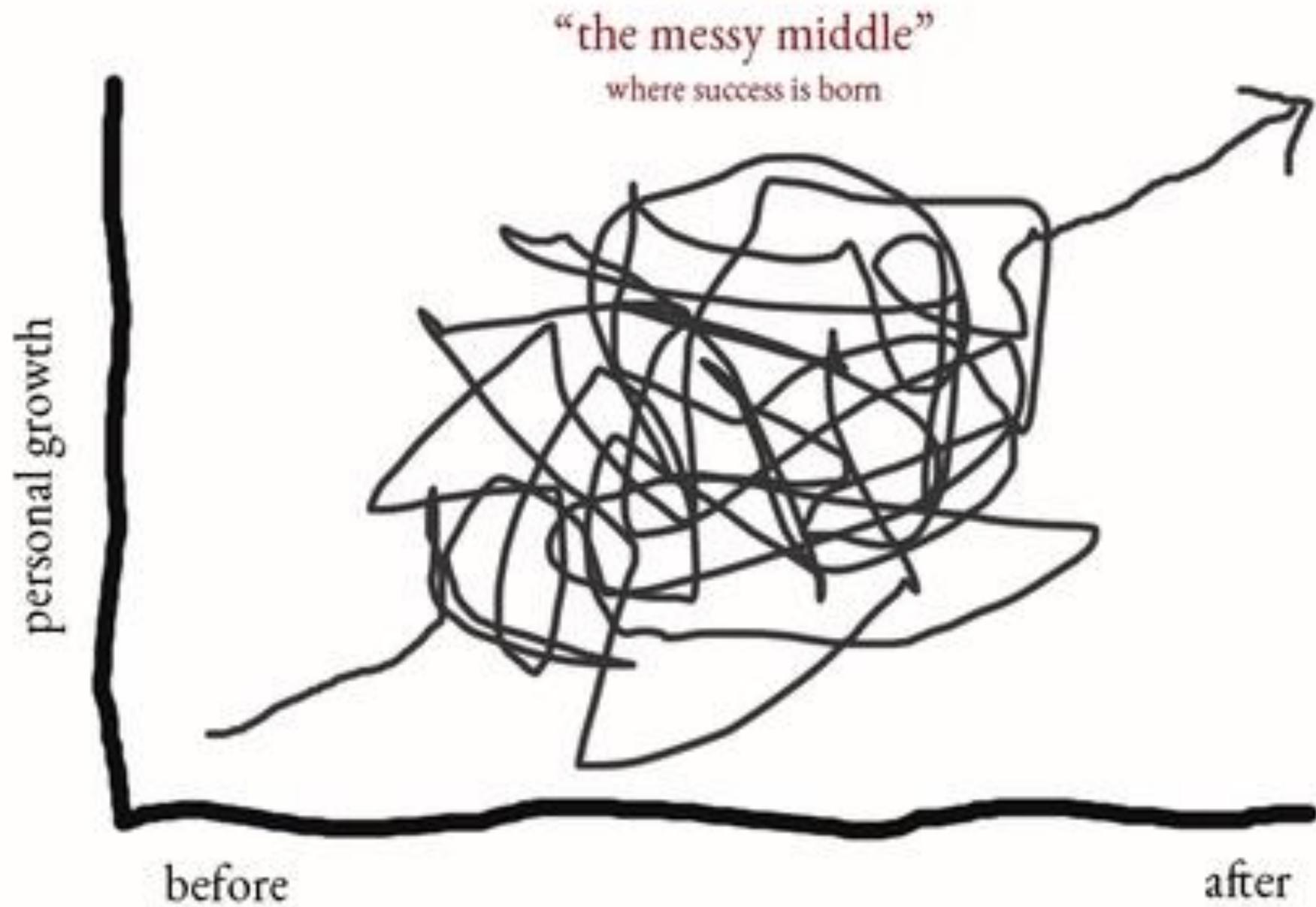
- Step back to get perspective.
- Create a roadmap.
- Be intentional in defining diversity
- Accept the messy middle
- Stop training and start facilitating
- Flip the script
- Focus on the systems or lack thereof
- Let learning and growth happen everywhere.



“

The middle is messy, but it's also where all the magic happens, all the tension that creates goodness and learning.”

Brené Brown





NIKKI'S KEY TAKEAWAYS

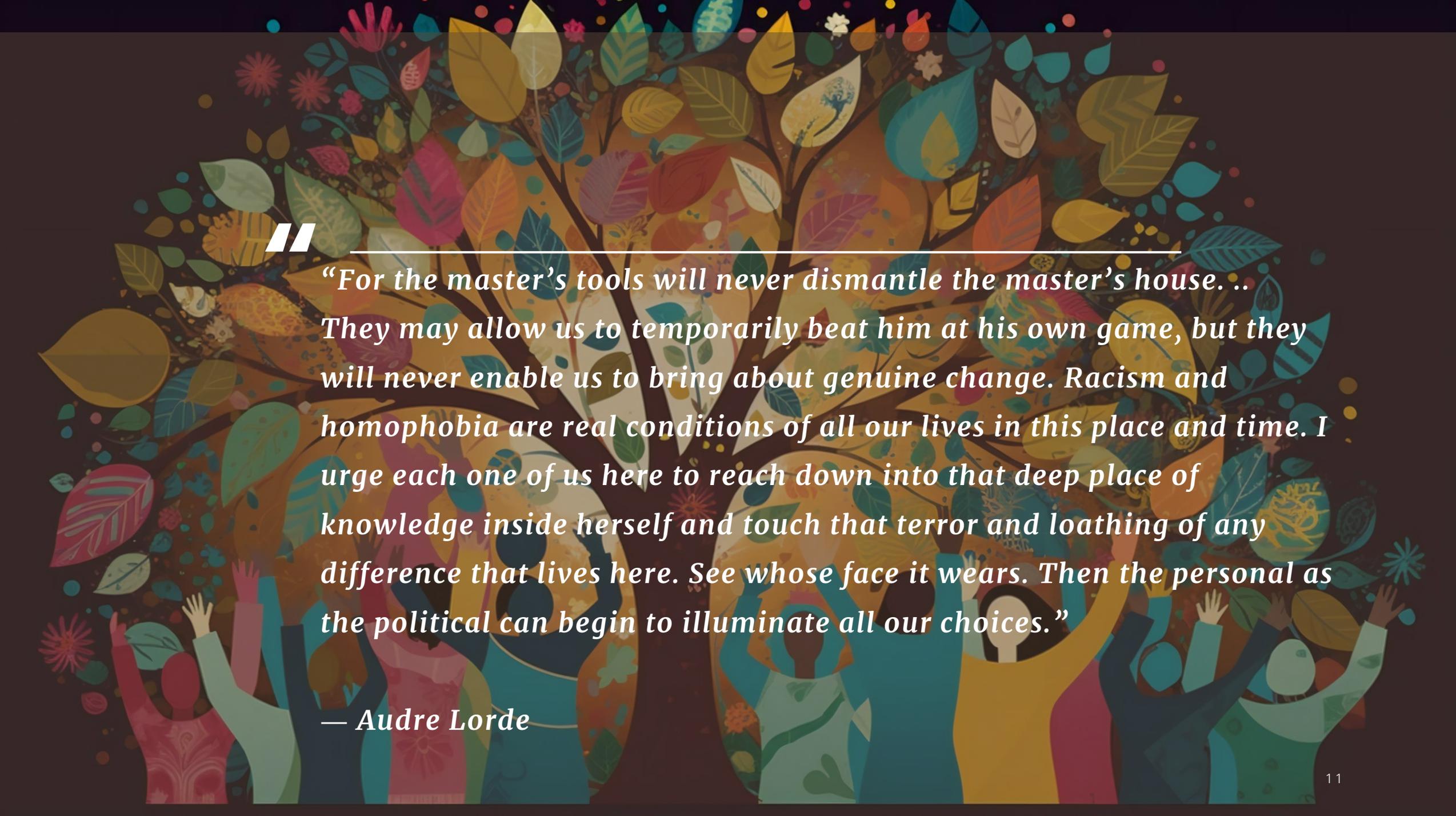
- The landscape is always changing so watch your step.
- Plan, replan, start again...
- Make sure that everyone is speaking the same language.
- Consider training facilitators instead.
- Humans are messy.
- Focus on the 60%
- Experiences matter more.
- Commit to changing the “this how we always do it.” mindset



RACHEL'S KEY TAKEAWAYS

- Culture and communication are essential to the success of DEI training and systems change
- Radical Candor = Care Personally + Challenge Directly
- Community building and trust through narrative and vulnerability





“For the master’s tools will never dismantle the master’s house. . . They may allow us to temporarily beat him at his own game, but they will never enable us to bring about genuine change. Racism and homophobia are real conditions of all our lives in this place and time. I urge each one of us here to reach down into that deep place of knowledge inside herself and touch that terror and loathing of any difference that lives here. See whose face it wears. Then the personal as the political can begin to illuminate all our choices.”

— Audre Lorde



THANK YOU