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THE VERMONT ADVISORY COMMITTEE
TO THE
U.S. COMMISSION ON CIVIL RIGHTS

PUBLIC HEARING

Held on Tuesday, November 4, 1997,
at the Sheraton Hotel & Conference
Center, Burlington, Vermont.

COMMISSION MEMBERS: Kimberly B. Cheney, Chairperson
Ms. Pat Elmer
M. Jerome Diamond, Esq.
Ms. Karen F. Saudek
Philip H. Hoff, Esq.
Dr. Charles E. Johnson
Mr. John Tucker
Mr. Marc D. Pentino
Dr. Samuel B. Hand
Dr. Melanie Susan Gustafson

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(Commencing at approximately 1:12 p.m.)

1
2 MR. CHENEY: We're going to start the
3 program. If I could have people's
4 attention. I'd like to start the program.
5 First of all, I want to welcome both the
6 committee members and the folks assembled on
7 behalf of the Vermont Advisory Committee to
8 the U.S. Civil Rights. We welcome all of
9 you, state officials, community leaders,
10 parents, and students and others to this
11 forum on racial harassment in the Vermont
12 public schools.

13 We have been informed by a variety of
14 people that minority students in the public
15 schools do experience racial harassment at
16 its worst and oftentimes schools have not
17 come to the aid of these students. They
18 have not disciplined perpetrators. They
19 have neglected to prevent the problem from
20 reoccurring. What we have heard so far
21 indicates that this is a problem that needs
22 immediate attention. We're looking forward
23 today to getting more data and information
24 concerning the problem. The forum is
25 designed to provide an opportunity for all

1 concerned to identify problems and express
2 concerns and for public officials to
3 respond. We hope that we have assembled
4 here today people with a range of
5 perspectives and ideas that can describe the
6 problem and offer solutions. By coming
7 forward we'll be able to spread the word to
8 Vermont communities of racial harassment,
9 and racism deserves serious study and
10 remedial attention by everybody that it
11 affects. By holding this event and later
12 issuing our report, the committee hopes to
13 contribute valuable information to the
14 public for use in their advocacy efforts to
15 eliminate racism in our schools.

16 The information we receive will be
17 compiled in a report to the Commission for
18 approval and dissemination. I should also
19 add that we've also heard from the Speaker
20 of the Vermont House indicating his
21 willingness to consider any appropriate
22 legislation that comes out of our
23 recommendations.

24 There are a few items of interest
25 located on the publications table. On the

1 table are forum agendas describing today's
2 event and a similar event to be held
3 tomorrow in Rutland, free copies of prior
4 committee reports, biographical information
5 on committee members, a Commission brochure,
6 and a Privacy Act statement and a catalog of
7 publications that the Commission and other
8 advisory committees have put out.

9 As described in the agenda, both forums
10 include open sessions in the afternoon and
11 evening. If you want to speak and you're
12 not already on the agenda, please see Marc
13 Pentino and he will give you a time to the
14 best of his ability to schedule you, and we
15 would certainly like to hear from you.

16 I just want to describe briefly this
17 committee and its relation to the
18 Commission. The U.S. Commission on Civil
19 Rights is a fact-finding agency within the
20 executive branch of government. The
21 Commission has established advisory
22 committees in each state and the District of
23 Columbia with members appointed by the
24 commissioners, and we serve without pay.
25 The Advisory Committee's function is, one,

1 to advise the Commission of information
2 concerning discrimination for denials of
3 equal protections of the laws because of
4 race, color, religion, age, sex, handicap or
5 national origin or in the administration of
6 justice. And, two, to receive reports,
7 suggestions and recommendations from
8 individuals, public and private
9 organizations and public officials upon
10 matters pertinent to inquiries conducted by
11 the committee. I should also say that in
12 Vermont this problem that we're talking
13 about I think needs to have the public
14 exposure that only people with first-hand
15 knowledge can bring to the public and that
16 by doing so, I think we really can make some
17 changes.

18 Before we begin today's forum I have
19 been asked to mention our statutory
20 authority for the collection of information.
21 The Advisory Committee is authorized by
22 statute to collect information which is
23 supplied on a voluntary basis. Information
24 obtained by the interview or letter from you
25 as part of this project will be maintained

1 in accordance with the federal law to meet
2 the Privacy Act requirements.

3 Finally, we ask that you refrain from
4 making defamatory or derogatory comments
5 regarding particular individuals. I am
6 going to ask the committee members to
7 briefly introduce themselves so you'll know
8 who's at the table. I want to start on the
9 left. Melanie?

10 DR. GUSTAFSON: I'm Melanie Gustafson.
11 I teach history at the University of
12 Vermont. I teach courses in U.S. women's
13 history, U.S. social history and the U.S.
14 history survey. I live in Stowe, although
15 I'm presently moving into Burlington, and
16 I've lived in Vermont for seven years.

17 DR. HAND: My name is Sam Hand. I'm a
18 professor emeritus of history, also with the
19 University of Vermont. I've been a Vermont
20 resident since 1961. I've been on the -- I
21 guess on this committee for about ten years,
22 maybe a little bit longer, and I actually
23 specialized in Vermont history.

24 MR. PENTINO: I'm Marc Pentino. I'm
25 staff to the -- this Advisory Committee, and

1 I work in Washington. I think I've spoken
2 with all of you maybe about ten times over
3 the phone, and I do sincerely appreciate
4 your input and your guidance to me on how
5 best this committee can frame this debate
6 and frame this event. Although you may not
7 have heard from many of the members directly
8 over the phone, I assure you the information
9 you've shared with me I have passed on to
10 them in planning meetings and through
11 conference calls and the like. Again, I do
12 appreciate it, and Vermonters have assisted
13 me greatly in bringing this about.

14 MR. TUCKER: My name is John Tucker and
15 I'm the director of the Racial Justice &
16 Equity Project at the Peace and Justice
17 Center here in Burlington. I'm starting my
18 second term on this committee. I've been
19 here in Vermont this time for five years.
20 This is my second living experience in
21 Vermont. I consider it my second home. I
22 am pleased that we are addressing this issue
23 since this is an issue that comes across my
24 desk too many times during the course of the
25 work that I do at the Peace and Justice

1 Center, and I welcome all of you.

2 MR. CHENEY: I forgot to tell folks my
3 name, it's Kim Cheney. I'm an attorney in
4 Montpelier.

5 I just want to say that I am
6 continually impressed by how people can
7 learn to hate people different than
8 themselves, and I think I speak so that we
9 can see our common humanity and understand
10 what it's like to be discriminated against
11 and how we can take steps to stop that.
12 That's probably the work of the world, and
13 if we can only do a little bit of it, my
14 friend Bill Hemsly said many years ago, none
15 of us can do everything, but all of us can
16 do something. So if you come forward and
17 just do something, it will be help in this
18 work. Thank you.

19 DR. JOHNSON: I'm Charles Johnson. I
20 live in Thetford, Vermont. I've lived in
21 Vermont for the past 18 years or so. I've
22 lived in various parts of the world and have
23 no power to do anything more than you in the
24 room. We all are part of the problem and
25 part of the solution. I look forward to

1 interacting with you as you give us
2 information and we give you information to
3 how we can move further along the path of
4 feeling at ease with one another regarding
5 race matters.

6 MR. HOFF: My name is Phil Hoff, and
7 some of you in this room may be old enough
8 to remember that I was governor of this
9 state during the 60s, parenthetically, the
10 first Democrat ever to be elected to that
11 position. The whole question -- if I had to
12 summarize my concerns in this room, I think
13 they would be summarized in a sense that
14 said civil rights, civil liberties, human
15 rights, racism. These were and are my major
16 concerns, and I'm just hopeful that we can
17 move this problem a little bit in the two
18 days that we hold these meetings.

19 MS. SAUDEK: My name is Karen Saudek.
20 I have lived in East Montpelier for about 25
21 years. Currently I'm director of human
22 resources for Blue Cross/Blue Shield of
23 Vermont. For the last six years I served on
24 the state Board of Education, and a major
25 concern of mine has been that excellent

1 public education be available to all
2 students in the State of Vermont. And it's
3 so clear that until every student's human
4 and civil rights are honored, that fine
5 education is going to be unavailable for all
6 kids. So this topic is one that I'm
7 delighted to be spending some time at. I
8 hope we'll be able to come up with
9 suggestions to improve things.

10 MR. DIAMOND: My name is Jerry Diamond.
11 I practice law in Montpelier, Vermont. I
12 followed Kim Cheney as Attorney General of
13 Vermont, and I moved here 30 years ago from
14 the south. I had grown up in Memphis and
15 did not want to raise a family there, did
16 not -- I wanted to come to a place that
17 really had a sense of community and was free
18 of the racism that I had grown up with.
19 Strangely enough, when I came here Governor
20 Hoff was in his closing days of his last
21 year in office, and a certain event occurred
22 in Irasburg, Vermont, some of you may
23 remember, and Governor Hoff appointed my
24 boss, who is the chief federal district
25 judge for Vermont, Ernest Gibson, to head a

1 three-member panel to investigate that
2 racial incident. And for me as someone who
3 had just come from the south, it was -- it
4 was a terrible act of reality because I
5 realized that by moving from Memphis to
6 Montpelier I hadn't escaped the racism. And
7 I have found it in my private practice, in
8 my public life and really know that this is
9 a very important subject and hope that the
10 people who are here today will help us in a
11 way that we might be able to help as well.
12 Thank you.

13 MS. ELMER: I'm Pat Elmer, founder and
14 executive director of Vermont Associates for
15 Training and Development. We designed and
16 operate employment and training programs for
17 older workers. Older as defined by ADEA,
18 the Age Discrimination and Employment Act,
19 is 40 years and older, so many, many of us
20 are older and we should be proud of it. I'm
21 also a resident of Vermont's smallest
22 county, Grand Isle County, and I won't take
23 any more of your time. I'm here today to
24 actively listen to what you have to share
25 with us. Thanks.

1 MR. CHENEY: All right. I guess we
2 could move on to the welcome statement from
3 Ann Borys.

4 MS. BORYS: Hello. I'm Ann Borys, and
5 these are my children, Samir and Noah. I've
6 brought my children with me because I think
7 sometimes we adults can get into a
8 conversation about children and forget --

9 MR. HOFF: Excuse me, is that mike
10 alive?

11 MS. BORYS: I don't know. I have a
12 soft voice. I'd like to say a few things.
13 I've lived in Vermont for 30 years. I'm of
14 my own town, Marshfield, Vermont, for the
15 last 22 years, and I've made a commitment to
16 my community long before I raised my
17 children and got my children. And when I
18 started this friend experiment 12 years ago
19 I had such high hopes for who we all were
20 and what we would go through together and
21 how we would be.

22 And my story is a very long one, and I
23 can't even begin to tell you all, and I'm
24 going to try to really keep it to the school
25 situation, but at the same time I'd like to

1 just tell you a little bit about who we are.

2 I adopted five children, that's them,
3 three in the back and two right here. Two
4 African-American, two Asian and Indian. My
5 husband and I work endlessly taking care of
6 these kids. It's -- it's a devotion that is
7 way past just, you know, a thing that you
8 decide you want to do. It's a devotion, and
9 so we take their issues as our issues. And
10 I think sometimes we can -- as parents can
11 stand up and be separate from our children's
12 issues, but I am not separate from my
13 children's issues. I walk with them. I
14 know what they've been through, and I tell
15 their stories today with their permission.
16 We've talked about this. I wouldn't talk
17 about their stories without asking them
18 first, and we don't tell it to be
19 complaining; we tell it because until people
20 really understand the road that we go, I
21 don't think they can really do very much
22 about doing things about it.

23 So I have to apologize for my -- my age
24 makes me have glasses on and off all day.
25 So I'm here really to represent not just my

1 children but all the mothers in Vermont who
2 are raising children of color. This is an
3 extremely difficult thing to do in our
4 society. I can't tell you how many hours of
5 the day are consumed by this. I have to
6 read, I have to study, I have to know more
7 than my teachers of my children know, I have
8 to push and push endlessly, and sometimes I
9 have to push in very delicate ways and
10 sometimes I have to push in very difficult
11 ways. So I'm constantly there, and I'm
12 representing them.

13 The way that we -- we have talked about
14 it is that race is a climate. It's a --
15 there is no such thing as anybody having no
16 racial experience. Everybody has a racial
17 experience. If you're white, that's racial.
18 If you're black, that's racial. If you're
19 Asian, that's racial. So the race thing is
20 a climate, and out of that climate are the
21 incidents that happen that bring you to what
22 that climate is like for you. For my kids,
23 it's been a difficult climate. The only
24 forum for race in our school is the
25 bathroom, the playground and the school bus.

1 This is where race is discussed, this is
2 where race is worked out and this is where
3 race takes on much more than just the color
4 of one's skin. And even this discussion
5 about race is bigger than race because it's
6 also a discussion about culture. You can be
7 born like my children are of a race that's
8 different and yet the culture that comes
9 with you, and I'm sure that -- I mean, I'm
10 not the first person to say this because
11 this is documentable, there are things about
12 culture that are genetic.

13 If I raise my sons here and they grow
14 up, they don't grow up to be little white
15 boys or white men, they grow up to be
16 themselves. And my son Noah will always be
17 this wonderful African-American man. He
18 doesn't have a sign over him and says, hey,
19 my mom was white, treat me white. My son
20 was Asian, it's the same thing. He doesn't
21 have a sign over him. When he goes out,
22 outside of when I'm with him, he is treated
23 as an Asian boy. And how can I prepare him
24 for that when I'm different? Well, that's a
25 really hard thing to do. So I just want to

1 tell you about some of the things that we've
2 been through.

3 The race thing starts immediately as a
4 baby. My son Noah was a big boy. He was
5 born ten pounds. He never went anywhere but
6 straight forward ahead. Both my boys are 11
7 years old. They're the same age. Noah was
8 just such a big, active, strong little guy.
9 And I was working. I've worked as a nurse
10 in Vermont for many, many years, and I've
11 worked for over ten years as a critical care
12 specialist. So I'm -- I'm used to big
13 problems. This is what I've done in all of
14 my professional life is deal with issues and
15 deal with problems. So I don't come as a --
16 I mean, I may be soft spoken, but you can't
17 get rid of me. So I started with my boys in
18 day care because I really needed to work.
19 Adopting a child is an extremely expensive
20 ordeal. It's a very emotional event, and
21 adopting outside of your race and your
22 culture brings a whole different set of
23 responsibilities.

24 These days, you know, as you all know
25 medical problems -- but I was at the

1 hospital and they didn't need me and told me
2 I could go home early, which is a very rare
3 event because most of the time it's just the
4 opposite problem, having to stay too long.
5 I went back to the day care where my son
6 was, and I heard these -- I walked into the
7 regular door and it was locked so I went
8 around the back and came in the back door.
9 And I was fairly quiet, and I hear the two
10 teachers, and they're standing there and
11 they're pointing at the children. And I see
12 they're pointing at Noah and they're
13 pointing at another child and they're
14 saying, look at that boy -- and the boy was
15 a white child -- he's so strong, he's so
16 able, he's so every adjective was about
17 manliness, that's the only way I can
18 describe it. And they turn and said about
19 my son, who was the other side of this
20 entangled group of children, he's so wild,
21 he's so out of control, he's so mean
22 spirited, he's -- and it was just
23 ridiculous. These two boys were six months
24 old. They were babies. They were lying
25 side by side on the floor. And I realized

1 then how even the people who take care of
2 the children are already beginning to feed
3 part of this racial nonsense to them.

4 My -- by the time the kids got to
5 school I was very worried about what their
6 experiences would be, and so I was trying to
7 brainstorm how am I going to find out what
8 it's really going to be like for them before
9 I just send them into the pit and say, you
10 know, survive and get along. So I found the
11 names of -- and I encourage you as a
12 panelist to do this as well. I found the
13 names of ten people of color who had
14 graduated from the school that my children
15 would go to, and I wrote each of them a
16 letter. And I said, listen, I don't want to
17 drive you crazy, but I have these children,
18 I love my kids, would you give me some
19 advice. Would you tell me what it was like
20 for you. Tell me what -- now that you're an
21 adult and you look back over your years in
22 school, what would you have done
23 differently? What were the really tough
24 places?

25 And I didn't know if any of these

1 people would respond to me, and I have to
2 tell you that every one of them did. And
3 the first nine came forward and each of them
4 called me up and came to my house or met me
5 somewhere. We had a discussion. Every one
6 of them hurt terribly from their
7 experiences. I talked to a Vietnamese girl
8 who wasn't allowed to play Anne Frank in a
9 play because she was Vietnamese and yet the
10 child that they chose to play certainly
11 didn't represent a Jewish person. You know,
12 out of -- I talked to -- each one had a
13 story that really hurt, and then when I
14 would ask them what it was that they felt
15 that they were missing, every one of them
16 told me, my mother never believed it was as
17 hard as it was. And I took that to heart.
18 Every single one of these people said
19 exactly the same thing to me. And I took a
20 careful look at -- at my position and I
21 decided that I was going to be a mother that
22 was going to matter, you know, that I was
23 going to be there for my kids. And I -- so
24 I waited.

25 And the tenth person one night, it was

1 in the evening, it was raining out, it was a
2 very Vermont weathery kind of day, and this
3 car drove up to my house way out in the
4 country, stopped on a dime. I went to the
5 door to see who it was, and this Japanese
6 American person came out of the car, and he
7 walked over to my door. I knew who he was;
8 he knew who I was. I said, won't you come
9 in and talk. He said, oh, no. He said,
10 we're not going inside to talk. And I came
11 out in the dooryard and I was standing there
12 and he said, you want to know, I'm going to
13 tell. And he walked up to me and he stood
14 in front of me, and then he turned his back
15 to me so that I was looking at his back as
16 he then told me his story. And this man, he
17 was a man, he cried. He cried and he told
18 me how hard it was for him to not be able to
19 use the bathroom, to not be able to go to
20 the playground and look for friends, how he
21 had to really deal with all of these issues
22 on his own that when other children were
23 told go to your teacher, he realized the
24 teacher was not for him and that his
25 experience was one of just general

1 isolation.

2 So by the time I sent my kids to
3 school, I was pretty scared about what was
4 going to happen to them. We started off
5 pretty reasonably. I went to the school
6 first. I kind of did that -- that move
7 where you go in and you just say now, wait,
8 I'm sending my kids here and you all better
9 behave. And I tried -- I tried to start
10 from there instead of waiting till something
11 happened. And I went in and I talked to the
12 teachers and I said, I realize you're not
13 really geared for opening your hearts here,
14 but this is what is going to have to happen
15 is that my children will be attending this
16 school, and they are five, and they will be
17 treated as who they are.

18 And it started the first week in
19 school. They would come home with these --
20 they would have white paper plates given out
21 to every child in the class, draw a picture
22 of a face, and every one of these kids would
23 just put a couple of dots on top, a big
24 smily on the bottom and throw some hair
25 across it and they were done and playing.

1 And my sweet children, as dedicated as they
2 were, would sit there and color in every
3 piece of that plate until it was the right
4 shade. And my kids would often then be
5 working and having to do so much more work
6 to accomplish the same goal, and this is one
7 of the stories of race in Vermont. That
8 child of color to achieve the same place as
9 everybody else has got to do so much more to
10 get there.

11 Now I really applaud and welcome you
12 because I think that it's only through
13 discussion and dialogue that we're going to
14 get to the next place. I myself can't do
15 anything but protect my five children as
16 best I can, but there are other children out
17 there and even those white children need to
18 be protected from racism. It does us no
19 good to raise up a whole state of baby
20 bigots. It does us no good at all. We need
21 a very different and much more inclusive
22 program. It's not enough to send your kids
23 to school and say, okay, I want my kids
24 accepted, and the school to respond and say,
25 okay, we'll make them white just like all

1 the other kids, because the kids are not
2 going to be white, and they don't want to be
3 white, and why should they want to be white;
4 they want to be themselves. And that school
5 cannot hear that and say, okay, we're going
6 to make room. But guess what, guys, this is
7 a global world we live in and it's a global
8 economy. Every child who's eaten a banana
9 has dealt with global economy. I say we
10 can't say, no, we'll raise the kids and make
11 them white; we have to make room in our
12 school for other people for them to be
13 heard, for them to be accepted, for them to
14 be liked for who they are, for them not to
15 be challenged to change them into something
16 else but for us to begin to understand other
17 cultures.

18 I meant to tell you a couple of the
19 little things that have happened that I
20 think can kind of clarify. I mean, as a
21 nurse, I was trained in Maslow theory. I
22 don't know if any of you know what that is,
23 but it's a hierarchy of concern and, of
24 course, the main concern I have is the
25 safety of my children. They can go to

1 school and not learn anything, but if they
2 come home alive, I've got a chance. But if
3 they go to school and they are hurt
4 endlessly, then the discussion that I have
5 is always about them being hurt. But I have
6 high hopes for my kids. My kids aren't just
7 going to school in grammar school or high
8 school, they're going to college, every one
9 of them. They are college material. And I
10 think it's the school's responsibility to
11 meet me halfway to make sure that they're
12 ready for school, but they cannot learn if
13 they spend all their time looking after
14 their safety.

15 Now this is a thing that happened to my
16 daughter Rosa. I had gotten a good job. I
17 now no longer work because of -- because of
18 some of these things, but this was the
19 beginning of my not working. My daughter
20 Rosa was just in kindergarten and my boys
21 were in third grade, and I had just gotten a
22 job. And I had gone to a day care place to
23 see if this was going to work out for my
24 kids, and I -- the first question I asked
25 was what is your policy for racial problems.

1 They said, oh, we have no problems. No
2 problem, bring your kid here, sign up right
3 now. I said, no problem. I said, I don't
4 care no problem, I want to know what's your
5 policy. We could not get past this
6 discussion. This discussion would go round,
7 and round and round. They said, bring your
8 children, let them play, we'll see. I bring
9 my kids over, they went to play and I went
10 in a back room and I was standing there
11 talking and the same discussion happened, I
12 go round, and round and round with such
13 frustration. I'd say, I don't really care
14 if you say nothing has ever happened, what
15 will happen, how will you deal with this
16 because I know this will happen. And
17 finally I just said, I'll talk about it with
18 my kids and see what kind of time they had
19 here. And while I was talking with my
20 children, they had a racial experience. And
21 this child, who is a -- we call a troubled
22 child that -- you know, I don't really know
23 very much about him, you know, but he
24 grabbed my daughter by her braids and
25 smashed her head into a cement wall and

1 said, I'm not living in no town and going to
2 no school with no black kids, and he smashed
3 her head into this wall. Now my kids were
4 terrified and they didn't know what to do.
5 And I come around the corner from having
6 this meeting with everybody that's telling
7 me no problem, no problem, and my kids are
8 all dressed in their winter coats, let's go
9 home. I said, what happened? They said,
10 let's go home. What happened? I get them
11 all in the car, I said to my kids, what
12 happened? They said, nothing, but there was
13 obviously something that happened.

14 And my husband -- my husband is a
15 psychologist who works with children, and I
16 asked him, what happened, what do I do, they
17 won't talk. He said, just wait, they're
18 going to talk. You know, we're just going
19 to have to give them some space here and
20 support them. I was beside myself. I just
21 couldn't figure out what had happened. The
22 next morning at 7:00 in the morning get a
23 phone call. Nobody calls at 7 in the
24 morning unless they've got something really
25 scary to talk about. It's a teacher from

1 the school who said to me, well, I guess the
2 kids have told you. Well, I've been around
3 the block. I said, why don't you give me
4 your version. And this guy then proceeded
5 to tell me how his child had called my
6 daughter these names, how he had beaten her
7 head into the wall. I just dropped that
8 phone and ran upstairs to my daughter who
9 was in bed and I put my hands around her
10 head and the blood was oozing from between
11 her braids. And I lost it. I just got
12 so -- she's my baby. I love these kids, you
13 know? I was so upset about it. I just was
14 beside myself. Well, then how can you then
15 take your child back to this day care and
16 say, sure, try again. What's next? That
17 was the end of working for me. So safety
18 has always been an issue.

19 Now you say, well, maybe this happened
20 at a day care center and not in the public
21 school, but this is where the problem
22 happens at the school. This child goes to
23 the same school my child goes to. This
24 child was walking up and down the hall when
25 my kid was walking up and down the hall, and

1 he would find every opportunity, every time
2 the door shut, made a noise, he'd make a
3 noise. Every time he got an opportunity, he
4 would push that button until the kids were
5 terrified. I would go and I would talk to
6 the teachers and they would say this didn't
7 happen on school property and we can't do
8 anything about it. I'm sorry, that fear
9 exists on school property. That child
10 belongs in that school, so does my daughter
11 belong in that school, and my daughter's not
12 having the same experience that the other
13 child is having.

14 Now I'm very sympathetic to these
15 troubled children out there, and I'm -- I
16 can't say what would be the right thing to
17 do or not to do, but there's got to be a
18 response other than, oh, well, what are we
19 going to do?

20 And one of the other things that
21 happened was lice is rampant in our schools.
22 It's just disgusting. Anybody who has kids
23 can't deal with this. I can't deal with it.
24 And I got a call, I was working in the
25 Intensive Care Unit, I had a patient who was

1 having a major heart attack and I was the
2 only qualified nurse there, and I get this
3 call from the school, you've got to come get
4 your daughter right now. I was like, I
5 can't come get my daughter right now. What
6 is going on and what are you doing about it?
7 And yet I'm supposed to be dealing with this
8 very sick person keeping all my energy on my
9 work, and yet I know that people have really
10 hurt my children and I don't know what this
11 is all about. So finally the nurse says to
12 me, well, it's about the lice. I said,
13 well, Rosa doesn't have lice, I know she
14 doesn't have lice. Oh, she's got lice all
15 right, and she's got a different kind than
16 we've ever seen. They are really weird and
17 we think she could infect this whole school
18 with things we don't even know about. I'm
19 like, what? I'm sorry, but I can't talk
20 about this here and now. I didn't really
21 have any options. It was a very terrible
22 position to be in. I finally was able to
23 call a friend of mine, who's also a nurse,
24 who came in and took my place and I went to
25 the school. And I got my glasses out and

1 got right in Rosa's hair and guess what her
2 unusual lice was, sand from the sand box.
3 But this is the problem, and it's that
4 everything that happens to us is this like
5 enormous big deal. It just is so -- so out
6 of proportion, and yet what they did with my
7 daughter was they isolated her, they
8 terrified her, they scared all the kids
9 about her. They made such a big deal, and
10 this was not the other children, this was
11 the adults that were doing this kind of
12 behavior.

13 Now the other place that we've had
14 problems -- well, we've had quite a few
15 problems, but my son Samir was a very sweet
16 young child, big boy, had a boy at the
17 school, this boy -- another, again, I would
18 call this a troubled youngster, began
19 beating on my kids in kindergarten, kicking,
20 hitting, pushing, shoving, name calling, the
21 entire gamut of horrible behavior. And I
22 would talk to my kids, and we would make
23 plans, right? We would talk about, well,
24 you can do this. You can make sure you're
25 not here when he's there, but what's

1 happening there is that my kid's freedom is
2 getting curtailed because of this other
3 child's ability to strike out at each and
4 every -- every corner that he wanted to.
5 Samir would tell me -- and it would come in
6 spurts and go in spurts, you know, and I
7 would go in and I would talk to the
8 teachers. I can't really have this be
9 happening to my kid. He doesn't need it, we
10 don't want it, it's your problem, you deal
11 with it and you deal with that other child.
12 Her response was, well, your kid can stay in
13 front of the line, he can sit in front of
14 the classroom. I said, no, that's not okay.
15 My kid needs freedom too. He wants to be
16 able to sit where he wants to in the
17 classroom. He wants -- he wants the same
18 rights that the other children have.

19 Well, the kicking became more and more
20 insistent, and it got to the point where one
21 day I walked into school -- and I do this.
22 I drop in the school regularly. I'm what
23 people in my school probably call pain in
24 the neck. I just walk in the door and
25 Shyshy and I, the baby, will walk up and

1 down the halls. We'll look in the library.
2 We kind of hang there. We go out to the
3 playground and we just watch, and we just do
4 our thing. I come in the school and here's
5 my -- my sweet son in the hall. The
6 bathroom is oh, just -- I mean, it's as far
7 as the front door -- the entrance here.
8 It's not close to their classroom. He's in
9 this bathroom and he has a problem. He
10 cannot be heard by an adult in this school.
11 This is to me an unsafe situation for my
12 kid. I go in, he's on his hands and knees
13 looking like this through the bathroom door.
14 I said, what are you doing on the floor? He
15 said, oh, I -- I can't go in there without
16 looking. I said, what? He said, oh, no, I
17 just can't go in there without looking. And
18 I was just horrified for him. I mean, can
19 you imagine a little boy having to come home
20 because he's just worried about using the
21 bathroom at the school because it's just a
22 hard place for him to go to? So we made
23 plans, we made, well, you could use this
24 bathroom.

25 Again, it was -- everything was done to

1 curtail my son's freedom, not the other
2 boy's freedom, and I -- I mean, this was a
3 regular event to go and talk about this
4 issue with this -- and this family in this
5 town that I live in made no bones about the
6 fact that they were racists. They were not
7 even embarrassed to say, I don't like
8 white -- brown people or black people. They
9 felt completely at ease to stand in the
10 store and just make these kind of
11 announcements. Our society has allowed this
12 to go on absolutely to the ridiculous.

13 And so one day I was just exasperated.
14 And the kids got off the bus, and my
15 children get off the bus and they all run
16 home and I was so glad to see them. And
17 four out of five of my kids are there, but
18 there's one missing. Where's Samir? Oh,
19 mom, he's coming kind of slow up the
20 driveway. And as he started coming up the
21 driveway I look and both of his eyes were
22 black, and he was so upset. He could hardly
23 walk. He was (Witness gestures). He was
24 quivering quite a bit. And as he got closer
25 and closer and I looked at him, he had rings

1 of blood inside his nose. Both of his
2 nostrils were ringed with blood, and inside
3 his mouth was a ring of dried blood. I
4 said, what happened to you? And he began to
5 tell me that this other child had kicked him
6 in the hall. I said, in the -- all the kids
7 were in the hall, all the children saw this
8 and these -- this family, you know, they not
9 only, you know, are proud of their racism,
10 they send their kid to karate school. This
11 kid goes and is being taught how to be a
12 good fighter, and he has learned and used my
13 kids as a battering ram for years now --
14 well, I lost it. I figured the next time my
15 son's going to be dead; I'm not going to put
16 up with this. I've had it. I've really now
17 had it.

18 I just like went in the house, I called
19 up the principal and I just gave them a
20 piece of my mind. They said they knew
21 nothing about it. So they called the
22 teacher in. She said, well, she knew
23 nothing about it. And what had happened was
24 that the line in the class turns a corner
25 and this child had sort of -- what he had

1 done was the teacher marched forward around
2 the corner and the kid marched backward
3 towards my son, hit him there, kicked him
4 there, and then the class continued to go.
5 There were other adults who claim they never
6 saw it, but I don't think they even looked
7 to tell you the truth. How can you not see
8 this? They all went in the classroom, and
9 he tried to tell the teacher, I'm having a
10 bloody nose, and she kept saying to him, now
11 you be quiet, you're being a real pain in
12 the neck. He's a shy little person. You
13 know, it's not like other of my children who
14 would stand up and say -- this child of mine
15 is trying very hard not to make a terrible
16 scene. And he's really frightened because
17 this other boy is still in the classroom,
18 and making faces at him and pushing the
19 entire envelope.

20 MR. TUCKER: I'd just like to ask you a
21 question.

22 MS. BORYS: Sure.

23 MR. TUCKER: When you say you went in
24 and spoke to the school authorities, is that
25 the superintendent, the principal?

1 MS. BORYS: Oh, I've been there.

2 MR. TUCKER: The teachers, the school
3 board?

4 MS. BORYS: I've been to the school
5 board. I've been to --

6 MR. TUCKER: How many times would you
7 say over the course of the last seven years
8 estimated have you been before the various
9 authorities that are responsible for the
10 school?

11 MS. BORYS: Oh, more than 50. Many
12 times. Regularly and many times. Three of
13 my children have IEPs, which are Individual
14 Education Plans, and I am required to go in
15 regularly to make plans for them, and their
16 safety is always my major interest on these
17 plans because particularly one of my
18 children is speech and language disabled and
19 she's the one who needs the most help in
20 standing up for herself. But this --
21 Mr. Tucker, this is where I was forced to
22 go. The principal then -- he was just
23 starting his line of, you know, well, we'll
24 look into this. Well, I'm looking at this
25 child saying, you will not look into this

1 anymore. This is looked into enough. I
2 went to the phone and I called the State
3 Police, and I was very -- at that point I
4 put my working hat on. I took off my mom
5 hat that's very emotional; I put my -- what
6 would you do in this situation where you
7 cannot go forward anymore.

8 And I called the State Police and I
9 said to the dispatcher, this is not a
10 medical emergency, but this is an emergency
11 and this is our situation, and I explained
12 it to him. He said to me, I can only give
13 this report to the detective and it will
14 take a week for somebody to get back to you.
15 I said, well, if that's what it's going to
16 take, I'm just going to let you know I'm not
17 going to shut up while this is happening.
18 You can take your week, but I want to -- I
19 want to go forward with finding out how I
20 can start this -- stop this assault on my
21 kid. And within an hour -- I mean, they
22 told me it was going to be a week, but
23 within the hour, we were still just doing
24 some basic first aid, the State Police
25 called me back and it was a woman detective.

1 And this lady was just remarkably on -- on
2 cue, but I was very careful to -- and it
3 wasn't that I wanted to do this, but I felt
4 at this point I had to not mention race. I
5 did not mention that my child was not a
6 white person. I said that I had this child,
7 that he was continually over all of these
8 years being assaulted, that it had reached a
9 new level, that the other child was much
10 more dangerous and that my kid wasn't
11 capable and didn't wish to -- he -- Samir
12 does not want to fight back. You know, my
13 son is saying to me, what would Gandhi have
14 done?

15 MR. TUCKER: Let me ask you a question.
16 You took this tact because of the fact that
17 you not only felt the schools and the
18 community but that the police themselves
19 would not have paid any attention to this
20 matter if you had said it was a child of
21 color? Is that what you are saying?

22 MS. BORYS: I -- I have gotten to the
23 point where I -- I'm trying to think out
24 very carefully how to get my aim met, and
25 once you start talking about your child --

1 it's like the light goes off. People are
2 just not interested in the situation, and I
3 have another example of that that I'll be
4 glad to bring up. But, no, I didn't think
5 that they would respond at all if I said it
6 was about race. So I didn't. However, this
7 trooper went in to the school and she was --
8 she called me back many times within the
9 next couple weeks this investigation went
10 on, and when she called me back she was
11 extremely upset and she said to me, this is
12 about race. And she was trying to tell --
13 it was like she didn't -- she thought that
14 I -- you know, we were both like sort of for
15 each other crossing. And then I said, I
16 know, but I didn't want you to go away. I
17 was doing anything to get you on the line,
18 and I wanted those names written. It's like
19 when you get a ticket from the policeman, if
20 he writes your name on the ticket, you're
21 going to get that ticket whether you can
22 talk him out of it or not. I wanted his
23 name written on that docket as having had a
24 problem, and I wasn't about to stop with
25 whatever -- however it had to happen so that

1 the discussion had to happen. I was making
2 sure the discussion had to happen.

3 It was the trooper who went in to the
4 school who called me up who stated quite
5 frankly to me that it was about race, and
6 that was the only -- the beginning of us
7 being able to get, first of all, help for my
8 child but, second of all, help for the other
9 child. The other child also needs help. We
10 can't -- we can't separate our kids. Our
11 kids aren't just like the white kids are in
12 charge and the brown kids and the black
13 kids, it's -- there's problems, you know,
14 out there, but to me there was a major
15 problem. This child has gone so long with
16 nobody reaching out and saying this child
17 needs help. It wasn't just my kids he was
18 beating up, but he was beating up my kids
19 first. He saw my kids first and he went for
20 my kids first.

21 MR. PENTINO: Ms. Borys, you described
22 for me on telephone other incidents; now
23 you're talking -- now you're relating to us
24 additional incidents.

25 MS. BORYS: I'm sorry. I just have so

1 many. It's just like overwhelming, but I
2 will get to the ones we've talked about.

3 MR. PENTINO: Could you possibly bring
4 them to my attention later or during the
5 break so we can move on to the panelists?

6 MS. BORYS: Sure.

7 MR. PENTINO: And to ask you to maybe
8 sum up.

9 MS. BORYS: Well, actually, I have a
10 couple of little things I think are really
11 important to talk about. While this, you
12 know, business of an assault was going on
13 with my son, I realized that part of the
14 problem was that people really didn't
15 understand about my kids, and I tried going
16 in the schools right from when they were in
17 kindergarten, and I would go into the class
18 and bring a dozen books, multicultural books
19 and leave them for the teachers and the
20 children, you know, nice books, fun books,
21 good books. I'd go in black history month
22 and read stories. During Indian holidays
23 use different events to talk about things,
24 and we found that there were several
25 problems with this whole idea of the schools

1 being all white. The one thing was this
2 business of name calling. You know, we all
3 talk about name calling as being like this
4 really -- everybody shrugs their shoulders.
5 You know, from white kids all over the
6 world -- in fact, I remember from when I was
7 a little kid, they say this little whim,
8 sticks and stones will break my bones but
9 names will never hurt me, you know, but
10 there's another reality to this. I just
11 couldn't understand it because these names
12 do hurt. How can they not hurt?

13 And I was in a store in a city looking
14 for things for my kids that were
15 multicultural, and I came across a poster
16 that I actually even brought. It's just the
17 opposite. It says, sticks and stones can
18 break my bones, but names would really hurt
19 me. We've found the name thing had more
20 than -- I mean, it's not just the obvious,
21 it's not just like calling them this or
22 calling them that, but there is this whole
23 other part to it that was eliminated.

24 And the one thing that was eliminated
25 was the refusal of the children and teachers

1 to call my son Samir his name. They
2 wouldn't call him his name. They'd call
3 him -- they'd call him all kinds of things.
4 In fact, the kids were teasing him. They'd
5 call him Sampson, anything that began with
6 an S. They'd call him Sammy. They'd call
7 him -- do you remember some of those names?
8 Just tons of names, but they wouldn't say
9 Samir. So I'd go to the teacher and I'd
10 say, he's so proud of his name, he's so
11 proud of who he is, he's got to be called by
12 his name. And it got to the point where at
13 the end of the year Samir, in frustration,
14 brought me home his report card and threw it
15 on the table like this and on the back of
16 his report card written by the teacher
17 across the report card is to the boy with
18 many S names. And she still at the end of
19 the year wouldn't say his name, you know,
20 and it's a beautiful name. It just became
21 so frustrating.

22 So we then started realizing that the
23 classroom itself was unfriendly.

24 MR. CHENEY: Mrs. Borys, I'm afraid
25 we're going to have to interrupt because we

1 have a whole lot of people waiting to speak.
2 If you could defer to some others and if
3 there's time, we'll have you back.

4 MS. BORYS: Well, you know, I have my
5 children with me. I'm not sure how long
6 they will all last. I really think the --

7 DR. JOHNSON: We're all here together
8 and I think this experience represents part
9 of the issue that we face and, Samir and
10 Noah, we want to hear the whole story which
11 we have not heard yet because we have not
12 heard it. Many of us for the first time are
13 experiencing what you're saying and haven't
14 really gotten the story yet, but there's
15 much more to say and we have limited time.
16 So how can we hear the whole story and
17 benefit from it and have more people here?
18 I'd like to hear Noah make a comment as a
19 matter of fact about his experience, I'd
20 like also to hear Samir make a comment about
21 his experience and I'd also like to let Noah
22 and Samir know that we really are interested
23 in their story and we consider them to be
24 very powerful young men having even come to
25 this point at 11 years old, having gone

1 through as much as they've gone through and
2 still be here beside you. We look forward
3 to them being giants as men --

4 MS. BORYS: I agree.

5 DR. JOHNSON: -- with their mother's
6 help that she is giving and all the work
7 that you've done but, you know, we have lots
8 of people in the room and who have also
9 stories. Perhaps you can help us help
10 ourselves in our limited capacity to hear
11 the whole story.

12 MS. BORYS: You know, I understand
13 completely what you -- what you are saying,
14 and I -- I worry about my boys. I put them
15 on the spot just to bring them, and they
16 having had this experience since they were
17 babies, they've been there. You say all
18 this is just for adults to talk about, but
19 they've been there, it's about them, which
20 is why I brought them. You can look at them
21 instead of me and understand about it, and
22 we'd be glad to -- we have participated at
23 every opportunity to talk about the issue,
24 and I think that there is a lot of options
25 for things to be done. We'd really like to

1 be considered part of the solution.

2 DR. JOHNSON: Thank you.

3 MR. CHENEY: Thank you very much.

4 Phil, do you want to take over?

5 MR. HOFF: Sure. The next panel has to
6 do with the role of Vermont state agencies,
7 and we have two or three panelists. First
8 of all, Harvey -- if I mispronounce your
9 name, is it Golubock?

10 MR. GOLUBOCK: Golubock.

11 MR. HOFF: From Vermont Human Rights
12 Commission, and I must say that we're
13 delighted to have you here.

14 MR. GOLUBOCK: Thank you. I'd first
15 like to thank you for inviting me to your
16 community forum on racial harassment in
17 Vermont schools. Over the past eight years
18 that the Vermont Human Rights Commission has
19 been in existence it's seen a number of
20 disturbing cases of racial harassment in
21 schools. And, indeed, I can speak for the
22 commissioners when I say that there is
23 nothing more troubling than seeing children
24 victimized because of their race, often by
25 other children.

1 I want to talk with you first --
2 there's several things I want to talk to you
3 about. First I want to talk about the
4 Commission and its role in this problem --
5 in dealing with this problem. Second, I
6 want to give you some statistics about the
7 discrimination -- harassment in school
8 cases, particularly racial harassment in
9 school cases. Third, I'd like to talk to
10 you a little bit about the legal framework
11 that's used in analyzing these cases and,
12 fourth, I want to give you just some
13 anecdotes about some of the cases that the
14 Commission has heard over the past several
15 years.

16 First, let me tell you a little bit
17 about the Commission. I think the
18 Commission is -- thanks to Governor Hoff,
19 thank you for that, the Commission consists
20 of five commissioners who are appointed by
21 the Governor and a staff of three full time
22 and one part-time employee. Two of the
23 three employees are investigators and one's
24 an attorney. The Commission has
25 jurisdiction over discrimination in housing,

1 in public accommodations and state
2 employment, and schools are defined as
3 public accommodations. So the Commission
4 has jurisdiction over claims of
5 discrimination in schools. The statute
6 prohibits discrimination on the basis of
7 race, creed, color, national origin, marital
8 status, sex, sexual orientation and
9 disability.

10 The Commission gets most of the
11 information it deals with, most of the
12 charges it receives over the telephone.
13 People call us, and if what they're telling
14 us is true would be a violation of the
15 statute, we then accept the charge. At that
16 point we do an investigation. Our
17 investigators interview the parties
18 involved. They interview any possible
19 witnesses that we can locate. They try to
20 collect any other evidence, like documentary
21 evidence in order to corroborate what each
22 side says because frequently what we're
23 faced with is a dispute as to what occurred
24 because we're coming in after the situation
25 has occurred. And a lot of our focus is on

1 attempting to help the commissioners
2 decide -- reach a conclusion as to what
3 actually occurred in the face of conflicting
4 reports.

5 After completing the investigation, the
6 investigator writes a detailed investigative
7 report which analyzes -- first of all, lays
8 out the contentions of the parties, lays out
9 the facts and evidence as the Commission --
10 as the investigator has ascertained them and
11 discusses what the legal issues are and
12 analyzes the facts in relation to those
13 issues and then makes a recommendation to
14 the Commission. The parties get copies of
15 the investigative reports and have an
16 opportunity to comment on them, and
17 frequently do and, in addition, they have a
18 chance to appear before the commissioners at
19 one of their monthly meetings where the
20 commissioners hear these cases. They have
21 an opportunity then to essentially explain
22 their position to the commissioners and to
23 answer commissioners' questions. At the
24 conclusion of the hearing the commissioners
25 deliberate and then make a finding of

1 either -- either that there is or is not
2 reasonable grounds that the discrimination
3 occurred.

4 Throughout this entire process, from
5 the inception, the Commission attempts to
6 facilitate settlement between the parties,
7 and just this past session the legislature
8 appropriated some funds that allowed the
9 Commission to set up a mediation program and
10 hire professional mediators and make them
11 available to the parties at no cost in a
12 further attempt to resolve these cases.

13 If that's unsuccessful, the Commission
14 has the authority to go to court and seek an
15 injunction, seek compensatory and punitive
16 damages, seek fines of up to \$10,000 per
17 violation and attorney's fees.

18 Okay. That's -- let me give you some
19 statistics about some of our cases. During
20 the fiscal years '94, '95 and '96 the
21 Commission accepted 472 charges for
22 investigation. 72 of those charges or 15
23 percent were charges of discrimination filed
24 against schools. Of those 72, 17 were filed
25 on the basis of race. So that's

1 approximately 24 percent of the cases of
2 discrimination filed with the Commission
3 alleged discrimination harassment on the
4 basis of race, mostly harassment. Just for
5 comparison, 31 percent were based on sex, 21
6 percent were based on disability and 10
7 percent were based on sexual orientation.

8 I saw from some information that this
9 committee sent me with the invitation that
10 the average annual school enrollment in
11 Vermont from '93 to '96, over the same
12 three-year period of time, was 104,284
13 students, that's the average annual
14 enrollment. During that same period of time
15 the average enrollment of African-American
16 students in school was 748 or approximately
17 seven-tenths of one percent in the school
18 population. So while African-American
19 students make up just seven-tenths of one
20 percent of the annual school enrollment, 24
21 percent of the charges filed against schools
22 with the Human Rights Commission were based
23 on race. So I guess the conclusion I draw
24 from that is that in relation to the
25 minuscule proportion of the school

1 population that's African-American or
2 perhaps because of the minuscule proportion
3 of the population that's African-American,
4 there's a relatively large number of
5 discrimination complaints filed with the
6 Commission regarding race in the schools.

7 Let me now turn to the legal framework
8 that we use to analyze these cases. As I
9 said, most of the discrimination cases
10 involving schools that we see don't involve
11 discrimination or harassment of students of
12 color by school employees. They generally
13 involve racial harassment by other students,
14 and the issue for us, for the Commission is
15 did the school take prompt and appropriate
16 action reasonably calculated to prevent and
17 to ameliorate the situation.

18 In 1994 the Vermont legislature,
19 recognizing that this was an important
20 issue, conducted hearings and specifically
21 found, and this is a quote, unlawful
22 harassment against students can be a severe
23 problem that inflicts harm on its victims
24 and the entire educational community and as
25 a result of that enacted the Harassment in

1 Education Act. The act required all schools
2 to adopt policies prohibiting harassment of
3 students on the basis of race, creed, color,
4 national origin, marital status, sex, sexual
5 orientation and disability and required
6 schools to implement procedures by August of
7 '95 for dealing with harassment.

8 The act also defined harassment and
9 racial harassment as a form of unlawful
10 discrimination which consists of verbal or
11 physical conduct based on the student's
12 race, which has the purpose or effect of
13 substantially interfering with a student's
14 educational performance or of creating a
15 hostile, offensive or intimidating
16 environment for the student.

17 Schools are responsible for such
18 harassment if they create, encourage, accept
19 or tolerate it or if they fail to take
20 appropriate steps to correct a racially
21 hostile environment of which they have
22 notice. In order to hold a school legally
23 responsible under Vermont's Fair Housing and
24 Public Accommodations Act and under federal
25 law for the racial harassment of one student

1 by another, three factors must -- must
2 exist --

3 MR. HOFF: It's a very complete report,
4 but we have it in front of us. I wonder in
5 terms of time if you could move on to
6 specific cases and summarize.

7 MR. GOLUBOCK: Let me skip over the
8 legal framework and tell you about some of
9 the cases. We're -- right now we're
10 investigating a case and -- in which the
11 parent of a biracial student reported to the
12 Commission that the student was subject to
13 racial epithets by other students several
14 times during the last school year, the 96-97
15 school year. The parent states that she
16 reported the incidents to the school
17 administration which followed its
18 antiharassment procedure and took the first
19 step, it read them the antiharassment policy
20 and warned them not to do it again. The
21 mother asked the school to do more since
22 several of these incidents occurred and the
23 school didn't. According to this parent,
24 during the current school year one of the
25 students that harassed her daughter during

1 the prior year did it again. She
2 complained -- the parent complained, and the
3 school did essentially what it had done the
4 prior year, but it also called the -- this
5 child's parents. The mother asked the
6 school to do more and they said, well, no,
7 this -- since this is the first time she did
8 it this year, this is as far as we're going
9 to go.

10 The parents also asked for the school
11 to schedule a school wide seminar or
12 diversity training; the school hasn't done
13 so. Again, this is what we hear from the
14 parent. We haven't yet heard from the
15 school. We're investigating this. I'm not
16 saying what I'm telling you in fact occurred
17 or occurred as exactly as the parent said,
18 but this is an allegation we're now
19 pursuing.

20 These other cases I'm going to tell you
21 about are cases that actually were
22 investigated by the Commission, the
23 Commission made findings of discrimination.
24 In one case an African-American elementary
25 school student reported occasional incidents

1 of racial harassment to the school
2 administration over a several year period
3 and the school responded to each incident.
4 The parent -- the child's parent asked the
5 school to take action on a broader scale, 'to
6 do something on a school wide basis to try
7 and prevent this from happening. The school
8 didn't until finally at one point the child
9 was subjected to five such incidents in a
10 two-week period, and at that point the
11 school notified the parents that -- that
12 they were sort of upping the ante and
13 increasing the penalty, but they hadn't done
14 anything before that.

15 As a result of all this, the child felt
16 terrible and felt that he had to avoid
17 certain groups of students at the school in
18 order to prevent himself from being
19 harassed.

20 MR. HOFF: This was an actual incident?

21 MR. GOLUBOCK: Yes, sir.

22 MR. HOFF: Did you investigate it?

23 MR. GOLUBOCK: Yes, sir.

24 MR. HOFF: Did you take any action on
25 it?

1 MR. GOLUBOCK: Yes. The Commission
2 found reasonable grounds. We didn't bring a
3 lawsuit because we entered into an agreement
4 with the school and the parents of the child
5 in which, among other things, the parent was
6 paid some money by the school and -- and the
7 school implemented procedures to -- to not
8 allow this to happen again. So the case was
9 settled to everyone's satisfaction.

10 MR. CHENEY: What kind of procedures
11 did they implement?

12 MR. GOLUBOCK: I can't tell you at this
13 very moment. I don't have them in front of
14 me.

15 MR. HOFF: Could you get that to us
16 because we'd be interested in that?

17 MR. GOLUBOCK: Yeah. I'd be glad to
18 get that to you.

19 MR. HOFF: And the same -- and then in
20 these other incidents, tell us briefly what
21 happened and then what if anything the
22 Commission has done.

23 MR. GOLUBOCK: All right. The only two
24 incidents -- similar thing, the Commission
25 investigated the charge and found

1 discrimination after which we entered into
2 agreements with the parents and the school
3 to -- to take corrective action. The -- the
4 second incident involves --

5 MR. CHENEY: Excuse me. Are these the
6 parents that the student was discriminated
7 against or the perpetrator?

8 MR. GOLUBOCK: No, the parents of the
9 child who was discriminated against.

10 MR. CHENEY: What about the
11 perpetrator's parents?

12 MR. GOLUBOCK: We don't enter into
13 agreements with them. We enter into
14 agreements with the school to take
15 appropriate action. The parents of the
16 perpetrators don't sign the commission's
17 agreement. The school does.

18 MR. CHENEY: But clearly there's some
19 action regarding it.

20 MR. TUCKER: In other words, are they
21 asked -- are the parents of the children of
22 the perpetuators asked to conform to any
23 kind of training or whatever? I mean, what
24 are they asked to do since they're -- you
25 know, there's no course at the school I

1 would take it that teaches the kids this
2 behavior.

3 MR. GOLUBOCK: Well, the Commission --
4 the Commission has jurisdiction over
5 schools, it doesn't have jurisdiction over
6 parents. What our mandate is is to -- is to
7 make sure that schools take appropriate
8 action to prevent discrimination and if it
9 occurs, to take then -- ameliorate it and --
10 with respect to the child that's been
11 discriminated against you take whatever
12 punitive action it needs to take to prevent
13 the other child from doing it again and make
14 this child know that he or she shouldn't do
15 it. But that -- that's not the -- the
16 Commission is not empowered to reach down
17 and say to a parent, you must do this, this,
18 this or this. The school can but the
19 Commission can't. Yes, sir?

20 DR. JOHNSON: What is your follow-up
21 procedure or evaluation procedure regarding
22 the actions that you do?

23 MR. GOLUBOCK: Well, we don't have a
24 formal sort of -- unless it's written into
25 the agreement, we don't have a formal sort

1 of reporting requirement. We do in some
2 cases, but generally what we do is stay in
3 touch with the parent, and if the parent
4 reports other issues, we'll then go out and
5 look at it again. But other than that, we
6 tend -- we -- we don't then -- we don't sort
7 of take periodic reviews of the situation.

8 MR. CHENEY: Do you think you have
9 adequate resources to do what you're doing,
10 I mean to be effective to deal with this
11 issue?

12 MR. GOLUBOCK: Well, I mean, I think if
13 we had -- if we had another investigator, we
14 could -- we could do cases -- we could
15 investigate our cases quicker and do more
16 follow up. I mean, we have two
17 investigators in the entire state.

18 MR. CHENEY: We're not involving -- I
19 understand your point that your
20 jurisdiction's over the school, not over the
21 parents, but surely there are efforts that
22 the school could make in that regard and you
23 could monitor and see that they're
24 effective.

25 MR. GOLUBOCK: Yes.

1 MR. CHENEY: Do you feel that you have
2 the capacity or staff to do those things?

3 MR. GOLUBOCK: I think it would be
4 difficult given our current staff.

5 MR. HOFF: It seems to me, I think
6 behind this question is, well, you take A
7 action but is it effective? Does it really
8 meet the problem?

9 MR. TUCKER: The other question and
10 added to that is that there is another
11 agency in this state that's -- that has some
12 insight into education for the state, which
13 is the state Department of Education.
14 What's the relationship between the
15 Commission and the state Department of
16 Education to see and ensure that this stuff
17 is being carried out?

18 MR. GOLUBOCK: Well, we are -- we are
19 in frequent communication. We talk about
20 cases. Frequently they've received
21 complaints on cases that we've received
22 complaints on and we exchange information.

23 MR. TUCKER: But there's no formal
24 follow up to your knowledge?

25 MR. GOLUBOCK: The Commission does not

1 on a regular basis sort of police these
2 agreements to make sure that they're being
3 complied with, no. We tend to rely on the
4 parent of the child to let us know if there
5 are continuing problems with the school and
6 doing what it agreed to do.

7 MR. TUCKER: Where's the Governor's
8 state Board of Education at in all of this?
9 Does it get related to them? Do they have
10 any power to make sure that these are
11 followed through?

12 MR. GOLUBOCK: I'm not sure. I think
13 you should talk to the people from education
14 that are here. I prefer that you ask them
15 because they have more -- they may know more
16 about exactly what the authority of the
17 Board of Education is.

18 DR. JOHNSON: Yes. I'd like for your
19 help really and help of everyone in the
20 room, if it's beginning to feel like a
21 problem like the IRS, as a matter of fact,
22 where someone said -- yes, where there's no
23 one who is there to protect the consumer and
24 where if someone reports to somebody, who
25 reports to somebody, who reports to

1 somebody, who reports to somebody, nobody
2 really knows what happened. And so we ask
3 the perpetrator in this case what happened,
4 is he -- is the perpetrator involved, or is
5 somebody warning him or checking him. It
6 feels like it's -- I'm not complaining in a
7 way, I'm just sort of asking for help and
8 asking if we can be creative here in the
9 room to have a better way of getting at some
10 of these issues and following up on these
11 issues to help all of us along in resolving
12 it because it doesn't feel like much is
13 happening from what you described.

14 MR. GOLUBOCK: Well, I think in the
15 instances in which the commission's found
16 discrimination and reached these agreements,
17 I think if you talk to the parties they'll
18 agree that something, in fact, did happen.
19 Whether it's as much as one might like is
20 another question, but I do -- I don't --
21 it's not as if we have heard from parents
22 saying the schools are disregarding what it
23 is they agreed to with you, they're not
24 implementing it and conditions are the same
25 or worse. That hasn't been our experience.

1 MR. HOFF: Question here.

2 MS. SAUDEK: It sounds from what you
3 have said that most of the incidents that
4 you investigate don't go to court, that
5 they're settled with an agreement?

6 MR. GOLUBOCK: Yes. Most of the time
7 that's the case, yeah.

8 MS. SAUDEK: I think we would be most
9 interested in seeing the details of those
10 agreements.

11 MR. GOLUBOCK: Sure. And I'll supply
12 them to you after.

13 MS. SAUDEK: I'm confused about what I
14 think I've heard you say about one of the
15 agreements, that there was a cash payment to
16 the parents?

17 MR. GOLUBOCK: Yes. On several of
18 these instances the parents -- as part of
19 the negotiated agreement the parents were
20 paid money.

21 MR. CHENEY: By the school?

22 MR. GOLUBOCK: By the school, yeah.

23 MS. SAUDEK: It just doesn't seem to go
24 to the issue at all to me but --

25 MR. GOLUBOCK: Well, the -- I mean, the

1 remedies available under the law are to get
2 an injunction against the school basically
3 saying do this, do that, don't do this,
4 don't do that and to get damages. And one
5 of the -- one of the remedies that the law
6 gives us is -- is -- is to seek money --
7 monetary damages. That's one of the ways
8 that these cases are settled.

9 DR. JOHNSON: How much money is
10 involved generally?

11 MR. GOLUBOCK: I can't tell you on
12 these cases. I don't know because what
13 happened -- these occurred before I was
14 here, and what we have is we have this
15 agreement which -- reference to a separate
16 side agreement between the parents and the
17 school in which they are paid money.

18 DR. JOHNSON: Is it more like \$1,000 or
19 \$50?

20 MR. GOLUBOCK: I really don't know.

21 MR. HOFF: Let me ask you this
22 question. Do you think the remedies that
23 have been imposed, either by agreement or
24 imposed by the Commission, do you think
25 they're working? Are they resolving the

1 problem?

2 MR. GOLUBOCK: Well, I have -- I have
3 no reason to believe that they're not
4 working. We've been in touch -- we've
5 followed up with the parents in these cases
6 and the parents never reported to us that
7 there were problems, that there were
8 continuing problems, that they were
9 dissatisfied. And, I mean, I could look,
10 but I don't think we've gotten other
11 complaints from those schools from other
12 parents in those schools.

13 MR. HOFF: I'd be interested to follow
14 up sometime.

15 MR. TUCKER: I would definitely be
16 interested in follow up because, I mean, I
17 know I'm sitting here as a member of the
18 committee, but in my life I'm also a parent
19 of three African-American children and I was
20 trying to think of what amount of money
21 could be paid to me to make me feel better
22 about what they had gone through in their
23 life. And so, you know, I'm concerned
24 that -- that we don't get trapped, and
25 that's why I was smiling when Charles was

1 talking about the IRS and who reports to
2 who, that we don't get trapped in this thing
3 that when we pay for it that means it's all
4 okay. So I would really like to see the
5 results, what's made to happen in those
6 schools so that it wouldn't happen to the
7 next child. That's -- this commission's
8 concern I would think is so that it doesn't
9 happen again. And what's even more tragic,
10 it gives a terrible message to the children
11 who perpetuate these acts that mommy and
12 daddy can buy your way out of this. And
13 that's -- that's a feeling that's -- that
14 is -- has gone amuck in America. It's an
15 American problem, and that's what I'm
16 concerned about. And I really would like to
17 see those results, Harvey, and I would like
18 to thank you.

19 MR. GOLUBOCK: You're welcome.

20 MR. HOFF: There's a question.

21 MR. DIAMOND: I have more of a comment,
22 and I want to offer it because I've -- it
23 seems to me that one thing that is
24 desperately needed by the Human Rights
25 Commission is more investigative staff

1 because whereas the Commission may have
2 limited resources to follow up, private
3 attorneys in this state, once the Commission
4 makes a finding of probable cause, can take
5 the case in all different directions.
6 They're not limited to just dealing with the
7 school board. Once the Human Rights
8 Commission has made a finding of probable
9 cause, it sets the investigative mechanism
10 in place for civil rights actions not
11 limited to the school, to the parents of the
12 child who's the perpetrator if it wants to
13 go that far and both injunctive relief can
14 be fashioned within using the investigation
15 of the Commission but not limiting the
16 Commission to its one attorney.

17 In effect, you pick up the possibility
18 of a couple of thousand attorneys by you
19 having done the investigative work, which
20 most attorneys don't have either the
21 resources or the time to adequately do nor
22 the expertise. And I will tell you I've --
23 I've dealt with one of these cases after the
24 Commission made a finding of probable cause
25 and we settled the case against a school

1 district, and the money was there to provide
2 for counseling for the child who had gone
3 through years of racial harassment and was
4 in need of psychological counseling, it was
5 there for assistance through learning center
6 programs that the family could not afford
7 and it provided a basis in trust for future
8 college education funding. So there are
9 lots of things that money can do other than
10 just say it's paid for, it's done. I mean,
11 there are a lot of damages that are done to
12 children who have suffered from harassment
13 and, unfortunately, in our society sometimes
14 it takes money to bring about the processes
15 that can help repair the damage. That's
16 all.

17 MR. HOFF: Sam?

18 DR. HAND: Yeah. Implicit in what I've
19 been hearing is once the Commission has
20 moved, then you haven't had to deal with
21 repeat perpetrators?

22 MR. GOLUBOCK: No.

23 DR. HAND: What about repeat school
24 districts, are there any patterns here?

25 MR. GOLUBOCK: We haven't seen any

1 significant patterns in repeat -- repeating
2 offenses with school districts.

3 MR. HOFF: I think at this point maybe
4 in the interest of time we'll thank you for
5 your presentation. We have your complete
6 presentation in writing and we'll move on,
7 but thank you very much.

8 MR. GOLUBOCK: Thank you for inviting
9 me.

10 MR. CHENEY: When you send your papers
11 in, if you have any recommendations that you
12 would like to see us make to the Vermont
13 legislature in addition to the -- to the
14 Civil Rights Commission in Washington, if
15 you would give some thought to that and
16 include that.

17 MR. HOFF: Including staffing.

18 MR. CHENEY: Yes.

19 MR. TUCKER: Including staffing.

20 MR. CHENEY: And remedies.

21 MR. GOLUBOCK: Great.

22 MR. HOFF: We aren't in a position to
23 take questions from the floor at this point
24 in time. At the general session we will.
25 Next I'd like to call Paul Fassler and Karen

1 Richards from the Vermont Department of
2 Education. Are you alone, Karen?

3 MS. RICHARDS: No. Paul's right there.
4 Good afternoon.

5 MR. HOFF: Do you have a statement -- a
6 written statement?

7 MS. RICHARDS: No, we don't.

8 MR. HOFF: Okay.

9 MR. TUCKER: Which one of you two are
10 talking today?

11 MR. HOFF: Go ahead.

12 MR. FASSLER: Let me just, if I may,
13 follow up on part of what Harvey was talking
14 about in terms of --

15 MR. CHENEY: Could you just identify
16 yourself for the record?

17 MR. FASSLER: I'm sorry, Paul Fassler
18 for the Vermont Department of Education.

19 MS. RICHARDS: And Karen Richards from
20 the Vermont Department of Education.

21 MR. FASSLER: After the legislature
22 acted in 1994 and passed what was known as
23 Senate 313, there was a kind of community
24 group that got together and drafted model
25 policies and procedures for school districts

1 to utilize. We did that. We sent that out
2 to school districts. We also followed up
3 with training information and materials to
4 assist school districts in implementing the
5 policies and the procedures. The Vermont
6 Department of Education does not have an
7 investigative unit in this area. We have
8 taken a number of complaints received and
9 worked with the Human Rights Commission on
10 those cases. One of the things that I know
11 that is of interest to this panel from the
12 questions asked of Harvey is what do we do
13 in investigation, what do we do in follow
14 up. Karen and I both as attorneys for the
15 Department of Education, we're not
16 educators. We don't necessarily have the
17 skills that are necessary to assist school
18 districts with a knowledge and understanding
19 of what they need to do from an educational
20 standpoint, but what we over the years when
21 we've been involved in investigations worked
22 with school districts and families in follow
23 up, done training for teachers, done
24 training for students on the implementation
25 of the policies and procedures, on what it

1 is to combat discrimination. I can I think
2 honestly say that Vermont school districts,
3 not all of them, but for the most of them do
4 not have the knowledge that they need to
5 assist students of color in dealing with
6 issues of racism in their schools, but I
7 will also say that school districts to 100
8 percent want that knowledge, and want that
9 information and want to be able to support
10 all students that go to their schools.

11 What drives the inability, if you will,
12 of school districts to assist students, and
13 that's all students, is the same level of
14 ignorance and fear that drives the
15 discrimination in and of itself. We know
16 that the numbers of students of color in
17 this state are very, very small. We have
18 those percentages, and we know that the
19 incidents of racism are few and far between
20 in terms of those that in fact get reported.
21 We do not know of those cases that do not
22 get reported. We do not know of those
23 situations where people do not feel
24 comfortable coming forward and reporting,
25 but we do know that although they may be

1 isolated and here, there, that they are very
2 real and very damaging to students who are
3 subject to that behavior.

4 Most people, by the way, have said
5 they're real happy to be here today. I'm
6 not. This is 1997. This is Vermont. We
7 shouldn't have to be here.

8 AUDIENCE: That's right.

9 MR. FASSLER: Karen?

10 MS. RICHARDS: I don't have a lot to
11 add to that. I think that what Paul and I
12 would emphasize is that what we see is a
13 need to get resources to the school, and
14 those resources are in the form of providing
15 information, providing training and getting
16 people that are in administrative positions
17 as well as the line staff, the teachers, the
18 paraprofessionals, the bus drivers, the
19 custodial staff, the people that work in the
20 cafeterias, everybody in the school needs to
21 have a basic understanding of the issues
22 here and needs to have an understanding of
23 what it is they're supposed to do, what kind
24 of climate that school is going to foster.
25 And if we can get those resources to our

1 schools, then we can go a long way towards
2 building this up from the bottom and
3 providing what we need to provide so the
4 incidents of harassment that have to be
5 investigated would hopefully be lessened.

6 MR. HOFF: Could I -- I'm encouraged to
7 hear you say that. What would help us a
8 lot, if you could give us the kind of battle
9 plan in terms of resources that you need in
10 order to implement such a plan. And I would
11 add to that one other thing. Of course,
12 most instances of racism that occur in
13 schools are pupil against pupil, and the
14 pupils who commit the racial acts almost
15 always come from families where that's not
16 only tolerated but encouraged. I think it's
17 just a fact. So my question is it isn't
18 just a question of dealing with the
19 particular school district and getting in
20 place an education and action program that
21 enables them to deal with it but it also
22 comes down to the question, how do you deal
23 with the underlying racism that lies behind
24 the actions of these kids? Do you have any
25 thoughts on that?

1 MS. RICHARDS: I wish I had the answer
2 and solution to that problem because then we
3 definitely all wouldn't need to be here. I
4 think that -- that -- that part of the issue
5 for the school is I'm not sure that that's
6 an issue that we can fix. I mean, we could
7 hold parent community forums in the schools,
8 we could bring, you know, parents and
9 community members in to have access to the
10 kinds of resources and training we're
11 talking about, and I think that's important,
12 but you know as well as I do that that
13 parent you're talking about isn't going to
14 come to this. It's not going to be of
15 interest to them. And so I don't know that
16 we reach that parent, but I think what the
17 school can do is to establish a culture
18 within the school that says to that child
19 that may be what your parents tell you at
20 home and that may be the way that you behave
21 at home, but that is not acceptable within
22 the walls or anyplace on the school grounds
23 here, or on the school bus or anyplace under
24 our control, and we will not tolerate it.
25 And, you know, maybe at some point that

1 child then begins to learn and change over
2 him or herself, but I think that parents are
3 gone. Maybe that's -- maybe that's just my
4 own kind of lack of being able to save
5 people, but I've kind of come to that
6 conclusion over years of dealing with this.

7 MR. TUCKER: You know, I have to say
8 listening to you and Paul and having a
9 relationship with you over the years that
10 you both always tell me you're not
11 educators. It's sad to me that
12 administrators in this state haven't learned
13 how to be educators by listening to the two
14 of you in terms of a no nonsense approach to
15 a problem that needs to be solved. So in
16 that case you turned me on more than a lot
17 of the school administrators I have met
18 within the state because of the fact of the
19 stance that you have taken. And I think
20 that children respond to those kind of
21 messages. Zero tolerance for certain
22 behaviors. Zero tolerance for racial
23 harassment, sexual harassment, all the isms
24 period. So I think school administrators do
25 have a responsibility to set a social tone

1 for the community that they serve and I
2 think the school board members that we elect
3 have to play a part in that. That's my
4 concern.

5 MR. CHENEY: I want you to help me with
6 a problem. It doesn't take a genius to see
7 discrimination. I mean, the stories we've
8 heard today, they're so obvious. What
9 knowledge do school administrators lack? I
10 mean, you say you need resources to get this
11 information across. I understand that
12 you're dealing with a complex social system
13 and the interaction of people, but what is
14 missing here? I mean, if you -- if you had
15 the ability to produce a training program,
16 what would you want these folks to hear?

17 MS. RICHARDS: Well, I can tell you
18 that what's missing in a big way from my
19 perspective having moved to Vermont only
20 four short years ago from the State of
21 Connecticut, what's missing here is because
22 we have such a small percentage of folks in
23 the state that are different, we have a
24 whole large percentage of people who have
25 grown up in the state who have never lived

1 anywhere else and who haven't had the
2 experience of dealing with other cultures
3 and people of other races. And my
4 experience is that because of that, their
5 perceptions of people of color or of
6 different ethnic backgrounds are based a lot
7 on what they see on television, what they
8 see and read about in the newspaper, and
9 it's not necessarily reflective of reality
10 but it's what their perceptions are. So
11 you're dealing with people frequently who
12 are coming at the issue from a level of
13 their own uncomfortableness with
14 understanding it, their own
15 uncomfortableness with differences. And
16 unless you can get people to be comfortable
17 with the differences, as an administrator if
18 I'm uncomfortable whenever a person of color
19 comes into my office to talk to me about
20 something, I'm not going to be able to fix
21 the problem in my school. For me, that's a
22 big chunk of the problem. So I think a lot
23 of what the education needs to be is just
24 general education around what it is -- what
25 are differences?

1 MR. CHENEY: If you had unlimited
2 resources, how would you go about this?

3 MS. RICHARDS: If I had unlimited
4 recourses?

5 MR. CHENEY: Yeah. I mean, obviously
6 there are limits. If you had a choice, what
7 would you want to see happen? Would you
8 want to send all the school principals to
9 seminars, superintendents, teachers? What
10 is it that you'd like to see happen?

11 MS. RICHARDS: I think what I would
12 like to see happen is that there -- that
13 there's a mandatory annual training that
14 goes on in schools of some sort and that
15 that may include any variety of different
16 things. And, you know, that it ought to be
17 a structured program in which people --
18 especially people that work in the school
19 are, you know, learning things in a way
20 that -- you know, we start out here, here
21 are cultural differences and we talk about
22 laws, then we talk -- you know, and that
23 every year there's some kind of interaction
24 with faculty and students around these
25 issues so that there's a tone set and so

1 that all the kids, new ones coming in,
2 understand what this all is and how it
3 works. I think that would be very
4 important.

5 And I can tell you that, you know,
6 from -- we could mandate it from legislation
7 to say, you know, this is -- you know, all
8 schools need to do this. It would be much
9 easier for them to swallow and you'd get
10 much better buyin if there were money behind
11 it to pay for some of the training. Paul
12 and I do it for free but, you know, we can't
13 provide every aspect of that. We can talk
14 about legal issues and we can describe
15 policies, and procedures and some of those
16 things, but we can't do the -- I wouldn't
17 feel comfortable doing the cultural stuff.
18 So I think, you know, there needs to be
19 money and resources available for people to
20 get high-quality training.

21 MR. HOFF: We look forward to hearing
22 from you further on that. Yes?

23 DR. JOHNSON: Did you hear Ann Borys'
24 comments?

25 MR. FASSLER: Yes.

1 MS. RICHARDS: Yes.

2 DR. JOHNSON: Is there any part of her
3 story that you interact with or can be
4 helpful about?

5 MR. FASSLER: I've got to tell you that
6 most of those -- of her comments were brand
7 new to me. It hurts to think that that
8 occurred in a Vermont school, but I cannot
9 verify or deny that that occurred because
10 they were brand new to me today.

11 MR. HOFF: I come away with feeling
12 that it's a lot more prevalent than the
13 average Vermonter really understands.

14 MS. RICHARDS: Yes.

15 MR. HOFF: I think a lot of it is -- is
16 not very open. It's kind of sub rosa. It
17 breeds kind of an attitude that a child of
18 color just instinctively understands and
19 feels that it's there, and we haven't dealt
20 with it and it's time we did.

21 DR. JOHNSON: Also there's -- follow up
22 on the question. You mentioned not being
23 happy to be here, and part of that is
24 understandable; however, there are some
25 administrators who are not here who don't

1 want to be here because they consider what
2 we're doing to be pestering, I mean to
3 really focus on this kind of issue is a
4 bother. How do you react to that kind of
5 behavior?

6 MR. FASSLER: I don't know that that's
7 true.

8 DR. JOHNSON: It is true.

9 MR. CHENEY: Take it from us, it's
10 true.

11 DR. JOHNSON: It's true.

12 MR. FASSLER: I think it is -- if in
13 fact that feeling exists, it is part and
14 parcel I think of what Karen and I were
15 talking about in terms of the ignorance, or
16 fear or the inability through common
17 happenstance to be -- to deal with these
18 issues on a regular basis. I have yet to
19 find a school administrator with the evil
20 heart who says that there are certain
21 students that should not be in their schools
22 or that there are issues that they will not
23 deal with. I do know, however, that the
24 issues obviously occur and they occur over
25 and over again in district, after district

1 after district. That's not because there's
2 an evil heart, it's because of -- I -- I
3 think lack of -- of understanding and lack
4 of ability to deal with the issues.

5 MR. CHENEY: Schools get -- everybody
6 dumps their own particular problem on the
7 schools and say solve it. In your heart of
8 heart of problems, where is this in the
9 priority for your department?

10 MR. FASSLER: I think it's part and
11 parcel of all of what the Vermont Department
12 of Education wants to have for students in
13 our schools. I think we need to have
14 curriculum that is bias free, curriculum
15 that is -- that is culturally diverse,
16 curriculum that is across the board. We've
17 got to tie it to our standards as we move
18 forward with the standards-based education.
19 This has to be part and parcel of the
20 education that our students receive. This
21 has to be part and parcel of the education
22 that our teacher preparatory programs are --
23 are -- are done. I mean, if we have
24 teachers that are coming into the field that
25 do not have the background, knowledge or

1 expertise to deal with these issues once
2 they start teaching a class, we're going to
3 have just a repeat of these activities. So
4 these are issues that are important to us
5 without a doubt.

6 MR. CHENEY: But to be specific, is
7 this on par with school funding in your
8 department as a problem to resolve? Where
9 does it fit? I mean, is it -- I'm trying
10 to --

11 MR. FASSLER: There are no people in
12 the Department of Education that --

13 MR. CHENEY: If you can speak for the
14 commissioner, I don't know as you can, I
15 would like to have a record of where the
16 state Department of Education puts this
17 problem on its priority list. Maybe you
18 can't do it today, but if you can write it
19 to us because I think all of us want to know
20 where it stands instead of just talking
21 about it.

22 MS. SAUDEK: I think what Paul was
23 about to say sort of is an answer to that
24 question. You were about to say I think
25 that there's no staff dedicated to this

1 issue today.

2 MR. CHENEY: Well, that answers the
3 question.

4 MS. SAUDEK: Well, it really answers
5 the question about very, very limited
6 resources in the department.

7 MR. HOFF: In the interest of time I'd
8 like to wind this up, but I don't want to
9 shut anybody off. Jerry?

10 MR. DIAMOND: Obviously the legislature
11 acted in 1994 because a problem was
12 recognized. There's no investigative staff,
13 no other staff to deal with this particular
14 problem. My -- my question wants to go the
15 next step in terms of a question. Has the
16 department ever proposed a budget which
17 included both investigative staff and/or
18 money for the resources for the kinds of
19 programs that you and Karen have talked
20 about?

21 MR. FASSLER: Yes.

22 MR. DIAMOND: And if so, where did that
23 process die?

24 MR. FASSLER: It was part and parcel of
25 the legislation of Senate 313 in 1994.

1 There was a recommendation that we have both
2 staff at the department and for mandatory
3 training and support for school districts,
4 and that died in appropriations.

5 MR. DIAMOND: And it hasn't been
6 renewed since that legislative session?

7 MR. FASSLER: No, sir.

8 MS. RICHARDS: We -- we are looking
9 right now at proposing to hire an
10 investigator as a position for the next
11 fiscal year starting June 30th of '98, and
12 that's going to be in our budget, and one of
13 the -- I mean, there would be many myriad
14 responsibilities for that investigator, but
15 these cases could be part and parcel of that
16 person's job.

17 MS. SAUDEK: This would not be just for
18 racial issues, this is --

19 MR. FASSLER: Licensing, special
20 education.

21 MS. RICHARDS: Right. I mean, if we
22 were going to do -- if we had one -- we'd
23 have to have two investigators essentially.

24 MR. HOFF: Sam?

25 DR. HAND: Again, I'm using it again,

1 if I understood you correctly, you referred
2 to repetition of these issues in individual
3 districts. You can assess the performance
4 of some districts?

5 MR. FASSLER: Oh, absolutely.
6 Absolutely.

7 DR. HAND: I have another related
8 question.

9 MR. FASSLER: And if I may follow up.

10 DR. HAND: Please.

11 MR. FASSLER: In those districts that
12 have taken very affirmative, very real and
13 very strong action, incidents of racial
14 harassment or racial discrimination were
15 ceased immediately and never recurred, okay?
16 The -- and -- and -- and we know that. In
17 those situations -- I think Harvey talked
18 about a situation where, you know, kid after
19 kid after kid is harassing this one
20 particular child, you know, for whatever
21 reason the school district is -- is -- is
22 taking it one student at a time as opposed
23 to a more systemic approach. I think that
24 when, in fact, school districts take a very
25 real and very strong systemic approach the

1 message will get through to the rest of the
2 students and to the rest of the community
3 that these items will not be tolerated, and
4 that's I think what needs to occur.

5 DR. HAND: And let me go on to one more
6 question. Is there -- we're talking about a
7 huge age group here, somewhere between 5 and
8 18. Are there some data as to indicate at
9 what level this occurs most frequently?

10 MR. FASSLER: It occurs across the
11 board.

12 MR. CHENEY: I'm going to interrupt
13 here because we're an hour behind. I'm
14 going to suggest that we take five, and I
15 literally mean five if we can and then we'll
16 go on to Panel 2. Thank you so much.

17 MS. RICHARDS: Thank you.

18 (Recess taken)

19 MR. TUCKER: I'm going to call this
20 meeting to order and start the next panel.
21 Donald Grinde, director of ALANA studies at
22 University of Vermont. This is going to be
23 on community organization and parent
24 perspective of racism in the public school
25 system and Vermont community. How do you

1 like that for a subject matter, Donald?

2 MR. GRINDE: It's a mouthful.

3 MR. TUCKER: Do you want to tell them a
4 little bit?

5 MR. GRINDE: I'm Donald Grinde,
6 director of the ALANA studies program at the
7 University of Vermont, professor of history.
8 I teach American Indian history, and the
9 past three years I've set up a plan that
10 focuses on race and racism and the history
11 of people of color in the United States.
12 The purpose of that has been to offer
13 students curriculum that deals critically
14 about race and about solutions about race in
15 America to further research the faculty
16 about race -- in the faculty about race and
17 racism and also provide support and -- to
18 local, state and communities and
19 institutions about racism and some of the
20 resources that we might have to share with
21 institutions that need some of this
22 knowledge.

23 Marc called me a few weeks ago -- well,
24 a few months ago, actually, kind of mapped
25 out what -- what the Commission was

1 interested in. I also got a letter -- copy
2 of a letter by Larry McCrorey that addressed
3 this a few months ago as well, so I've been
4 thinking about what might be some of the
5 things that our program might have to offer.
6 I do this in the spirit of realizing that
7 this is a continuing problem. My
8 perspective on this is that racism invents
9 and reinvents itself over and over again.
10 That's one of the things -- that's how it
11 persists. If we could just freeze racism
12 ala the George Wallace approach 45 years
13 ago, then we could eradicate it, but it's
14 like a virus. It reinvents itself and
15 emerges in a different form and it takes on
16 different dimensions. Yes, we don't have
17 George Wallaces standing in the doorway of
18 the University of Alabama anymore, but I
19 would submit that we do have southern
20 governors and, indeed, other governors who
21 are doing some other things about race to
22 impede it.

23 And so that's what we try to do, and I
24 think institutions need a proactive response
25 to racism so they can stop replicating

1 racism and buying into the new forms of it
2 and the new inventions of it because always
3 the new inventions appear to be nonracist.
4 Everybody is always sure about 25 years ago
5 racism. Those are the people that they
6 laugh at on TV and stuff like that, but the
7 new forms. Harvard professors write books
8 about the bell curve. Well, you know, we
9 don't have racism anymore, but we do know
10 there are genetic and IQ equivalents and so
11 on that reinforce our prejudices. And I
12 submit that that -- and that pays really
13 good. The fellows that wrote that got a
14 quarter of a million dollars apiece from the
15 American Enterprise Institute, and then they
16 got the -- all of the speaking and
17 everything that came -- that came out of
18 that, but I think it's important that these
19 problems that we see in the schools, and I
20 won't make any bones about it, we also have
21 similar problems in the university. I'm not
22 saying the university is without sin either
23 in terms of this. In some ways ours are
24 more complex and a little different. We've
25 had students harassing faculty. White

1 students harassing faculty of color, so it's
2 not just student to student or things like
3 that, but these are the results of what's
4 happened in earlier times in these students'
5 schooling.

6 I think that one of the things the
7 university can do is teacher training. We
8 need the state to mandate courses on racial
9 sensitivity and teacher training and
10 certification. We need to examine what
11 those courses will be about in consultation
12 with faculty, school -- people in the
13 Vermont state Board of Education and this
14 Commission, the Human Rights Commission and
15 set up exactly what the institution of
16 public education needs in the State of
17 Vermont. I think that's really important.
18 We can't take what's done in New York or
19 someplace, for several reasons. First of
20 all, we need everybody to take ownership.
21 We need school administrators, we need
22 teachers, we need parents, we need people
23 that train teachers at the university,
24 everybody to be -- to buy into this as a
25 societal problem that needs to be addressed

1 from --

2 MR. TUCKER: Excuse me, Donald. Could
3 someone shut that door please?

4 MR. GRINDE: And then follow this
5 training up as we train new teachers with
6 continual training, workshops as we do
7 with -- with all teacher training. Teachers
8 are constantly upgrading, they're coming
9 back in the evening to the university or to
10 other institutions of higher learning so
11 this would be a continuous thing. It's just
12 not something you take as a junior in
13 college and then it's done. Likewise, a
14 training of school administrators. I think,
15 again, we should take a long, hard look at
16 how we train our school administrators about
17 race, then what resources do we have, how
18 can we train them so that these events that
19 we have heard earlier in the day and
20 probably will hear at other hearings by this
21 body can be -- can be mitigated, can be
22 dealt with, and prevented and minimized.

23 I think the same thing with staff from
24 school bus drivers, so on, training there as
25 well. And this -- one of the problems that

1 I found dealing with race in Vermont, and
2 it's come up in here when I've heard it
3 talked about again, is often there's a
4 denial that, well, we don't have those
5 problems here or they're so minimal that
6 they're incidental and this kind of thing.
7 And as long as we have that kind of denial,
8 we don't have people buying into the
9 solution or recognizing that there is a
10 problem. Race becomes something that is
11 episodic, incidental and unusual, and --
12 because the norm is kind of an aracial
13 society, and that's simply not true of
14 course as testimony today and the experience
15 of people of color, as well as the
16 experience of whites too in this matter
17 testifies over and over again.

18 I think too part of this must be an
19 acceptance that Vermont is becoming a much
20 more diverse place and that as that occurs
21 that -- and this is one of the things that
22 I've had to convince the university, that as
23 the university becomes more diverse, that in
24 reality sometimes the racial problems
25 actually complicate themselves. That

1 doesn't mean that we should give up on this,
2 but we should realize that with diversity
3 that suddenly you go from what I call
4 talking about what you ought to do to
5 actually doing diversity, see? And rather
6 than speaking the good talk and noble ideas,
7 suddenly you are confronted with people of
8 color in the classroom as your colleagues
9 and so on over and over again, it's quite
10 different to talk about we ought to be
11 diverse than when we are. And I think
12 sometimes that's a problem in the public
13 schools too. You want to talk a noble
14 ideal, but implementing it is often another
15 completely different step than giving lip
16 service.

17 So I think that those are some of the
18 things that the university can offer. Over
19 the last three years I have strived mightily
20 to hire over at least six or eight faculty
21 of color that are in departments of
22 sociology, history, religion and several
23 others that do research and have insight
24 into race and racism in America and as well
25 as, of course, equally important or whites

1 at the university that are committed to this
2 problem. That's another thing that's
3 important to understand, that without the
4 white community buying into this, often
5 training about race and racism can be simply
6 people of color get up and complain and
7 people sit and listen and then they go home
8 and it's kind of like a cathartic approach,
9 so that another key thing is white
10 leadership and buying into this as a real
11 problem.

12 MR. CHENEY: What recommendations would
13 you make from what you've heard today? Say
14 you had the floor with the state Board of
15 Education, what recommendations would you
16 make?

17 MR. GRINDE: Well, they're the ones
18 that I kind of went through, that teacher
19 training needs to recognize this and the
20 state -- state Department of Ed should make
21 recommendations about training teachers
22 about race and racism and that the Vermont
23 State Colleges and the university should be
24 brought in to that discussion.

25 MR. CHENEY: Do you know of any place

1 where this is done?

2 MR. GRINDE: We're beginning to attempt
3 that in the school of education at the -- at
4 the university and to discuss -- we -- we
5 have now various courses on race and racism,
6 and we need to rethink those because some of
7 them work and some of them don't. And so I
8 think that that's one of -- this kind of
9 coincides with some of the things we're
10 trying to do at the university is to rethink
11 what we do.

12 MR. CHENEY: Is your curriculum for the
13 university or would it be suitable for
14 elementary secondary?

15 MR. GRINDE: Well, it would be suitable
16 for teachers that are going through to be
17 taught, you see, and then if it's suitable
18 for teachers that are -- that are being
19 trained to be elementary ed school teachers,
20 then certainly similar curriculum could be
21 given to existing teachers that are coming
22 back for getting masters degree, or
23 recertification or all those kinds of
24 things, see, and that crediting process you
25 can say, okay, when you come back as a

1 teacher to get your masters or to recertify,
2 one of the things would be to take some
3 course or courses on, you know, race and
4 American education or something. And to
5 deal specifically with these things in
6 Vermont we could have people from the school
7 of education, people from the state
8 Department of Education say these are the
9 things that happen in our schools. These
10 are the ways that we've found to effectively
11 deal with them and not effectively, and this
12 would also go for the training and
13 certification of school administrators as
14 well.

15 MR. TUCKER: Let me interrupt you
16 Donald. Pat?

17 MS. ELMER: I appreciate the way you
18 started your presentation by coming to us by
19 saying what perhaps your program has to
20 offer on this issue, and you -- we certainly
21 know what some of the needs are and you're
22 addressing what possible resources the
23 university has to leverage on this -- on
24 these issues. Is there anything that you
25 would like out of this two-day forum to help

1 you leverage those resources at the
2 university? It's hard sometimes to get
3 things really happening within a university
4 structure. Is there anything that we could
5 create for you to make it easier?

6 MR. GRINDE: Well, I think at this
7 point there's kind of -- could be selfish.
8 One of the things that is important is to --
9 for the university to hire more people in
10 this area too. That -- because there's a
11 great need. We have a need within the
12 university and now we're hearing that
13 there's a great need in the state, and
14 perhaps the university can be called in to
15 help in that. So if -- if that's going to
16 happen and our president believes in
17 outreach to the -- to the -- to the state,
18 then what we have constructed now or in part
19 constructed now at the university if more
20 demands are going to be put upon it, then,
21 you know, resources need to be -- to be made
22 available.

23 MS. ELMER: Perhaps a window of
24 opportunity with a new president?

25 MR. GRINDE: Yes. I think -- I think

1 this is the kind of thing she's interested
2 in. She talks about outreach. Land Grant
3 Institution should reach out to the state,
4 help communities deal with real problems and
5 that's an integral part of a state
6 university. And certainly this problem is
7 something that hopefully the university
8 through its -- its faculty and some of its
9 expertise can at least be a partner in
10 the -- in the solution.

11 MR. TUCKER: Karen?

12 MS. SAUDEK: Certainly a first step
13 would be if the state were to require that
14 recertification of teachers and
15 administrators include this element, then it
16 gives you -- gives the university a market
17 to gear up for. It would get you the
18 resources perhaps that you're talking about.
19 It would create a vast market for those
20 services.

21 MR. GRINDE: Yeah. If there's a felt
22 need, then obviously you need to service
23 that need. And if we -- that this expertise
24 is needed and we need more people with that
25 kind of expertise.

1 MR. TUCKER: I'm going to limit this to
2 one more question, Don.

3 MR. GRINDE: Okay.

4 DR. JOHNSON: Is there some way that
5 you could describe or make something
6 comprehensive or at least over time
7 comprehensive regarding the issue that we're
8 talking about? For example, you mentioned
9 that there is talking and there's now more
10 need for doing, and you didn't talk so much
11 about understanding the issue that we're
12 dealing with, but I'm thinking of just
13 jumping for thought-provoking purposes of
14 the IRS problem again, or domestic abuse or
15 drinking under -- driving under the
16 influence of alcohol. Those are all serious
17 problems. Is this problem as serious as
18 those because if it is, then what are the
19 variety of ways that exist or that we could
20 create to deal with it even though we do
21 have all kinds of laws and imprisonment for
22 people driving who are alcoholic, people
23 still do it, but there are lots of things
24 that we can suggest for alternative
25 programs. Does anything like that exist

1 comprehensively in the racism area or can
2 you see the university spearheading
3 research, or writing or developing for the
4 school system?

5 MR. GRINDE: Well, I think that to
6 answer your first question, that I think
7 it's unique to boys, that color is the
8 number one problem of the 20th Century, and
9 I think that it's obvious it hasn't been
10 solved here at the end so that dealing with
11 racial tension and with racism and so on has
12 become -- is and remains extremely
13 important. As I said, the problems change
14 or redefine themselves over time, and part
15 of studying racism is we must be aware of
16 how racism changes. And so -- so that --
17 that's the answer I think to your first
18 question.

19 I think that how the university can --
20 was your second question about the
21 university's role in this? I think the
22 university can study it in the state.
23 Certainly there have been people that have
24 begun to do that and need -- more needs to
25 be done. Secondly, people with anti-racism

1 expertise can -- within the university can
2 work with school administrators, the state
3 Department of Ed to develop a program that
4 fits their needs, that sits down what are
5 the problems and what are the approaches or
6 solutions that we can come up with, see?
7 And I think that a community-based situation
8 where you talk not just with academics, with
9 school administrators but with parents and
10 all of that and hammer out something that
11 everyone can work with because, as I said
12 earlier, everybody's got to buy into this in
13 order for it to really -- to work.

14 MR. TUCKER: Don, I'm going to ask that
15 you submit your recommendations in writing,
16 okay?

17 MR. GRINDE: Okay.

18 MR. TUCKER: In the interest of time
19 I'm going to have to stop you. I want to
20 move on. Is Joseph Gainza --

21 MR. GAINZA: Gainza.

22 MR. TUCKER: Gainza. Sorry,
23 Mr. Gainza.

24 MR. GAINZA: That's all right.

25 MR. TUCKER: I want you to talk about

1 how you see the community and the public
2 school system operating in this business.

3 MR. GAINZA: I'm going to violate the
4 rules that were drawn here because I'm not
5 going to address that issue specifically
6 unless we get into questions. I have a
7 different perspective than I've heard spoken
8 of here previous -- previously, and I'd like
9 to make that statement and I'd be happy then
10 to discuss things which the AFSC is doing
11 here in Vermont and in other places to
12 address this issue and how I see schools
13 might get more involved in the kind of work
14 that we're promoting but --

15 MR. TUCKER: How long is your
16 statement?

17 MR. GAINZA: Well, we are the American
18 Friends Service Committee, and I think the
19 service I can perform is to be brief. So my
20 statement is very short.

21 MR. TUCKER: Fine.

22 MR. GAINZA: Okay. First of all, I'll
23 just say who we are, The American Friends
24 Service Committee is concerned with the
25 world as it is and as it ought to be.

1 Fundamental beliefs in the individual,
2 seeing the divine in each person, and in the
3 need for peace and justice guide our
4 activities. AFSC is dedicated to
5 nonviolence, opposing both the overt
6 violence of war and the covert violence that
7 erodes the human spirit through deprivation
8 and indifference. I believe that I would --
9 what I will say here today is not new to any
10 of you. My remarks are not intended to
11 provide you with an understanding you did
12 not already share. Rather, my intention is
13 to put on record the larger context in
14 which racial harassment in Vermont schools,
15 indeed in schools across the nation, occurs.

16 As I am sure you are aware, racism is
17 pervasive in the United States. President
18 Clinton has called it one of our most
19 enduring and far reaching social ills, but
20 racism is not simply a matter of individual
21 bias or discriminatory action. Racism is
22 systemic denial of their full human rights
23 to categories of people based on their race.
24 The word systemic is key here.

25 What exists in our country, what we

1 call racism, is social, economic and
2 political oppression. It has historic
3 roots, serves certain members of our society
4 and pervades every aspect of relations
5 between black and white Americans. American
6 racism, in short, is the multifaceted
7 oppression of black Americans by white
8 Americans who wield power. Looked at this
9 way, there can be no such thing as reverse
10 racism. The power imbalance is decidedly in
11 one direction.

12 Racism is not the only form of
13 oppression which disfigures the American
14 dream. Sexism, classism, homophobia,
15 ablism, to name a few, not only oppress
16 people who are not black but also feed and
17 maintain a racially hostile environment.
18 Oppression breeds oppression.

19 Today we see an ever growing gap
20 between the extremely rich, one might say
21 the absurdly rich, and the rest of us. To
22 maintain this imbalance of power and
23 privilege unprecedented in the United States
24 historical antagonisms between races, men
25 and women, gay and straight, citizens and

1 immigrants and others must be fanned into
2 flame.

3 As the economic pie is divided even
4 more unequally between the owners of capital
5 and the working majority of Americans,
6 struggles to secure a private safety net
7 exacerbate the misunderstandings and fear
8 associated with the issue of difference.

9 In this context, while necessary,
10 efforts to combat individual acts of bigotry
11 will serve to suppress the boiling
12 discontent which underlies them.

13 Therefore, in addition to addressing
14 the very real problem of racial harassment
15 in schools, something all people must do, I
16 ask you to use the special platform which is
17 available to you to call attention to
18 oppression in the U.S. in all its forms,
19 economic, social, political and racial.

20 I believe it is only when we name and
21 remove the root causes of racism which are
22 found in these other faces of oppression
23 coupled with the idea of zero tolerance of
24 racial harassment, then we will see a steady
25 diminishment of acts of hatred and bigotry

1 in our schools.

2 MR. TUCKER: I'm glad that you read
3 that, but I'm also concerned because my
4 experience, and I'm going to share that with
5 you and with this room, has been whenever we
6 address particularly racism I'm asked to
7 address all the other issues at the same
8 time. As a father of three children and a
9 grandfather of three, I feel obligated to go
10 try to keep this subject matter first at
11 hand and to talk about all those children in
12 this state that are currently trying to
13 operate within a system that is greatly
14 tilted to one side and doesn't favor them.
15 I was concerned when I heard Ann talk about
16 how two or three of her children were in
17 special programs. I'm aware of the fact of
18 a school district where there are 12
19 children of color and all 12 are in special
20 programs. So I'm aware of that, and while I
21 share your opinion on a global sense, I
22 would really like to hear some of your
23 expertise knowing of it about what you see
24 going on in the Vermont schools and what we
25 can do to address that issue if I could

1 please.

2 MR. GAINZA: Surely. I'd be happy to
3 do that. I just want to remind the panel
4 that Martin Luther King came to the
5 understanding that these larger issues have
6 to be addressed if we are to truly address
7 the problem. I appreciate what you're
8 saying. I have worked some with the Vermont
9 antiracism action team and we did a brief
10 two-hour workshop on trying to come to a
11 clear understanding of what racial prejudice
12 means in school settings but also in
13 society. I did a workshop down in the
14 Brattleboro Union High School on their
15 diversity days which tried to come to the
16 same understandings among students.

17 What the American Friends Service
18 Committee is offering in the state is a
19 program which we call Help Increase the
20 Peace which I believe I mentioned at the
21 earlier meeting when you were planning this
22 particular session. Help Increase the Peace
23 is a series of interactive exercises that
24 work with people on issues of prejudice
25 reduction, community building and nonviolent

1 conflict resolution. What we try to do is
2 engage students at the level of their
3 experience about how they perceive
4 themselves and how they perceive people who
5 are different from themselves and to engage
6 them in ideas about how they might be able
7 to lower the intensity of anger and
8 misunderstanding that sometimes happens when
9 people who have different backgrounds,
10 different ethnic or racial backgrounds come
11 together in a school setting. So what the
12 American Friends tries to do in not only
13 cases of racial harassment in schools but in
14 the broader community is to bring people
15 together in ways that provide a comfortable
16 environment so that they can begin to see
17 each other as people, as individuals and to
18 share each other's stories so that they
19 begin to see that the fear that they have
20 developed over the years is based on nothing
21 other than fear itself, to paraphrase
22 Mr. Roosevelt.

23 MR. TUCKER: Anybody have any
24 questions? Is this a short one? I'm just
25 kidding. Go ahead, Charles, you first.

1 DR. JOHNSON: Is there some way that
2 you have to determine how effective your
3 Help Increase the Peace activities are to
4 go -- as they go forward into these various
5 problem areas?

6 MR. GAINZA: AFSC is a nationwide
7 organization and the Help Increase the Peace
8 has been running in other parts of the
9 country for longer than it has here in
10 Vermont, so my reasons will be outside of
11 Vermont. In Syracuse, New York, where we
12 have a program going for the last seven
13 years, in fact, it was developed in
14 Syracuse, what they have seen working with
15 young people in the inner cities are
16 people -- young people taking action around
17 these issues. As you would understand,
18 young people like to do things, they don't
19 just want to talk about them. And what they
20 have done is they have set up committees
21 within the schools that young people run and
22 begin to address these issues, but not just
23 issues of racial harassment but issues of
24 violence in the school, which is one of the
25 areas.

1 In western Massachusetts the youth who
2 belong -- who are members of the Cambodian
3 American community have begun to address
4 issues of police harassment for minority
5 members of that community in western
6 Massachusetts around the Northampton area.
7 These are young people who go through this
8 workshop and begin to find language and
9 skills that they can then begin to address
10 these issues in nonviolent ways. These
11 young people have been accused of being gang
12 members, been accused of inciting violence
13 in the schools and they are learning ways to
14 respond to that that doesn't heighten the
15 level of anger and distrust. So these are
16 two examples. There's also in West Virginia
17 some work being done, but as far as I know
18 it's primarily around other issues, not
19 specifically racial harassment.

20 MR. TUCKER: Anyone else?

21 MR. CHENEY: We've had two other
22 educators here, people from the university
23 and state department. Have you ever tried
24 to share curriculum with them or try to
25 develop something that would be useful?

1 MR. GAINZA: Not with the department
2 itself. With individual schools we've
3 been -- I've been approaching individual
4 schools, but I'd be very open to that. In
5 fact, I got the card of one of the speakers
6 from the Department of Education before she
7 left so that I could contact her.

8 MR. CHENEY: Have you ever been on the
9 agenda with the state Board of Ed?

10 MR. GAINZA: No, I haven't.

11 MR. TUCKER: Any other questions? I
12 hope you leave that statement for us so we
13 can have it in the record.

14 MR. GAINZA: Certainly.

15 MR. TUCKER: Okay. Thank you.

16 MR. GAINZA: Thank you.

17 MR. TUCKER: Diane Dexter. Hi. Are
18 you getting an idea what we're looking for?

19 MS. DEXTER: I'm Diane Dexter. I
20 offered to share some of my time with June
21 Black who is from Montpelier and a colleague
22 of mine and a friend. So I'm going to allow
23 Judith to go first.

24 MS. BLACK: My name is Judith Black. I
25 live in Montpelier, the parent of a daughter

1 of color. This is going to be tough. And
2 I'm an adoption social worker for the State
3 of Vermont, and so I place children, and I
4 also train -- cross train adoptive parents
5 to be as proactive for children as they can
6 be. When I initially thought I might make
7 some comments it was experiences my daughter
8 may have had, and I think this whole panel
9 committee knows that racism discrimination
10 exists, so I'm not going to add the details.

11 What I want to comment on was the
12 person from the Human Rights Commission, the
13 committee asked for results of one of the
14 suits, and I have some personal knowledge of
15 that. First of all, regarding one of the
16 suits, the money was used mainly for
17 therapy. It was not used to pay back for
18 the insults or whatever that happened.
19 While the suit was going on or the
20 investigation was going on parents gathered
21 in the school and said what can we do and
22 out of that, out of the settlement a
23 diversity committee was formed in the
24 elementary school. And a local agency got a
25 three-year grant that's almost stopped which

1 provided us with a diversity specialist in
2 the school two days a week available to
3 teachers, and mostly the teachers that were
4 interested in the beginning were teachers
5 who were more enlightened. And there are
6 many teachers who said there's no problem
7 here. We looked at a committee of having
8 zero tolerance of incidents but the
9 philosophy -- philosophy of the committee in
10 the school was to go beyond tolerance and
11 celebrate all children and not just have --
12 so there was a school policy and there
13 was -- an incident occurred.

14 The incident occurred, all parents of
15 all the children were informed. In the past
16 this -- this did not happen. In the past
17 children of color who were harassed had to
18 go face people -- the older kids usually and
19 be forced to tell them how it hurt their
20 feelings. And, you know, the school was
21 desirous of helping kids who are really
22 ignorant. When I said it's not my
23 daughter's position in first grade to
24 educate teachers and other kids on issues of
25 religion, and color and whatever, the school

1 started taking a more global look at this.
2 Some of the things we did was there wasn't
3 just black history month. It just wasn't
4 cultural days, it just wasn't Martin Luther
5 King Day; it was how in the school can we
6 bring a diverse acceptance. And, you know,
7 the kids made a quilt of -- they stuck their
8 hand in colored paint and put their hand on
9 this quilt, so there's a quilt that was in
10 Montpelier City Hall, I think the
11 Statehouse, that had 450 hands on it.

12 The committee also addressed from the
13 principal and the superintendent policies
14 that they were developing, whether this was
15 racial harassment, or sexual harassment or
16 discrimination. I think it's important to
17 be inclusive of all children, that we have
18 to educate all children of the issues and --
19 whether it's racial or other issues. You
20 know, if I had a wish list, I would want the
21 Department of Education to in some way set
22 up a program with Vermont to bring student
23 teachers of minorities, diverse backgrounds
24 in because our kids are not seeing adult
25 role models, our white children and children

1 of color. I think some parents also have to
2 take responsibility that in Central Vermont
3 many children of color are -- have been
4 adopted by white parents and these -- many
5 of these parents feel racism doesn't exist,
6 it should not exist, and the child comes
7 into the public school and they often are
8 shocked and surprised and feel the school
9 should solve all of society's problems. I
10 think it's one point; we have to educate the
11 whole community.

12 I don't think this is something that
13 will be done. My daughter's now in middle
14 school for the first year. I feel like I'm
15 back at ground one, that all that was built
16 up in the elementary school because we had
17 the supports that were focused, it wasn't
18 just people saying we have a problem, what
19 can we do for a solution, what can we do to
20 support the principal, what can we do to
21 support staff, what can we do to make things
22 more open and work even with music teachers,
23 art teachers --

24 MR. TUCKER: So you're telling me that
25 what went on with the elementary school did

1 not go into middle school now, it did not
2 permeate, it didn't happen magically?

3 MS. BLACK: No, it did not. I think in
4 the high school it's working because there
5 were teens that were active and so they
6 could use that person. The middle school,
7 like everything else in education, just
8 seems to get lost between the two.

9 MR. TUCKER: In the essence of time,
10 Diane, I want to move on next to you. Thank
11 you. I think that that's pretty informative
12 and that says a lot in what we're really
13 facing.

14 MS. DEXTER: I'm here to talk to you in
15 two capacities. The first is my
16 professional capacity as the adoption
17 specialist for the State of Vermont. And in
18 that role I see a number of children who are
19 adopted transracially. In the State of
20 Vermont there are over 100 children per year
21 being adopted by Caucasian parents in
22 Vermont.

23 MR. TUCKER: What's the word you used?

24 MS. DEXTER: Pardon me?

25 MR. TUCKER: What was the word you

1 used, transracially?

2 MS. DEXTER: Yes. Transculturally.
3 Those children are from all over the world.
4 They're from Asia, they're from China,
5 they're -- and they're from the U.S. The --

6 MR. TUCKER: How long has that
7 statistic been going on for now?

8 MS. DEXTER: Well, I've been in this
9 capacity for going on six years, and on
10 average it's been about 100 children a year
11 for all of those years.

12 MR. TUCKER: For six years?

13 MS. DEXTER: Yes.

14 MR. TUCKER: So 600 children over six
15 years have come into this state who are
16 children of color added to the 748 that I
17 figured I heard, that sounds like 1300
18 children now.

19 MS. DEXTER: Right. There are a lot
20 more children. And many of them are very
21 young children still. They're hitting five
22 and six years of age. In the capacity of
23 the adoption specialist I realized that a
24 number of parents -- every year all of the
25 agencies in Vermont put together a

1 conference, and in the process of this
2 conference we realized that many parents, as
3 their children were getting older and
4 hitting the school systems, they were saying
5 my daughter's coming home with this
6 experience, my son had this experience, and
7 these parents were not prepared to help
8 their children deal with the school systems
9 and with the larger population. So we
10 have -- we've put workshops in place and
11 we've -- the agencies have a screening
12 process they put some of the families
13 through to help families before they adopt a
14 child of color begin to think what the
15 issues are going to be that they will have
16 to be educated on in order to help their
17 child into adulthood as a healthy person of
18 color, whatever -- or of whatever race that
19 child happens to be.

20 MR. TUCKER: So you teach -- because
21 I -- you know, one of the things I noticed
22 when I walk down the streets of Burlington
23 are children of color, naturally. I mean,
24 that's what I naturally look at. And it
25 invariably cracks me up the conversations

1 between people of color, especially
2 Afro-Americans, we see kids who are
3 uncombed, whose color in the wintertime is
4 whitish looking.

5 MS. DEXTER: Yes.

6 MR. TUCKER: You know --

7 MS. DEXTER: Cracks in their skin.

8 MR. TUCKER: Do your agencies attempt
9 to instruct and educate parents in that?

10 MS. DEXTER: Yes. Yes.

11 MR. TUCKER: It doesn't seem to be
12 doing very well.

13 MS. DEXTER: What we try to do is we
14 try to bring -- at the adoption conference
15 every year we bring a woman in who will do
16 hands-on training for families. Where do
17 you go? I've received so many phone calls
18 from parents who have adopted children of
19 color saying, you know, where can I go to
20 get my daughter's hair cut? Where can I go
21 to get my daughter's hair braided? And
22 these questions are very real for these
23 families. And we now have developed
24 resources. We've had to find and hone those
25 resources for these parents, and we're

1 pointing them in that direction and they are
2 getting more educated about it. But you're
3 absolutely right, and that's what I saw.
4 And when I saw that I said to myself, we
5 have to do something. And I went to the
6 adoption council and spoke with the
7 agencies, and together we came up with a
8 handbook for parents that would at least
9 address this issue, and we made it part of
10 our licensing regulations that agencies have
11 to with every adoptive family sit down and
12 give them this information. Whether they
13 practice it or not is another element. So
14 that's my professional hat. And now I want
15 to put on my parent hat.

16 MR. TUCKER: What's your parent hat?

17 MS. DEXTER: My parent hat is that I
18 have two children that are African-American
19 children, and my oldest daughter is six
20 years old. She entered the public school
21 system this year for the very first time.
22 It's a wonderful school and I did not
23 anticipate -- I did not anticipate her
24 having a -- a -- I anticipated she would
25 have a wonderful experience. On day four of

1 her education she didn't want to go back,
2 and she didn't want to talk about that.
3 Well, finally we talked about it, and there
4 were children in her class and outside of
5 her class who had threatened her,
6 intimidated her and made fun of her because
7 of the color of her skin. They had --

8 MR. TUCKER: Take your time because I
9 can hear what's going on in your voice and I
10 understand it.

11 MS. DEXTER: Okay.

12 MR. TUCKER: You just take your time.

13 MS. DEXTER: My daughter came home, did
14 not want to go back to the school. She said
15 to me, I feel like I'm a ghost. Mommy, I
16 feel like I'm invisible. Nobody sees me. I
17 called the school principal a number of
18 times. I went in, I spoke with the teacher.
19 We had a meeting, and some good things have
20 happened, but it's a very basic thing I want
21 to present to you today. My daughter's
22 teacher is a wonderful young woman. Her
23 first year teaching. I don't think she's
24 had any opportunity to experience a child of
25 color in her class or in her life. I said

1 to her, well, what happens when you divide
2 up the circle time? Well, Sarah's always on
3 the outside. She's left out. She's
4 separating herself from the rest of the
5 students. We're 40 days into the school
6 year, okay, 40 days. My daughter doesn't
7 want to be a part of this group. She's
8 separated from the other children. She knew
9 some of the other children in this
10 classroom. She was not a stranger to them.
11 She had known them since she was three years
12 old. What's going on?

13 I said to the teacher, here's what you
14 can do. Be my daughter's partner. Call her
15 name out. You hold her hand. Don't wait
16 for the other children to say, I don't want
17 to hold her hand. You hold her hand. Value
18 her. Show your students in your class that
19 you value my daughter, that she is important
20 to your school. I asked the school
21 administrator, have your teachers in the
22 school when they see my daughter walk down
23 the hall, good morning, Sarah, how are you
24 today? Speak to her. Say her name. My
25 little girl sat in the cafeteria for over

1 three weeks and ate her lunch -- she did not
2 eat her lunch, she sat with the tray in
3 front of her all by herself with her head
4 down. She was afraid. Children had said to
5 her, shut your mouth. They used the F word
6 to her, they -- and she was -- she was
7 afraid. And she's not a small child. She's
8 a big girl. And in the past when she's had
9 problems and we've dealt with it as much as
10 we could, she also has used her size. And
11 so she finally said to this one kid, I'm
12 bigger than you, remember that, and she got
13 in trouble.

14 MR. TUCKER: Naturally.

15 MS. DEXTER: Naturally. So, I mean,
16 there's a lot of work that has to be done.
17 It doesn't have to cost a lot of money. It
18 doesn't take -- I'm concerned that it will
19 take research committees, talked about the
20 University of Vermont doing research. You
21 know, hey, that's my great grandchildren you
22 might touch. My little girl is in your
23 public schools here in Vermont right now,
24 and right now today she's in that school and
25 I don't know what's happening for her. I've

1 worked with the teachers, I'm working with
2 the principal and they seem responsive,
3 interested, caring and willing to do
4 something.

5 MR. TUCKER: Let me ask you a question,
6 Diane. Where is the principal at in this
7 school and where is your school board?

8 MS. DEXTER: The principal of the
9 school is in Worcester.

10 MR. TUCKER: Where's your school board
11 stand with this issue? Have you gone before
12 them?

13 MS. DEXTER: No, I have not. I have
14 not at this point. I wanted to bring you
15 one other thing.

16 MR. TUCKER: Okay.

17 MS. DEXTER: Here are some of the
18 things the school has done. They do
19 acknowledge her every day. They are holding
20 her hand. They are -- the principal has
21 gone and sat with her in the cafeteria, has
22 invited other children to come and sit with
23 her in the cafeteria. They -- the fifth
24 sixth grade class decided early in the year
25 that they would do their study project on

1 the continent of Africa. They studied it
2 for two -- well, for 30 some odd days.

3 MR. TUCKER: Is your child from Africa?

4 MS. DEXTER: She's African-American.

5 MR. TUCKER: That's my concern about
6 Afro-American children. We always take them
7 to Africa. We bypass the cultural
8 revolution in Harlem, we bypass the music of
9 Duke Ellington, we bypass the new sounds of
10 Marvin Gaye. There is a rich Afro-American
11 history and you need to bring them back from
12 Africa. Before we get to Africa let them
13 deal with the culture here, and that's my
14 suggestion to you. Vermonters are quite
15 capable of going to Africa and South
16 America, and China is their latest one.
17 They're big on Beijing these days.

18 MS. DEXTER: Right. That's the country
19 that my daughter's first grade class is
20 going to study.

21 MR. TUCKER: But I can't get them to go
22 to Chinatown in San Francisco. It really
23 bothers me, and I have to tell you I've been
24 listening to you show some emotion about
25 this. I think that what you've both had to

1 say is very telling. My suggestion to
2 you -- and I hope the two of you can put
3 some of this in writing for us because it's
4 been very helpful, but my suggestion to you
5 is don't wait until she gets ready to go to
6 middle school, go into middle school now and
7 start educating them. It sounds like they
8 need to hire you to take over that program
9 for them because I find it hard to believe
10 that a young teacher of today with
11 television and all the things that are going
12 on, and there are some positive programs
13 about Afro-Americans on TV, very few, but
14 some, that they don't pick up some
15 information that we don't like being called
16 colored. You know, that's not big with us.
17 And a lot of other things. So I really
18 think that people hide behind this as an
19 excuse. But I -- I really want to commend
20 you and I want to thank you for your
21 testimony. Any questions for you?

22 MR. CHENEY: What you had to say
23 sounded really positive. You had to do all
24 the work, which seemed not so positive.

25 MS. BLACK: Well, I think parents have

1 to invest in the community that even if my
2 child was white, I should be involved in the
3 school and what's being taught there, what's
4 going on.

5 MR. CHENEY: The positive thing to me
6 seemed to be that the other parents saw that
7 this was a problem for their kids and not
8 just your kid.

9 MS. BLACK: Right.

10 MR. CHENEY: Then I want to know
11 whether you had that experience too.

12 MS. DEXTER: Yes. I would like to tell
13 you, I spoke with several other parents of
14 children in my daughter's class, and I
15 observed some incidents on the playground
16 where one of their children, who's a
17 Caucasian child, was made -- he was put to
18 the test. He had to choose between being a
19 part of the game and playing or being my
20 daughter's friend, and he -- that was a test
21 that he stood there and he cried. He did
22 not know what to do, and when his parents
23 learned of that experience, they were
24 appalled. And they also called the school
25 and said, this has got to stop now and none

1 of these children are to have this
2 experience, none of them. And the child --

3 MR. CHENEY: What would be really
4 helpful for us I think is if you -- you have
5 some really simple but very effective
6 recommendations and we don't need the whole
7 university -- we don't need to reinvent the
8 wheel. If you could put those down for us,
9 if the two of you would take the time to
10 collaborate on that, I think it could be
11 very helpful.

12 MR. TUCKER: Then maybe we could help
13 the university.

14 AUDIENCE: Right.

15 MR. TUCKER: Are there any other
16 questions? One?

17 DR. JOHNSON: Judith, also, just kind
18 of while we're here and take advantage of
19 what you're suggesting. It seemed by your
20 question that we can ask every school what
21 are you doing to celebrate each individual
22 child. Could you just go a little bit
23 further and give us some examples of things
24 you have found to be ideas? Because I don't
25 think they cost a lot of money really.

1 MS. BLACK: Well, for four years I went
2 to my daughter's classroom twice a week --
3 twice a month, and if I brought materials it
4 wasn't just Indian materials, it wasn't just
5 adoption materials, I brought a story on
6 chess that took place in the orient. You
7 know, so it wasn't as -- this is time to
8 discuss this little topic, let's pull it out
9 of the box. Things like a holiday pageant
10 instead of being a Christmas show became
11 four little plays, one was Brutis, one was a
12 Hanukkah story, one was a Kwanzaa story and
13 then the last was a Christmas story. Kids
14 cross lines. I mean, the kids of color in
15 that school did not go to Kwanzaa, they went
16 to other stuff. And so kids were free.
17 It's not because you're this you have to
18 then teach this or be this. You should be
19 interested in everything.

20 So we brought cooking in when she was
21 in the younger elementary years of different
22 countries. And four kids would volunteer,
23 work with a parent, didn't have to be your
24 kid, and we cooked peanut soup from Africa.
25 One group did Chinese food. So there was

1 lots of different things. You know, I
2 resent being a Jewish parent that I'm always
3 viewed as Ms. Hanukkah. They always say,
4 Hanukkah's coming up, can you do something?
5 It's like, why is it just me? Why can't the
6 teacher or someone else bring that up? If
7 I'm supposed to bring the Asian-Indian
8 culture and have my child respect herself of
9 color and I'm white, then other people
10 should be able to do things too. And, you
11 know, so what they did was any themes
12 through the school crossed more diverse
13 lines. So the diversity specialist, instead
14 of making up Christmas trees, a year ago
15 they did a winter celebration and it went
16 through everything through to the Greek
17 orthodox.

18 MR. TUCKER: I hate to stop you there,
19 but I'm going to have to stop you in the
20 essence of time, but thank you. It's really
21 been enlightening.

22 MS. BLACK: Thanks for the time.

23 MS. ELMER: I'd like to invite Patti
24 Manning, Charlene Yankton. Neither of them
25 are here? Marc, neither of them? Then

1 we'll move right to Bernie Henault.

2 MR. HENAULT: Good afternoon.

3 MS. ELMER: Hello. Bernie, would you
4 like me to watch time for you? About how
5 much time would you like?

6 MR. HENAULT: Don't cut me off. I've
7 waited patiently a long time.

8 MS. ELMER: That's right. And this
9 committee wants to ask you questions as
10 well.

11 MR. HENAULT: There's nothing next to
12 my name. The schedule says Bernie Henault.
13 I'm here on a sick day. I'm not sure.
14 Bennington Community Action, that's an
15 antipoverty agency for 16 years. It seems
16 the last several years as I've done advocacy
17 work it seems that some of the people in the
18 profession of human services and legal
19 services seem to have a problem with my
20 mouth being available at public forums so
21 I've been under a little stress and strain
22 so I protect myself by, I didn't feel good
23 this morning, so I called in sick. That way
24 I'm not --

25 MS. ELMER: That won't hold you back.

1 MR. HENAULT: No, it hasn't. It
2 hasn't. Ever since I've added one leg on
3 deposit in the grave I've changed my life.
4 46 years ago when my mother was living in
5 Florida -- I was born in Boston, so my
6 mother liked to travel around the country.
7 In Fort Lauderdale, Florida, she brought us
8 to a zoo one day. I was nine. That tells
9 you how old I am now. I had to go to the
10 bathroom. I went and as I come out this big
11 guy started yelling and screaming at me. I
12 couldn't figure out what the hell he was
13 yelling and screaming at me for. I say hell
14 now, but I was scared to death then. My
15 mother come over, put him off. She tried to
16 explain to me what I did wrong. I turned
17 around and the scary thing I saw was
18 colored, the word colored over that door. I
19 couldn't understand what the hell was wrong.
20 I had to go to the bathroom. I still don't
21 understand it today. I've got to go to the
22 bathroom. I stopped at McDonald's on the
23 way over because we don't have public
24 toilets, so you've got to go someplace and
25 if you go publicly it's against the law.

1 That kind of defined it, helped set
2 where I go with my life and what I do. The
3 other night -- was it last night? Sunday
4 night? They had special TV show on, and it
5 was called Cinderella. And my wife and my
6 granddaughter were sitting on the couch
7 listening to it, and when I come home my
8 wife explained to me what it was about. And
9 the next morning we were sitting talking
10 before Samantha went out to school, she's
11 seven, and I said, did you like that? And
12 she says, yeah. They were bad sisters in
13 there. They really ordered the thing
14 around. And then she said to me, did you
15 know Cinderella was black? And I said,
16 yeah, just like you. Isn't that great?
17 That's what it's all about in a way.
18 Subtlety is an American kind of traditional
19 thing.

20 Time magazine says -- a special issue.
21 God, it was great. It talked about
22 education. It said kind of, Time, What
23 Makes Good School? But that part right
24 there, that little, where does the money go,
25 and it has a little girl, and it happens to

1 be a black little girl. What's the message?
2 Jesus Christ, what's the message to us?
3 Where's the money go? Does it mean it's
4 being spent on those children? Excuse me.
5 Nine years ago I happened to go to the
6 school board meeting in Newport, Vermont,
7 for the K through 12 system high school, sat
8 there and I wanted to talk about special
9 education. It was just a minor thing. I
10 mean, I felt I was 25 miles away and a lot
11 of other kids in my town of Island Pond were
12 kind of those kids. And the poor little
13 sucker's out the door with you. They did
14 something wrong. They weren't colored. You
15 know, they were kids.

16 So I went and I was talking and I
17 thought I was reasonable. I thought I was
18 good mannered. And I did have my coat, I
19 put a tie on at that time, and I was saying
20 something, and one of the board members in
21 all indignation said, who the hell are you
22 to come in here and tell us what to do.
23 And, you know, she was right. Who the hell
24 was I? That was September. November our
25 good board member that had served her 12

1 years on that board from Island Pond
2 resigned, and I entered into a letter
3 contest because I was not going to be
4 appointed by the select board because I was
5 a known problem then, so I wrote a letter
6 and competed for the seat and, thank God,
7 they had this fellow that was a little broad
8 minded maybe, whatever, he pushed it, I got
9 the seat.

10 It was interesting as I went on to this
11 school board to look because I knew, I'm not
12 dumb, I hear the words, I saw the wreckage,
13 I saw how policies were handed out, executed
14 just like they are anywhere, we're people,
15 black, white, yellow, we're people and we
16 have all of the ups and downs of people. We
17 do have a common thread, America, democracy,
18 rights, and I exercised my right fully to
19 participate on that high school board.

20 We do a lot behind executive session
21 doors. You want to try to solve some of
22 this problem in the future, then there is no
23 executive session for racial issues, that if
24 you report it and you've got the moxie to
25 stand on your two feet and say to those

1 people there's something wrong here and I
2 want you to correct it, it don't go behind
3 closed doors because you've got a lawyer on
4 one end and a lawyer on another. And I'll
5 tell you, it's garbage. Good manners,
6 professional conduct, understanding,
7 compassion, it's amazing what kind of
8 dialogue will go beyond behind the closed
9 doors in this enlightened time of 1997.

10 We're no different, we aren't, we just
11 happen to be in this time frame. 100 years
12 ago, 150 years ago different people might
13 have been sitting at different places in New
14 England and talking. I don't want to sound
15 offensive to more learned people, but I
16 shouldn't have to tell somebody with a
17 bachelor's plus eight, a masters plus six,
18 somebody that's working on their thesis for
19 their doctoral about, gee, do you think we
20 ought to get a consultant in to talk about
21 multicultural acceptance, tolerance? No
22 way. And who's responsible? I am one of 15
23 votes. If I get 7 others, then the
24 administrators, and the faculty and all
25 other people working in the school system

1 will do as they're supposed to do. Not
2 equivocate, gee, do you think it was wrong
3 to let this child smack this other child
4 because they happened to be black, or yellow
5 or brown, just like it's wrong to smack a
6 kid if they happen to be white. Bad manners
7 are bad manners no matter what the color.

8 Now people make a good living off of
9 educating us about the problems. We spent
10 lots of money. Why are there still these
11 problems? Because it's called leadership.
12 Leadership. I've been trying to exercise
13 that word on my school board, leadership.
14 I'm an educational leader. I'm a one-legged
15 fat guy on crutches, but I'm an educational
16 leader. In my section of turf it's called
17 the Northeast Kingdom where they said --
18 they rode by the minister's home back in '50
19 odd whatever and shot it up. Well, we just
20 burned a cross in Concord, Vermont. We
21 didn't need to analyze or study that it was
22 wrong. A couple hundred people showed up.
23 When we settled a discrimination -- or, no,
24 maybe just a misunderstanding behind closed
25 doors where somebody was denied their rights

1 under special education, gee, this is a
2 child of color, I wonder what the mother was
3 because she was white and dad was black, so
4 I guess she could qualify for some title,
5 white or person of color?

6 I mean, this thing of dividing, I have
7 problems with it. I don't like it. Maybe
8 that goes from my days in the 70s where I
9 was on the Legal Aid board of trustees and I
10 happened to be chairman of that board at
11 that time and they sent me off to Washington
12 to serve on a compliance group. What an
13 education. I was a token whitey on an all
14 black board. There was 47 people on that
15 board, and it was interesting. It was
16 interesting, and I thought I was okay in my
17 attitude. I was informed on and off at
18 different times that my attitude was wrong.
19 What does it take in our lifetime to bring
20 about change? All racial instances will be
21 reportable to the Department of Ed, period.
22 No equivocation, no, oh, well, they
23 didn't -- they didn't officially report it
24 to us. They didn't fill in Form 9627. It's
25 reportable, okay?

1 And we do a lot of mailings home to our
2 families and children in the State of
3 Vermont. Send the law plus phone numbers
4 home with the first mailing and do it
5 statewide, mandated, and if we don't have
6 the clout, say to the good Board of
7 Education members that are sitting there in
8 charge of education, as they are, to tell
9 the staff to make it mandatory and advise
10 board members. Make it mandatory.

11 And God help us, contracts.
12 Administrators, educators, all other people
13 associated with the education in
14 communities. Can all of maybe -- we don't
15 have to do a study, but could somebody think
16 of some simple language that could be
17 inserted in all these contracts that says if
18 you stand by and watch racial hatred, or
19 bigotry or slanderous statements be made,
20 you may be dismissed. God help us.

21 I wonder how many administrators --
22 school administrators, superintendents,
23 etc., would be in this room if this
24 Commission was going to cut 35 percent of
25 their pay and use it for multicultural

1 programs. Let's use common sense. How many
2 would be here? I mean, if people -- if you
3 can't get around the executive committee,
4 that closed door, then have them keep
5 minutes. Confidentiality, protecting the
6 rights of people shields a lot of wrong. We
7 have so much money that we spend on experts,
8 consultants, reading programs, etc. I heard
9 the woman say she brings in her books.
10 Geez, my granddaughter was a year old, I was
11 buying books. I mean, I bought the alphabet
12 books A to Z. I go to the teachers
13 conference, oh, look at this, this is great,
14 and my wife says, what the hell's the matter
15 with you, she can't read yet. Well, we've
16 got to be prepared. You know, she's going
17 to go out into the world and you know she is
18 black, brown sometimes. I think my eyes are
19 going sometimes because -- she's my
20 granddaughter. I don't need to call her
21 anything but Sam.

22 Last year when they were going to have
23 a great thing at the school, they were going
24 to -- they were studying the American
25 Revolution and they were going to hold as

1 part of that a slave auction. Oh, my God,
2 it was just interesting. We got the notice
3 three days -- it came on Monday and this
4 great thing was going to happen on Thursday.
5 Had a few reservations because Sam was the
6 only black kid in the school. So we had
7 some concerns about her friends, and there
8 are friends, and they happened to be white
9 too, what they would do with Samantha after
10 the auction in part of the educational
11 session. So Sharon says, well, I'm going to
12 go down. Well, they buzzed her off. Then
13 they got me. And I said, listen, you need
14 to not do this. You needed to prep all the
15 students to say how horrendous this was, how
16 bad it was to sell human beings to be
17 slaves, how bad, and you didn't do that prep
18 work and you're not going to get that prep
19 work by Thursday. Now I don't want to screw
20 up everything, but it damn well better be
21 dropped. It was for the good of all of us.
22 If they hadn't, somebody would have paid
23 with their job because it was wrong.

24 In September of this year out on the
25 playground -- everything happens on the

1 playground, buses and stuff like that, it
2 just happens. I've noticed it over the past
3 nine years. I don't need it studied or
4 surveyed, it comes before us, kid called her
5 a nigger. Niggers are bad. Oh, I'm sorry,
6 N word.

7 MR. TUCKER: Word you said?

8 MR. HENAULT: No, it's just there.

9 It's there. I was a token white on this all
10 black board, they called me white honkey, I
11 understood. I didn't mind. I said, okay.
12 I won't get into what I said because I'm
13 well mannered and just an average person. I
14 wouldn't do that. Yes, I would, and I did.
15 But they knew where it was coming from
16 because we were on the same -- we were on
17 the same level. I don't have to pussy foot
18 around and feel embarrassed because we got a
19 common theme. We all share this place
20 together. Now I don't care about surveys
21 out of state. I'm concerned. I'm a
22 compassionate person, but I do care about
23 what's happening in Vermont, and when I hear
24 people equivocating about doing something
25 that's right and I read the -- I read the

1 1987 report, my God, I knew some of these
2 people and I never knew what melba toast
3 sounds like because I see these people in
4 different settings, not at something like
5 this, and they were forceful. Something
6 happened in the interpretation. Something
7 happened. But the thing of it is is that if
8 we stand silently by, we don't need a study,
9 we don't need a survey, when you see it, do
10 something about it. Somebody doesn't like
11 what -- oh, gee, can we have a study
12 committee? No. We will follow the law.

13 That happened a few years ago in the
14 high school board. It happened. We decided
15 to charge all kids \$15 fee to participate in
16 athletic programs. Against the law in the
17 State of Vermont but, gee, the dialogue was,
18 we don't like this, the law. We don't like
19 the law, so we're not going to follow it.
20 And I almost stroked out. I couldn't
21 believe it. I was so goddamned mad. I said
22 we can't do this. We couldn't do this.
23 We're supposed to follow the law. It's us.
24 We're supposed to follow the law. They
25 voted it and it went through, and I was on

1 the phone talking to Bill Reedy. Bill Reedy
2 said, oh, yeah, that's too bad. Nothing
3 happened. Talked to Rick Mills I guess at
4 the time; nothing happened. And I was
5 trying to be nice about it. Finally after
6 about six months I says, look, either do
7 something about it or it's going in the
8 paper. You're violating the law and you
9 can't just stand there and say, oh, well,
10 they shouldn't be doing that.

11 The superintendent at that time walked
12 in the school board one day and he said,
13 gee, you're going to have to do something
14 you're not going to like, and they had to
15 overturn what they had done once before
16 because they violated the law, and what it
17 took was somebody doing their job. The
18 commissioner of education and the legal
19 counsel called and said, you keep violating
20 the law, you're not going to get a check,
21 money, rather than programs.

22 There are sample multicultural programs
23 all around the country. We shouldn't have
24 to reinvent the wheel, shouldn't have to
25 cost us any money. Make them available.

1 It's about this thick or whatever. Anybody
2 got a copy, a good example K through 12,
3 because that's what I'm searching for in my
4 supervisory union. I'm going to throw it on
5 the table and I'm going to say, not a study
6 because we don't need a study anymore,
7 here's K through 12. Why don't you start at
8 kindergarten. By the time they hit 12 if
9 they also learn good manners, they'll be
10 reasonable citizens and we won't have to
11 yell and scream at each other. Thank you.
12 I'm done.

13 MS. ELMER: Will you please wait, I
14 think there will be questions.

15 MR. HENAULT: I'm more than willing to
16 answer them. I need to be careful about my
17 slangs, what I say.

18 MR. TUCKER: I don't think you need to
19 be careful. I think you need to go straight
20 to the Department of Education and state
21 Department of Education and help them set
22 their board up.

23 MR. HENAULT: I've already talked to
24 them. I've talked to them discretely.

25 MR. TUCKER: If you had to do one thing

1 first, what would you do? One thing first.

2 MR. HENAULT: One thing first for the
3 whole state?

4 MR. TUCKER: Yeah.

5 MR. HENAULT: Oh, I'd make it part of
6 the common core. Common core. It's
7 inserted. Not debatable; every single
8 school in the State of Vermont will have
9 whatever we want to call it, Americanism
10 101, as part of the common core.

11 MR. TUCKER: Thank you.

12 MS. ELMER: Can I ask you a question?

13 MR. HENAULT: Yes.

14 MS. ELMER: Address yourself now to
15 Vermont communities and the average guy out
16 there. I mean, clearly what you're saying
17 is it is black and white. Don't tell me
18 anymore it's gray and you can't get your
19 hand on it. How would you recommend
20 communicating that to the community?

21 MR. HENAULT: Well, one of the things
22 is is that I don't earn my living off of
23 education, all right, so I don't need to
24 equivocate. I don't need to be, oh, what do
25 we call this now? How do we teach it?

1 Jesus. When I'm insulted, I understand when
2 I'm insulted. I don't need to think about
3 it. When I see it on TV I don't need it. I
4 don't need -- I mean, this thing about, oh,
5 well, maybe the teacher just hasn't been
6 exposed. Was it you John that said TV.
7 Where the hell have they been? We're
8 educated by TV. I was watching one on
9 Biography, Art & Entertainment, and I see
10 that and I've known that, I don't have to be
11 refreshed on that, that that happened. I
12 don't -- well, plantation life wasn't that
13 bad. On Home & Garden we look at the little
14 shacks that people lived in, the slaves and
15 the master was real good, didn't do too bad
16 with them. My ass.

17 MR. TUCKER: Okay.

18 MR. HENAULT: Favoritism, ain't no
19 animal. You didn't do your job, you got
20 smacked around. They understood corporal
21 punishment. We equivocate about it.

22 MR. CHENEY: Thanks so much.

23 MR. HENAULT: You're welcome. My
24 pleasure. Nice to get out of the Kingdom
25 into the big city.

1 AUDIENCE: (Applause).

2 MR. HENAULT: If you speak up, these
3 things won't happen. Make the people
4 running the systems do their jobs, they'll
5 do it.

6 MR. CHENEY: We're going to take ten
7 minutes, then we'll start the open session.

8 (Recess taken)

9 MR. CHENEY: I'd like to bring this to
10 order please. Hello. If we can have a
11 quiet room. Here's what we're going to do.
12 It's a little after 4:30. We're going to go
13 until 6, and we're going to adjourn promptly
14 at 6. Some Commission members have to leave
15 for other errands, but we'll be taking
16 testimony, if there are people here, until
17 6. We're going to start again at 7. Mayor
18 Clavelle will be here, and we'll take
19 testimony until we've heard everybody, I
20 hope. Hopefully before 9:30. Marc Pentino
21 has been talking to many of you and has some
22 sensitivity to people's time needs, so Marc
23 will be the person to see and Marc will ask
24 the witnesses to come forward. So, Marc, if
25 you could tell us who's next.

1 MR. PENTINO: Jackie Hickerson?

2 MS. HICKERSON: Yes.

3 MR. PENTINO: After that Debra
4 Stoleroff and Michael Anderson.

5 MR. HENDERSON: Henderson.

6 MR. PENTINO: Henderson. I'm sorry.

7 MR. CHENEY: Jackie.

8 MS. HICKERSON: Well, I prepared a
9 speech, and I'm not really sure if I want to
10 say it at this time because the problems
11 that are happening to my children -- I have
12 two biracial children in the school
13 district -- in the Burlington School
14 District. They've been there. My
15 daughter's been in the district two years,
16 my son just entered first grade. It's hard
17 to condense what's been happening to them
18 into a speech, and as I was writing this a
19 half an hour before I had to get here at
20 work while the phone was ringing, I was
21 like, this isn't possible, not only because
22 of everything else but because you're asking
23 me to put something that has been a very
24 horrible experience for my children on to
25 paper and to try to communicate it to you

1 with the affect that it has, but I will go
2 ahead with my speech and let's see how far
3 it gets us.

4 As I said, I've had children in the
5 Burlington School District for two years.
6 Racial harassment in all its forms,
7 including the taunts, repeated use of the N
8 word as well as physical assaults have been
9 the norm rather than the exception during my
10 children's school career. During my
11 daughter's fifth grade year, which was last
12 year, the problem increased. Nearly on a
13 daily basis my daughter was called the N
14 word, was punched, kicked and spat at. To
15 make matters worse, one of the perpetrators
16 was the daughter of a school board member.
17 I have called the principal of that school
18 several times. I would get no help
19 whatsoever. She would not acknowledge what
20 was going on. She would tell me words
21 like -- tell me things like, oh, well, he
22 has a cousin who's black, so I don't think
23 he's doing that. He couldn't be a racist.

24 I had a parent meeting with this person
25 on the school board. She told me I was

1 overreacting because I wanted a meeting with
2 her because her daughter was calling my
3 daughter the N word. I have very serious
4 concerns that people like this are raising
5 children like that are in power over our
6 schools.

7 This year already my daughter has
8 experienced incidents, the N word has been
9 used as well as other derogatory terms. She
10 has been punched. I brought these incidents
11 to the attention of the school staff. My
12 complaints have gone unanswered and I go
13 forward. Also because of my complaints, I
14 think my child is being treated differently.
15 Whenever there is a problem in the
16 classroom, my child is the one to be blamed.
17 When she tries to give her side of the story
18 the principal continually tells her, oh, are
19 you sure you're telling the truth? Now make
20 sure you're telling the truth. Are you
21 sure, and drilling her, and drilling her,
22 and drilling her when she's the one coming
23 home with bruises. And I am really tired of
24 it. I have tried to call the principal; she
25 doesn't return my calls. I have called the

1 superintendent's office. They don't return
2 my calls. She's never taken at her word.
3 She's made out to be a liar. She is allowed
4 to be abused. My complaints go unanswered.

5 And just to give you a mild scenario of
6 what has already happened this school year,
7 this is a very simple thing. My daughter
8 was in art class. A white child sitting
9 next to her, she scribbles all over her
10 school work, all over it. So in retaliation
11 she scribbles on his arm. She takes a
12 marker, scribbles on his arm. That child
13 got no punishment whatsoever. My daughter
14 was not only put into detention, she was
15 barred from the school dance. When I asked
16 the teacher -- the child that started the
17 incident admitted to starting the incident.
18 There was no issue over who started it or
19 who did what, but my child was the one to
20 get punished whereas the white child was not
21 at all.

22 MR. TUCKER: At all?

23 MS. HICKERSON: At all. When I went to
24 the school and talked to the teacher she
25 told me, oh, well, that's just how I feel,

1 that's my opinion. I talked to the
2 principal who, of course, backed up the
3 teacher. I was outraged, totally outraged.
4 Also this year I requested an IEP meeting
5 because my daughter is not receiving the
6 services that she's supposed to. The
7 meeting was scheduled by the special
8 education staff person for 3:00 on October
9 13th. When I showed up for this meeting the
10 staff person told me that the meeting was
11 set for actually 2:00 and teachers and
12 everyone else had left. She then proceeded
13 to tell me the reason my daughter was not
14 getting the services she needs is because
15 they are short staffed and there is not
16 enough money. She stated that me requesting
17 an assistant for my daughter would only take
18 an assistant away from someone else's child.

19 Three weeks after this meeting I
20 finally got the notice of meeting in the
21 mail that I should have gotten before the
22 meeting, okay, this is the notice for that
23 meeting, and it was scheduled for 3:00. It
24 was her handwriting signed by her scheduled
25 for 3:00. I called her up and asked her

1 what is going on here, why have you denied
2 me this, and she's like, well, what do you
3 want me to say? I have this documentation
4 if anybody doesn't believe this. Anyway --
5 but just responses like that makes me wonder
6 what is going on. The school receives money
7 for these services and they're not being
8 given. Is it because their lack of interest
9 in my child as an IEP student or their lack
10 of interest in my child as a student of
11 color? I believe it's because she's a
12 student of color. Okay? My child has been
13 kicked around in this school system too
14 much, and I have told my story many times,
15 okay? I have gone to the forums, I have
16 repeated this stuff, and each time it's a
17 new and different incident, the old ones
18 keep, you know, getting lost in the jumble.
19 It's like, when is somebody going to do
20 something about this.

21 MR. CHENEY: Have you been to the Human
22 Rights Commission?

23 MS. HICKERSON: Yes. And I do have --
24 I don't know if it's appropriate right now,
25 but there is a case on file right now that

1 is currently pending for over a year now
2 with the Human Rights Commission. They have
3 not been able to make any decision, but that
4 is an incident -- that's an incident that I
5 have not told you of. The -- the -- you
6 mean for like the racial harassment, the
7 speaking and all of it? No, I haven't
8 because --

9 MR. CHENEY: Well, on any issue really.

10 MS. HICKERSON: Well, on one issue I
11 have, and that's not one I have talked about
12 today because I'm not sure if it's
13 appropriate for me to do so and it's a very
14 long and lengthy --

15 MR. TUCKER: A year?

16 MS. HICKERSON: It's been over a year.
17 The incident happened at the beginning of
18 last year. Not this year, last year.

19 MR. CHENEY: You've made them aware of
20 the other issues you've mentioned today?

21 MS. HICKERSON: One of them, yes. When
22 it came to the -- my daughter getting the
23 suspension and the barring from the school
24 dance, I did. And that is currently being
25 worked on as well because it -- I mean, I

1 don't know if this -- just because it was so
2 obvious, you know, and -- but what am I
3 going to do? You call them every single
4 day. They're very busy. And I would like
5 to see something happen without having to
6 wait for the Human Rights Commission because
7 it's already been over a year for them and
8 this was a major issue that I have a case
9 on. I mean, how long -- you know, are they
10 even going to consider doing a small --
11 well, what they would say minor.

12 MR. CHENEY: I'm going to let other
13 people ask questions. What I mean to tell
14 you, if you have a pattern of conduct, you
15 should bring that every time forward to the
16 Human Rights investigator.

17 DR. JOHNSON: I'm not -- what is the
18 name of the school that you're referring to?

19 MS. HICKERSON: Well, there's two
20 schools. The school that my daughter
21 attended in fifth grade is Barnes.

22 DR. JOHNSON: Barnes.

23 MS. HICKERSON: And the school that she
24 attends now is Edmunds. I also have a first
25 grader in Edmunds that's been taunted on the

1 playground, but no physical violence yet,
2 but he's only been in school two months.

3 DR. JOHNSON: And you have a boy and a
4 girl?

5 MS. HICKERSON: Yes, I do.

6 DR. JOHNSON: What are their names?

7 MS. HICKERSON: Can I tell you after?

8 DR. JOHNSON: Yes, fine. All right.

9 No problem.

10 MS. HICKERSON: Not that I'm suspicious
11 of anyone in the room, but I don't know if
12 there's school board lurking or --

13 DR. JOHNSON: One of the things that I
14 am aware of is that we have secrets. I'm
15 not asking you to tell me, but we hide
16 things, and when you go hiding things
17 they're often not as public as they need to
18 be, like the names of our teachers, the
19 names of our pupils. Don't tell me if you
20 don't want to, but I think that part of the
21 problem is that people who commit crimes can
22 hide.

23 MS. HICKERSON: I can tell you the name
24 of the teachers and stuff.

25 DR. JOHNSON: I think it's appropriate

1 wherever you have the opportunity, they want
2 to put sex offenders, for example, list
3 their names in communities. Well, these are
4 offenses against children that are -- will
5 mark them partly for life. Why are we
6 trying to hide the people who are committing
7 such crimes? And I'm not saying that you
8 have to tell us at the moment, but be aware
9 it's something that we need to all be alert
10 to. When people do things that are ugly, if
11 they think they're beautiful, let them stand
12 up and say, I think this is the most
13 beautiful thing I've ever done, smack this
14 child who is innocent, but they don't say
15 that. We shouldn't try to protect them.
16 That's all I'm saying.

17 MS. HICKERSON: I had spoken with
18 Mr. Pentino prior to this in regards to
19 should I divulge names and stuff of
20 teachers, and it was my understanding that
21 if they weren't here, that it wouldn't be
22 appropriate, but I can definitely do that.
23 I mean, I don't have a problem telling, you
24 know, the audience who these educators are.

25 MR. PENTINO: I would ask you tell us

1 afterward. We have a defame decree as part
2 of the Privacy Act. You would have to give
3 that person advance notice that you were
4 going to say that and also have to have him
5 or her have an opportunity to respond, but
6 I'll certainly take the school name and you
7 can tell us afterward. But I just want to
8 be weary of that, that we can't allow the --
9 defame any person here, specific person.

10 MS. HICKERSON: But I do agree with
11 you. I mean, I think it is important that
12 we do go public with this, and I feel like
13 I've been shouting my head off since I moved
14 here since my children have been in school,
15 and it's gone totally on -- nowhere. It's
16 just a wall.

17 MR. TUCKER: Jackie, let me ask you a
18 question because you and I have had contact.
19 Since the big thing about PAR occurred,
20 remember that whole business when the U.S.
21 Department of Education process assessment
22 and review and a report that came out of
23 Boston that supposedly generated -- have you
24 seen any movement around your two children
25 as a result of that?

1 MS. HICKERSON: None whatsoever.

2 MR. TUCKER: Okay.

3 MS. HICKERSON: They have not followed
4 that.

5 MR. TUCKER: They haven't followed any
6 of the things that are outlined in those
7 drafts that we all got?

8 MS. HICKERSON: Right. None
9 whatsoever. Correct.

10 MR. TUCKER: Okay.

11 MR. HOFF: Query on my part. You're in
12 the Burlington school system so there are
13 other children --

14 MS. HICKERSON: Uh-huh.

15 MR. HOFF: -- of color in that school
16 system too?

17 MS. HICKERSON: Uh-huh.

18 MR. HOFF: -- presumably. Do you know
19 if they've had similar experiences?

20 MS. HICKERSON: I'm sure they have.
21 I -- I don't want to speak for the parents
22 of those children, but I -- how could they
23 not have? I mean, I think there's a danger
24 in what you're trying to say. It's like,
25 well, if Child A is not being harassed, then

1 Child B must be doing something to cause
2 that harassment.

3 MR. HOFF: Oh, I understand that.

4 MS. HICKERSON: No, but if Child A is
5 not being harassed, I think we need to be
6 weary of that, okay? I mean, there may
7 be -- I -- I don't know. I assume that
8 every child of color is getting some type of
9 harassment because I've seen it.

10 MR. HOFF: All I was looking for was
11 information.

12 MS. HICKERSON: No, I understand. I
13 understand, but I just want to be careful
14 because I've seen -- there's just so much
15 stuff that has gone haywire and has not been
16 done. It is just -- this issue has been
17 kicked aside for so long that I just want to
18 be careful about what is said and what
19 people leave this room thinking, but I can
20 tell you, I know that children -- other
21 children are being harassed. If this was
22 not at the Sheraton and there was good
23 transportation and not just one day, you'd
24 have a line out the door, okay?

25 MR. CHENEY: Let me just say that I've

1 had a chance to review the rules for the
2 first time on this issue, so the rule book
3 that we're provided by the U.S. Civil Rights
4 Commission states that a person who may be
5 defamed should be provided an opportunity to
6 speak at the meeting or the defamatory
7 statement can be used only in a written
8 report rather than in an open public meeting
9 with a right of response provided to the
10 person defamed in accordance to the
11 procedures governing such responses. I
12 understand that you have told Marc Pentino
13 the names of the individuals?

14 MS. HICKERSON: No, I haven't. I
15 discussed -- I -- I didn't tell him the
16 names.

17 MR. CHENEY: Well, it's up to you, but
18 I agree with what Charles said, and if you
19 want to tell Marc names of the people, they
20 will be provided with a copy of your
21 comments and be able to determine whether to
22 put them in our written report.

23 MS. HICKERSON: Sure.

24 MR. CHENEY: Okay?

25 DR. JOHNSON: We want the whole story.

1 MR. CHENEY: There is an issue as to
2 whether they're defamed. Obviously if it's
3 a true statement, there's no defamation. I
4 have not had a chance to review this issue,
5 but I want to assure you that if you follow
6 the procedure --

7 MR. TUCKER: I'm surrounded by lawyers.

8 MS. HICKERSON: Yeah, and I can assure
9 you that it is a true statement but --

10 MR. CHENEY: All right. Any other
11 questions, comments?

12 MR. TUCKER: Thank you, Jackie.

13 MR. PENTINO: Debra? Michael, do you
14 want to come up next? Thank you for
15 waiting. Sorry we're running behind.

16 MS. STOLEROFF: My name is Debra
17 Stoleroff, and I'm an educator. I taught in
18 the Vermont school systems in three
19 different school systems -- well, actually
20 I've taught in two different school systems,
21 and I work in -- with students in another
22 school system now. I've also -- just for
23 sort of where I'm coming from, I have -- my
24 master's degree was based in what was called
25 then multicultural education, now diversity

1 education, and I taught in the schools in
2 East Harlem, New York City. And since
3 coming back to Vermont -- I have lived in
4 Vermont since 1973, left and came back, I
5 need to say that entering into the public
6 school systems of Vermont I've seen more
7 racism and harassment than I ever saw in the
8 school that I was in in New York City;
9 however, I will also say that in New York
10 City I was in a very wonderful alternative
11 school in East Harlem. So that's -- we
12 taught diversity training every day and it
13 made a difference.

14 I also have a speech here and I feel
15 like -- I'll try to refer to it, but there's
16 so much that you've already heard that I
17 feel like it would be repetition. But as
18 a -- as a teacher who addresses these issues
19 and sort of keeps my eye on kids that even
20 are not in my classroom, I feel that
21 they're -- that I can say that there is a
22 lot of harassment that goes on in the
23 schools, and it's also not only towards
24 African-American children; that, you know,
25 it goes beyond that to Native American

1 students, it goes to children who are -- if
2 we consider -- I think that we consider
3 racism -- ethnic racism part of this, in my
4 mind that's considered to be part of this,
5 so it goes to -- beyond that to children who
6 are of different religions or of
7 different -- just of different backgrounds.
8 Racial or ethnic harassment on the part of
9 students, administrators, and educators and
10 staff within schools is for the most part
11 subconscious and, therefore, embedded in the
12 culture of the school. Teachers do not --
13 did not say one culture is better than
14 another, but if when they teach about
15 another culture they often do a short unit
16 which only skims the surface and serves to
17 strengthen stereotypes.

18 The most common type of example might
19 be in the teaching of Native American
20 culture done with the best intentions,
21 teachers often focus on romanticized parts
22 of the culture that might be in this case
23 preindustrialized life. Other students
24 study general Native American culture in the
25 context and from the point of view of

1 westward expansion which by its very nature
2 looks upon Indians as heathens. In trying
3 to create neat hands-on activities artifacts
4 are presented as crafts rather than having
5 the spiritual significance that helped to
6 define the culture. In that sense you could
7 use examples of like dream catchers, which
8 is a common sort of thing that you see
9 around being sold these days which, in fact,
10 has lots of significance to certain
11 cultures.

12 In teaching general Native American
13 culture the fact that there are hundreds of
14 different native cultures in the U.S. is
15 ignored. This creates stereotypes. When
16 teaching about Native Americans the focus is
17 on a time that does not look at the present
18 culture or question why the culture has
19 evolved as it has. This creates
20 stereotypes.

21 Similarly, black history is often
22 taught one week in the year around Martin
23 Luther King Day. Students celebrate the
24 sufferings of slaves, jump to the struggles
25 of civil rights -- of the civil rights

1 movement and stop there. They are not
2 taught to question what has or has not
3 changed since that time, and this type of
4 study helps to maintain the notion of other
5 because we study the time as an object
6 rather than as a living reality.

7 Many children feel the effects of
8 ethnic discrimination around holiday time.
9 One school in which I taught had a lovely
10 tradition of having the staff gather at the
11 doorway of the school on the last day before
12 Christmas vacation and sing Christmas carols
13 to the students as they came to the buses --
14 from the buses. Most children loved the
15 serenade, but the message for the Jewish,
16 Muslim, African-American children who
17 celebrated Kwanzaa and children of other
18 religion, Buddhism, whatever, was that they
19 were less important and not deserving. They
20 were second class. I had a Jewish child in
21 my class who clung to me constantly saying,
22 you're Jewish? You're Jewish? I can't
23 believe it. He was so astonished that I
24 could be there and be part of this. Not
25 that I could be part of it but that I was

1 like him. Not a peep was made about
2 Hanukkah or other holidays at that school or
3 celebrated at that time of year.

4 In an attempt to celebrate diversity at
5 another school I and another colleague
6 developed a celebration to enable us to
7 celebrate all holidays whose major signal is
8 light, Hanukkah, Kwanzaa. It's that time of
9 year when you're teaching children about the
10 earth's movements, moving from the darkest
11 day of the year into the lightest day of the
12 year. We did this as a result of wanting to
13 broaden the perspective of the world, not
14 that we wanted to teach religion. The
15 culminating of this month-long unit was a
16 craft day in which many parents came to
17 offer workshops on making candles, lanterns,
18 lip balm, moon cookies, etc. At the end of
19 the day we would sing songs about the
20 movement of the earth and taking care of the
21 earth. It was related to the earth. The
22 students would offer thoughts about the
23 earth and just -- and sit in a circle, and
24 we would talk about how we felt about our
25 environmental awareness.

1 After the end of our third year of
2 doing this a parent who did not have a child
3 in any of our classes complained to the
4 school board that we were teaching paganism.
5 Obviously I'm not here to talk about general
6 discrimination problems, but I think that
7 racism and harassment due to disabilities
8 overlaps. In one of the -- in one of the
9 schools in which I taught it was my
10 experience that some African-American
11 children, East Indian and Asian children had
12 learning or emotional disabilities. Because
13 they had problems within the classroom and
14 they stuck out, they were labeled by
15 teachers. Teachers are role models for
16 paraeducators and children. Paraeducators
17 are role models for children. Once a child
18 gets labeled by adults who unconsciously let
19 their feelings be known, the children who
20 are not as subtle as adults translate this
21 into harassment and start calling names.

22 Children who are labeled because they
23 have emotional, physical, learning
24 disabilities and happen not to be Caucasian
25 often interpret and translate messages

1 internally such as I'm bad because I am, you
2 name the color they are, and it's because --
3 these messages are reinforced by our
4 society. And an example of that is a child
5 who was not in my classroom and at one time
6 I walked into the office one day and I
7 happened to be going by the closet where all
8 the supplies were kept, and there was this
9 child sitting there and sort of just
10 fretting. And I said -- I turned to him and
11 I said, what are you doing in this closet?
12 He said, well, they put me here. I said,
13 what do you mean they put you here? He went
14 on to describe that he had gotten in trouble
15 in his classroom and that he was sent to the
16 office. The office in the school, by the
17 way, which has many problems with
18 discipline, couldn't deal with him and put
19 him in the closet to wait. I went to the
20 teacher. I went -- and I -- and I --
21 actually, you know, it's years now, but I'm
22 trying to remember so I'm trying to remember
23 what order I did things in. Eventually I
24 took the kid out of the closet and just took
25 him with me. And after that -- he was not

1 in my classroom, but for years after that
2 this child would try to come to be in my
3 classroom even though -- like in the
4 afternoon his classroom was next to mine, he
5 was having problems in a classroom with
6 another teacher and I'd say, sure, come on
7 in.

8 I tried to talk to the teacher to let
9 him be in a place where he felt safe.
10 Obviously I was overstepping boundaries on
11 the part of other teachers, and at the same
12 time I felt I was justified in helping to
13 make this child who felt for many reasons,
14 whether he had disabilities or not, whether
15 he had -- was having emotional problems to
16 which I translated as these were messages
17 from the society at large, that somehow I
18 could help him. If he felt safe in my
19 classroom, that I would somehow provide that
20 space for him in my classroom. You can
21 imagine the harassment that I got from the
22 teachers as a result of doing this. I mean,
23 I don't blame them for many reasons for
24 feeling, you know, that I was overstepping
25 my boundaries but --

1 MR. CHENEY: Can you be selective?

2 MS. STOLEROFF: Yeah. I guess I just
3 want to say -- give you some possible
4 solutions. I think what we need is that --
5 this is -- that we need to celebrate
6 diversity, and this is not -- it's not --
7 you know, it sounds simple. It actually is
8 simple. It needs to be part of daily life
9 in the classroom. It needs to go beyond --
10 many people have spoken about this already.
11 It goes beyond teaching about -- about
12 African-American history. It goes beyond
13 teaching about Native American cultures. It
14 goes -- it says that you need to celebrate
15 the ethnic -- the heritage of all children,
16 not just of one type of child. It's
17 about -- it's about respect. It's about a
18 belief that all people have at least one
19 strength upon which they can build their
20 future. But most of all, it's about
21 modeling respectful behavior towards all
22 people. In the classroom this translates to
23 the need to celebrate the heritage of every
24 child. I said this already, that we need to
25 feel comfortable about respectfully calling

1 ourselves students, colleagues, parents,
2 etc., on moments when we are subconsciously
3 being racist. That we need to be able to do
4 that, to take risks to say, hey, that was a
5 racist remark. You know, you -- or point it
6 out because sometimes people -- they just
7 don't know. If you're within the system,
8 you need to be able to do that.

9 Minimally, we need to have
10 multicultural books in all the classrooms.
11 Our schools, teachers and administrators
12 need to be of diverse backgrounds. When was
13 the last time that you saw a black teacher
14 in the classroom or a Hispanic Latino
15 American person in the classrooms in
16 Vermont? You know, they're not there. The
17 leaders of diverse cultures are not there.
18 We need to see them. We need to help
19 schools, administrators understand the
20 complexities of the various forms of
21 discrimination and how they reinforce each
22 other. There needs to be diversity
23 specialists within every school. There need
24 to be examples for learning opportunities
25 within the standards. Someone said that it

1 needs to be in the core curriculum. It is
2 in the core curriculum. It's there in the
3 vital results. There are civic and social
4 standards, but they're not addressed.
5 There's nothing to keep schools accountable
6 to -- to this area. There are no
7 assessments.

8 One of my jobs right now is to do -- is
9 to do research on assessments for the
10 Vermont Consortium -- Curriculum Consortium
11 and Assessment Task Force. I've been
12 looking all over for the assessments for
13 this area. They're not there. We need to
14 make them up. So that's another piece that
15 we -- that we need to do. And we need to
16 hold the schools accountable. I think that
17 the testimony that you had about -- from the
18 Civil Rights Commission talking about
19 payment and not doing -- going through with
20 lawsuits, I think we need to go through with
21 the lawsuits, because then it becomes
22 public. It's out there. You know, we do a
23 disservice to keep it under the table.
24 Anyways, that's my testimony. Thank you.

25 MR. CHENEY: Thank you very much.

1 Questions? Does anybody else at the table
2 want to speak?

3 MR. HENDERSON: Yes.

4 MR. CHENEY: Your name?

5 MR. HENDERSON: Michael Henderson. I
6 do hold the teachers accountable. That's
7 primarily where I want to put my focus. I'm
8 not here to bash the teachers or the
9 education system, but you've asked a lot of
10 questions, like how do you get people to
11 choose to do things differently. It's the
12 reason we have in-service days for teachers.
13 I've done some workshops at different
14 schools, and the primary reaction we've
15 gotten is we don't need improvement. We
16 don't need your help. We're doing
17 everything fine. There's no problem here.
18 You've heard that statement over and over
19 again. That attitude is reflected in the
20 teacher's stance, in their body language and
21 the way they shuffle the children into the
22 workshop and out of it. The reason I'm
23 focusing on the schools is I believe, as Ann
24 and other people have said, that the schools
25 need to be a safe place. The reason I'm

1 focusing on the teachers is because they're
2 people, they're parents, they're Vermonters.

3 We've heard about what Vermonters are
4 like in some ways in terms of being
5 isolated, in terms of -- it amazes me in a
6 state where slavery was abolished early in
7 the state's history, but maybe that was
8 because they didn't have a slave problem.
9 That doesn't mean that the attitudes here
10 are any more advanced than anywhere else.
11 And I focus on the teachers because as
12 people they are keeping the same standards
13 going. It seems that once they get their
14 curriculum in place, they're not moving
15 forward. For example, we had the book
16 Little Black Sambo still on a teacher's
17 shelf in school. She was asked to remove it
18 by one parent, and I think part of the
19 reason that there was a confrontation there
20 was perhaps the dynamic between the parent
21 and the teacher. I think the teacher knew
22 that the time and place for that book should
23 have been gone a long time ago.

24 So you ask about possibilities for
25 change. We've been asked by teachers to

1 bring in multicultural books. I would like
2 to see more books in the library, and when
3 we -- we have some librarians -- I'm having
4 trouble for a second. Basically you find
5 people who are very stuck, people who are --
6 who want to change and people who are open,
7 so I'm not trying to lump everybody
8 together, and the particular school I'm in,
9 the librarian is very much a very open
10 person, but I'm not sure that all the
11 teachers within that school are following
12 her like are availing themselves to the work
13 that she's doing to make these books
14 available. And I'm not sure how you can
15 legislate, which is one of the things you
16 talked about, how you can legislate a
17 teacher, making a teacher want to be better,
18 wanting to be the best possible person that
19 they can be which would make them the best
20 possible teacher that they could possibly
21 be.

22 So you have a real wide range of
23 dynamics in the school that we've seen. You
24 ask about dealing with the parents and
25 follow through. My wife and I have a very

1 hands-on approach. We basically go knock on
2 doors when we have a problem with another
3 parent or another child, and basically the
4 style is -- that I approach is that our
5 children have a problem. I'm sure you and I
6 as parents -- I always go in with that as an
7 assumed idea, that you and I as parents want
8 to help our children resolve their
9 differences. I found that to be -- that's
10 been very effective, and it's opened doors
11 even when I'm oft times talking about the
12 parents and their ideals to themselves when
13 in reality we have to believe we're
14 addressing the children's problems, we're
15 talking about their problems. So I've not
16 really dealt with the parents. I don't
17 think there's much you can do, actually, and
18 I liked what I heard about the fact that the
19 school should be a safe haven. And I don't
20 know how you can -- I feel like I'm going in
21 circles, but I don't know how you can get
22 the teacher to want to be a better person.
23 I don't know how you can mandate that,
24 legislate it or make it happen.

25 I do have a friend who is an educator

1 who was also a camp director, and he has an
2 interesting way about him. He will take
3 groups of his friends out to plays, out to
4 movies, to common events so that his feeling
5 is that we'll all have a common dialogue by
6 having common experiences. And perhaps that
7 was one way if you can get the teachers to
8 have common experiences, either through
9 plays, arts, there might be a way that by --
10 well, my mind's racing.

11 You talk about diversity. You can't
12 get the teachers to agree on one thing.
13 There's diversity right there in the school,
14 not to mention the fact that they're
15 vegetarians, they're people of color,
16 they're Democrats, Republicans. You've got
17 diversity. That's basically -- I don't know
18 how to make -- I would like to see the
19 schools safer. I would like to see -- I
20 think I've said it all.

21 MR. CHENEY: You have. You've said it
22 very well. I think we're all groping with
23 the same issues here, so I wouldn't feel
24 like you're at a loss. We're all looking
25 for the answers, and I think some things are

1 happening here that may help us.

2 MR. TUCKER: I want to ask a question
3 of the teacher. When you say that your
4 masters was in diversity, multicultural
5 education?

6 MS. STOLEROFF: Yes.

7 MR. TUCKER: How many places do you
8 know that offer courses on institutional
9 racism?

10 MS. STOLEROFF: I think there are very
11 few. Systemically, we don't address it
12 systemically.

13 MR. TUCKER: We don't address it from
14 an institutional viewpoint. I'll tell you
15 why I'm asking that question. I'm concerned
16 because I think that multicultural people
17 like yourself who -- then don't get to
18 address the issue that really is systemic.
19 within the workplace, within the school
20 place, within our lives which is the
21 systemic reactions and the institutional
22 affects of something that is so deeply borne
23 into the American culture that all of us,
24 black and white, blue and green, all of us
25 play out our roles because we're born into

1 that, that the institution is so systemic
2 that we don't deal with it. And so we hide
3 that under diversity. We never address it.
4 We talk about multiculturalism, we talk
5 about ethnicity, we talk about everything,
6 but we do not talk about systemic and
7 institutional racism. How do you see that?

8 MS. STOLEROFF: I think one of the ways
9 we need to address it, and it's one of the
10 reasons that conflict resolution is such a
11 big thing now, is that actually that's one
12 of the ways that you can address this --
13 this systemically from the bottom starting
14 with the kids. Now I've worked with
15 children from 22 months to 22 years old. I
16 need to say that. So I have the gamut of
17 kids that I've worked with, and you can get
18 children -- not 22 months, but you can get
19 children at day care level talking to each
20 other, learning how to say this is -- you
21 hurt me, this hurt my feelings, having a
22 teacher there so that they feel safe that
23 they can talk to each other or -- and figure
24 out what her -- what wasn't okay, having
25 somebody be there to help them mediate that

1 problem. At an older level you -- I've done
2 this, I've been successful at putting this
3 within my classroom and having kids feel
4 empowered to -- in fact, they come in from
5 the playground and there has been some sort
6 of instance that has blown them out of the
7 water, they can't figure it out, Debra,
8 Debra, what are we going to do? He really
9 hurt me, crying, blah, blah, blah. You take
10 them at the very moment, this is the most
11 important thing that they need to deal with,
12 you say, go figure it out. I want you to
13 take as much time as you need to, go -- we
14 have an extra room, in this particular
15 school we had an extra middle room, I would
16 let them go in there and let them scream at
17 each other, this is what you made me feel,
18 this is what you made me feel. I took some
19 time to teach them how to do this. They
20 came to a resolution. They would come out,
21 talk to me. If they couldn't come to a
22 resolution, we sat down, the class suspended
23 what they needed to -- their work, we sat
24 down as a class, we spent hours figuring
25 out, going around in a circle figuring out

1 what was a way to help these two people
2 solve their problems that they had with each
3 other. One time it came to a point of -- it
4 was over a boy playing with a doll, okay?
5 It was fourth grade. Came in terrified. He
6 had been called all sorts of names. And
7 what happened was alleys as a class we sat
8 down, and I'm not going to go into the funny
9 parts of it, me talking about who tells you
10 all of this stuff, do I look like a Barbie
11 doll, blah, blah, blah, but the class sat
12 down. We talked about where do you see the
13 sisms. Where do you learn them? As a class
14 we stuck up this chart and for the next --
15 it actually lasted for pretty much the rest
16 of the year. Kids spent the rest of the
17 year coming in daily and writing where they
18 learned anism. What ism it was and what --
19 and what -- where they learned it. And we
20 would talk about it.

21 MR. TUCKER: Okay.

22 DR. JOHNSON: There's a question that
23 relates to this comment. You didn't give
24 your name.

25 MS. SCHINHOFEN: I still would like to

1 speak.

2 DR. JOHNSON: All right. Also the
3 comments made earlier regarding celebrating
4 the value of each child, celebrating each
5 child. Do you think there's something that
6 we could do or suggest that you might do
7 regarding how can we get at encouraging each
8 school to celebrate each individual child?
9 If one does that, it not only picks up the
10 minority child, but it picks up every child,
11 that is what do you know about every single
12 child under your responsibility. What's
13 going on? Do you value that child? Is
14 there anything we can do in that regard that
15 may be useful?

16 MS. STOLEROFF: Are you asking Michael?

17 DR. JOHNSON: Michael.

18 MR. HENDERSON: I think any time you
19 show appreciation in someone you're valuing
20 that person. The problem, once again, stems
21 from who's making the judgment of what's to
22 be appreciated. It's the same thing that
23 Debra just said. Debra's unique in that she
24 can make children feel safe. She said she
25 would have conflict resolution with

1 different children with the teacher, but
2 what if that teacher doesn't make the person
3 feel safe? You still -- the core -- there's
4 a core issue that still needs to be dealt
5 with. So, yes, any time that you can
6 acknowledge a child and make them feel
7 wonderful for being distinctly who they are,
8 you're doing great wonders.

9 MS. STOLEROFF: I think one of the
10 things that -- you know, the underlying
11 cause -- causes of any sort of harassment is
12 low self-esteem, and in a class at a young
13 age we can boost kids' egos for whatever
14 reason so that they don't feel like they
15 have to harass somebody else to boost their
16 ego. And so in a class where there are many
17 different kids with many different strengths
18 you can at some point say to a -- you know,
19 somehow gently if not overtly let the kid
20 know what their strength is and call on that
21 kid to -- to help other children use their
22 strengths so they become comrades. You
23 know, they become co-helpers constantly.
24 They need each other. You know, and it
25 doesn't matter what -- what they look like

1 at all. You know, sort of that's -- the
2 issue goes beyond that piece. So I think
3 that's how I would answer that.

4 MS. SCHINHOFEN: I'd like to add one
5 other thing to that.

6 MR. CHENEY: Could you identify
7 yourself?

8 MS. SCHINHOFEN: My name is Jeannemarie
9 Schinhofen.

10 MR. CHENEY: Say what you want to say.

11 MS. SCHINHOFEN: Something that's been
12 barely touched on, I think there's an
13 incredible lack of respect from the teachers
14 to the students, and I think if you're
15 talking about the administration, and the
16 staff and the teachers communicating to the
17 children, they are first and foremost
18 communicating this lack of respect. I have
19 a child who was sent to the planning room
20 and wrote three pages on exactly what
21 happened and he's already encompassed what's
22 going on. Well, the teacher was pushing me
23 down the hall, she was pulling at my shirt
24 and pushing me and forcing me to go;
25 however, of course she called it guiding.

1 She called it guiding. And he was so
2 articulate about this. He has also said,
3 mom, I don't understand why they have to
4 call you and check up on everything that I
5 say. They're telling me that I'm a liar
6 just by doing that. I give him sometimes
7 reasons, but I also feel that -- perhaps the
8 administration needs to verify some of this
9 information with a parent, that's true;
10 however, the way he is treated he has come
11 up and said they don't believe me. They
12 treat me like I'm a liar. And he has an
13 incredible amount of integrity that he has
14 been a teacher to me.

15 He will come and say something to me
16 and I will listen and I will go back to
17 whomever is concerned and sit down and have
18 a meeting with them to help. The teacher.
19 I am educating the teacher on how to educate
20 my children, and it's not -- shouldn't only
21 be my children, it should be all children,
22 but the ones that I'm most, you know,
23 concerned with, the ones that come home and
24 tell me these stories.

25 So encompassing all of what you said, I

1 need to add respect in capital letters right
2 there smack in the face because it's just so
3 prevalent. I have had student teachers and
4 other parents that have helped out in the
5 classroom come to me and say there's
6 something going on in the classroom, and all
7 of the other eight children in the group are
8 doing this but your child was singled out
9 and punished for this behavior, whatever it
10 might have been. I've had calls from
11 parents of students that have come home
12 crying because one of my children is being
13 mistreated in the classroom consistently and
14 having the children come home and tell their
15 parents, and I may not find out this
16 information for a year. And I'm wondering
17 what has happened to this particular child
18 that he can't come home and say, mom, I'm
19 being mistreated. He has been mistreated so
20 much he doesn't know what's right. He
21 doesn't know to come home and say they have
22 truly wronged me in spite of the values we
23 have at home. He can't come home and say
24 I've been wronged except in one instance.

25 It was a teacher that was trying to set

1 up a hierarchy in the classroom, and she was
2 the Queen and everybody else were different
3 levels of servants or -- I don't know,
4 whatever. And I went to this person and I
5 said, first of all, don't you realize that
6 my child deals with this on a daily basis.
7 Of course he doesn't want to have anything
8 to do with this. He lives this. You're
9 putting it to these children because maybe
10 some of these children haven't experienced
11 this, but you don't understand what you're
12 saying here to my child.

13 Another -- another thing. We were
14 talking about these children feeling
15 invisible. I have been talking for four
16 years asking the administration to please
17 put the children of color together in the
18 classroom. Finally my child was in a class
19 of 40, it was actually two classes combined,
20 there were two teachers, there were four
21 children of color, none of which were in his
22 grade, but because it was a combined class
23 he happened to be put together with these
24 children. He came home on the first day of
25 school so excited, mom, mom, I've got three

1 other African-American children in my class.
2 And I said, oh, good, how do you feel about
3 that? And he said, well, it's great. You
4 know, I really don't even care if they are
5 my friends, they're just there. It means on
6 the one day of the year when we celebrate
7 Martin Luther King or we happen to do, you
8 know, a little bit of black history
9 everybody isn't looking at me. There's
10 somebody else to share that burden with.
11 When I went to the administration and I told
12 them this story I said, did you purposely
13 put these children together? He said,
14 absolutely not. So I don't -- I never know
15 if I'm getting through to these people.

16 I was asked the other day if I work at
17 the school because I'm walking the hallways.
18 I'm in a position that Ann Borys may have
19 mentioned where I'm ready to quit my job
20 because I can barely hold onto it. We had a
21 principal there that was an ally that I had
22 asked him any time my children come to you
23 and ask you, can they please have access to
24 me, can you let them call me at work or at
25 home because if something's bothering them,

1 they need to be able to reach me, which they
2 did many times. He's no longer there. We
3 had a teacher last year who came to me --
4 she happened to be substituting for half the
5 year, she came to me and said, I want to do
6 the rest of the year dealing with diversity
7 on some level, can you help me. She was --
8 she actually was incredible. She was really
9 wonderful. The kids were crying when she
10 left. She applied for the job; she did not
11 get it. We have lost so many excellent
12 teachers at this school, including Debra who
13 was a haven for my son.

14 MR. TUCKER: Excuse me for a second.
15 What school are we talking about?

16 MS. SCHINHOFEN: Twinfield Union in
17 Plainfield, Marshfield.

18 MR. TUCKER: Thank you. I thought so.

19 MS. SCHINHOFEN: I personally have not
20 gone beyond the administration because,
21 frankly, I had heard so many stories about
22 the superintendent of schools that I knew it
23 was useless, so I felt that my energy was
24 best put into approaching each of the
25 teachers when my child was in their class,

1 doing my best to educate them, explain my
2 child to them. I have gone to the
3 administration and asked them, please, can
4 you -- on one of these teacher in-service
5 days, can you please focus it towards having
6 the teacher -- maybe the teacher's
7 uneducated. You know, obviously they are.
8 They're ignorant here, can you please help
9 to educate them. There's no funding for
10 that. I feel as though the diversity that
11 we do get, as Michael said, very often the
12 teachers aren't truly there in their hearts
13 bringing them in, in the arts and
14 education -- is that what it's called?
15 What's the committee that brings them in,
16 enrichment, that's when they get to see.

17 MS. STOLEROFF: That's not a school,
18 that's outside.

19 MS. SCHINHOFEN: No, but that's the
20 time whenever they get something that is
21 diverse, it's not brought into the school in
22 any other ways. I took my child into first
23 grade and she informed me in the first week
24 that there was no racism in this school and
25 I had nothing to worry about when I was

1 concerned that my child wasn't going to be
2 safe there. She said there was no racism.
3 And I looked around and there were no
4 posters, there were no books, there was
5 nothing. I now have a teacher for my
6 daughter -- we have three children in the
7 school system at this point, and she spent a
8 good portion of her budget this year on
9 things that would encompass her in the
10 classroom. I thanked her. I feel as
11 though -- I do know that I'm being heard.
12 It's on such a small level it's hard not to
13 be bitter, it's hard not to be totally
14 frustrated, but I do it for my children.
15 And they know I'm there for them.

16 And I need help. I need help. I heard
17 Diane Dexter up here saying we educate
18 parents of African-American children. I
19 need that education too. Having these
20 children has been an incredible education
21 for me. And so maybe in some level I know
22 how to pass it along. My child was called
23 Charlie Brown on the bus. All the students
24 picked up on that, Charlie Brown. Well,
25 perhaps the bus driver meant this poor child

1 who, you know, was -- you know, is a misfit
2 in his own way, perhaps that's what he
3 meant, which I don't like that
4 interpretation anyway, but that's not what
5 the kids came up with. And I had a
6 secretary come up to me and say, what's
7 wrong with that? And here you're holding
8 your head. That's exactly how I feel.

9 MR. TUCKER: I know.

10 MS. SCHINHOFEN: Anyway, I can give you
11 more and more examples; however, I think
12 I've said what I need to. Again --

13 DR. JOHNSON: I have a question. As
14 you were saying your name I didn't --
15 something else was going on so I didn't hear
16 your name.

17 MS. SCHINHOFEN: Jeannemarie
18 Schinhofen.

19 DR. JOHNSON: Part of what's happening
20 here is that we have been talking about
21 these issues from the administration side to
22 a great extent. It is from the school side,
23 what can we do with the schools. Your
24 comments cause me to ask the question is
25 there something that the parents can do to

1 educate themselves about how to deal with
2 the school as a group of individuals, that
3 is, either get funding for some kind of
4 protocol, strategy type of -- how to be a
5 parent of an ethnic minority student in the
6 world, or in Vermont or someplace and all
7 the various -- the things that people run
8 into like here, there's a booby trap here,
9 there's a booby trap there, you're going to
10 get this, you're going to get that, they
11 have included in that some of the comments
12 of some of your children, some of their
13 experiences so you don't feel so much alone
14 in a way and you have some tools to work
15 with. But that doesn't require that we do
16 something or anybody but you do something.
17 Perhaps we can encourage it in some way
18 because a lot of what you say is shared.
19 But I don't know if you communicate with one
20 another, each other.

21 MR. HENDERSON: We do it because we
22 have a dialogue. We are a community.

23 MS. SCHINHOFEN: There are four people
24 from this school system here today. I don't
25 know how many people are here, but I know

1 that warrants a percentage. We are in
2 contact.

3 DR. JOHNSON: All right. In a good,
4 formal way so you can read something, share
5 it, people can go back to it, look at it,
6 read it, study it, say this really works.

7 MS. STOLEROFF: There was a group in
8 our community that formed, a diversity
9 group. It was the diversity quilt group,
10 and there are people within our community.
11 What's so funny about our community is it's
12 a community -- there are many people in the
13 community that care about these issues, yet
14 it's hard to get the school to be able to
15 change and to sort of work -- go beyond and
16 to sort of use the community as resources.

17 MR. CHENEY: Charles's idea is
18 tremendous. If you can put together some
19 guidelines. We've had testimony from others
20 today. How do you parent a child like this?
21 You've all got different strategies; some
22 work, some don't. Some teachers respond,
23 some don't, but it would be a great resource
24 I think.

25 MR. PENTINO: Since I haven't spoken

1 with the two of you before, can you leave me
2 your name, and address and telephone numbers
3 so I can contact you? I do want to move on
4 to other speakers. Do you have any other
5 questions?

6 MR. CHENEY: Thank you very much.

7 MS. SCHINHOFEN: Can I say one other
8 thing? You're telling us -- I hear that
9 you're saying we're a resource in a sense
10 that we have tried a lot of things and that
11 we have worked to get it formalized. I
12 think that could be an important step on our
13 part. Again, I think I'm here mostly
14 because I need something else now from --
15 and I can go this step further, but I really
16 need that extra thing from the
17 administration. I need those teachers to
18 get educated so I don't need to do so much
19 work.

20 MR. CHENEY: We understand.

21 DR. JOHNSON: Let me ask the question,
22 really ask the question. Do you really need
23 as much as you think you need? Because we
24 all are powerful. We disempower ourselves
25 by thinking the other person has the answer

1 for me. To the extent that I think that I
2 need it from him, I don't have it. Once I
3 recognize he doesn't have it either, it
4 allows me to go forward and say, hey, look,
5 you don't know what you're doing and I'm
6 here incrementally to help, you know, what
7 you're doing because you just have no idea
8 how to teach my child, and this child, and
9 that child, and Noah and all the other ones
10 that have spoken. So it's a process that
11 you're starting now. I think you have as
12 much power to do what needs to be done as
13 anyone.

14 MS. SCHINHOFEN: I agree with that
15 except that out of my three children that
16 means that I'm only educating three children
17 a year -- three teachers.

18 DR. JOHNSON: With the other parents;
19 not by yourself.

20 MR. PENTINO: Can I get the
21 information? Mary Jane Marchelewicz.

22 MS. MARCHELEWICZ: I'm Mary Jane
23 Marchelewicz. My name is on the program as
24 a teacher. I am not a teacher, I am a
25 paraprofessional and educator in a local

1 school district. The reason I'm here is
2 because I see things going on, and out in
3 the halls I work with all kinds of kids, all
4 different age levels in a middle school
5 environment. I also had friends -- I had a
6 friend at the high school in particular
7 which is one of the things I would like to
8 address. She was an educator at the high
9 school. She was African-American. We were
10 very lucky to have her. Her husband brought
11 her up here on a job transfer and they lived
12 in this area about five years. A year
13 before she knew she was leaving the area she
14 quit her job at the school because she
15 couldn't stand it anymore. As an adult,
16 strong, tall, positive, dynamic woman could
17 not stand how she was treated by the staff
18 at the school she had been working at for
19 four years. She was not greeted in the
20 halls. She would go into the business
21 office or the high school office and, hi,
22 how are you, that sort of thing, get no
23 response. There were very few people on the
24 whole staff that would even say hi to her in
25 the halls. So we lost her. The kids were

1 furious when they lost her.

2 However, when she was first here she
3 went to -- excuse me. Excuse me. Thank
4 you. When she was here one of the first
5 things she did was go to an educational
6 conference which was held at a conference
7 center in the Burlington area. She went to
8 the workshops in the morning. Then it came
9 lunchtime and she went into the large dining
10 hall and she didn't know anyone, but she was
11 the only person -- the only African-American
12 there at the time. And so she saw this
13 table that had a few empty seats, and she
14 went over and sat down and said, is it okay
15 if I join you, and they said yes. And every
16 single seat in that lunchroom filled, and
17 there was an empty seat on either side of my
18 friend. And then the last person that came
19 in to the dining hall had to sit somewhere,
20 and that person sat next to my friend Carrie
21 and sat with her back to her through the
22 lunch. Nobody spoke with this adult woman
23 at a luncheon of educators. This is in the
24 past four years in Burlington.

25 She has left recently and gone back to

1 Virginia with her husband and family, so she
2 couldn't be here, but this is what we're
3 dealing with. No wonder a little 5 year
4 old, 6 year old, 12 year old is insecure in
5 our school systems because this is how the
6 educators act.

7 There are tests, there are exams. You
8 have to pass the board to be a lawyer, you
9 have to pass your CPA exam to be an
10 accountant, but anybody can be a teacher.
11 And even educators, because it's a
12 close-knit group, when they have student
13 teachers coming in, they'll say, this kid
14 isn't really good, but eventually that he
15 will be okay, so they get the rubber stamp
16 of approval because they want to be an
17 educator. Sometimes wanting to be isn't
18 enough, and perhaps we need to look at who
19 is going into education and what is in their
20 heart and what they plan on doing.

21 We had another family in my community,
22 African-American family that got brought up
23 here by IBM in one of their big moves, and
24 the father was shortly thereafter downsized,
25 and here they were, had sold their home down

1 in Manassas, moved up here, and Big Blue
2 dropped him and his family and a lot of
3 other people. Their kids were in the school
4 system with me. The 13 year old boy was hit
5 by a car on his bike in his middle class
6 white neighborhood and the vehicle did not
7 stop. The younger boy -- I worked with his
8 younger brother, and he came into school and
9 he was talking to me and I said, what's the
10 matter, I can see you're upset. What's
11 going on? He told me the story. Of course,
12 this black family felt that it was because
13 of the color of their skin that this vehicle
14 didn't stop, and nothing you could say to
15 them that would change that and they're
16 probably right. So I went to his team
17 teachers. I went to one of them that I felt
18 I could approach and explained the
19 situation. I said, his older brother got
20 hit -- he was with his brother, his brother
21 got hit by a car on the bike and he's having
22 a hard time, take it easy on him. And the
23 teacher said, he doesn't think it's because
24 he's black, does he? And I said, doesn't
25 matter. If that's your reaction, why

1 shouldn't he think it's because he's black.
2 And these are the educators.

3 These parents that were sitting here a
4 few minutes ago talking, what can they do?
5 I've been on the Superintendent's
6 Multicultural Diversity Committee for four
7 years that was started partly because there
8 were letters written to kids in their
9 lockers at school, hate letters to the black
10 and Jewish kids in the school system, so the
11 parents were outraged and gathered and
12 wanted something to be done. We started a
13 committee and then the superintendent didn't
14 really like how that committee was going to
15 be heading, so he said he was going to have
16 a Multicultural Diversity Committee meeting.
17 And my friend that had been shunned at the
18 luncheon and was shunned by her co-workers,
19 and I and several other people were on this
20 committee. We were there for four years, we
21 met once a month. They could tell the
22 community that there was a multicultural
23 committee. It has more or less folded. My
24 friend has moved away and the rest of us
25 were just plain tired of feeling like we

1 were doing nothing, accomplishing nothing,
2 spending all this time so that it could be
3 said that the community had this kind of
4 committee which was accomplishing nothing
5 but possibly a rubber stamp for the
6 district. It's a sad state of affairs.

7 What bothers me, one of the comments
8 made earlier, is getting the university
9 involved in offering courses. Well, the
10 people that would volunteer to take the
11 courses have got the heart and want more
12 understanding, they're doing okay. You make
13 it a mandate that everybody has to take
14 these courses and you're going to have
15 those, what do I have to that goddamn course
16 for. I know, I've heard it. I don't know
17 how we get to them, how we can make them
18 understand and to treat all the kids the
19 same because they -- they think they are.
20 They think they are. If you say to them we
21 need a workshop, which I have approached the
22 district on, we need a workshop in
23 understanding, not tolerance. I hate
24 tolerance. Tolerance is putting up with, we
25 need to understand, let's have workshops.

1 You know, get the teachers involved, get the
2 people in here that can explain what the
3 minority community is going through.

4 MR. CHENEY: What school district are
5 you in?

6 MS. MARCHELEWICZ: South Burlington. I
7 moved there for the school system for my
8 kids.

9 MR. CHENEY: Are you still employed
10 there?

11 MS. MARCHELEWICZ: Uh-huh. I was told
12 this morning, are you sure you want to
13 speak. And I said, I had a job before I
14 came here and I'll have a job when I leave.
15 I don't care.

16 MR. TUCKER: See, that concerns me.

17 MS. MARCHELEWICZ: What concerns you,
18 that somebody would say --

19 MR. TUCKER: No. That concerns me that
20 we even give credence to that kind of
21 intimidation.

22 MS. MARCHELEWICZ: But they do. Oh,
23 you know. You know they do.

24 MR. TUCKER: I know that.

25 MS. MARCHELEWICZ: But I don't really

1 care.

2 MR. CHENEY: Do you have some estimate
3 of -- is this -- are we talking about
4 isolated number of people, widespread? I
5 mean, is this so endemic you find nobody --

6 MS. MARCHELEWICZ: I'm going to expect
7 there are 40 staff members at South
8 Burlington High School, and I know my friend
9 didn't have but maybe 5 that were friendly,
10 just openly -- you know, hi, how are you in
11 the hall. Most people you say hi, how are
12 you, they're gone, they really don't care,
13 but they at least say it, but she wasn't
14 even greeted.

15 MR. CHENEY: You described an
16 intentional, and we hear from the education
17 department that everybody has a good heart,
18 they just need to be taught. I think you're
19 giving us a slightly different message.

20 MS. MARCHELEWICZ: Well, Kim, I've
21 known you for years and way back when I
22 lived in Montpelier I used to get in more
23 trouble over there because I'm outspoken. I
24 don't, pardon the phrase, whitewash it.

25 MR. CHENEY: I just wanted to bring

1 this out.

2 MS. MARCHELEWICZ: Yeah, I know.

3 MR. CHENEY: Which is why I'm asking
4 these questions.

5 MS. MARCHELEWICZ: It needs to be done.
6 We've done enough dancing around and
7 pretending and -- I mean, I see it in the
8 kids. I mean, my contact with the few kids
9 that we have, the few African-American kids
10 at school is such that I have one little guy
11 that comes by me and pats me on the head and
12 said, nice fro, Mrs. M, but not everybody is
13 welcoming. I see the new kids when they
14 come to school how long it takes them to
15 find a comfortable place to have lunch. And
16 I've said to teachers, hey, how's that kid
17 working in on your team? Okay. I said,
18 well, it doesn't look like it, they're
19 sitting there having lunch alone. And the
20 teacher goes on eating the lunch and nothing
21 happens until that kid can finally find his
22 or her place and connections.

23 MR. CHENEY: Okay.

24 MS. MARCHELEWICZ: There are teachers
25 that are very good, of course, and I don't

1 want to say that they're all like that, but
2 probably because the educators in the system
3 today came out of a teacher core. They've
4 been there a long time. They're tired.
5 They don't want to do it anymore. This is a
6 real job to them. They've lost that feeling
7 of why they went into teaching. That's why
8 I'd like to see teaching become sort of like
9 the military thing where they're in 20
10 years. The gap is too wide, you're burned
11 out, it's tough. Let them get back into the
12 business community. They shouldn't be there
13 for 30 and 40 years. The gap is too wide
14 between the problems and the ages of the
15 kids.

16 DR. JOHNSON: One thing you suggested
17 was some kind of certification may be useful
18 for teachers. Perhaps because of your
19 experience, would it be possible for you to
20 write a brief note to us suggesting why you
21 think teacher certification would be useful,
22 if that's part of the answer, because we can
23 suggest that to the legislature, for
24 example, as something that should be done in
25 Vermont.

1 MS. MARCHELEWICZ: That's right.

2 DR. JOHNSON: Any other ideas like that
3 that you think might be useful for us to
4 push forward? Would that be possible?

5 MS. MARCHELEWICZ: Yeah. And another
6 thing is the promotion system in school
7 districts. If you look at where a lot of
8 your administrators come from, they've come
9 up through the ranks through the athletic
10 department which is really a shame.

11 MR. TUCKER: I would like to ask you a
12 question, Mary Jane. Since I know the
13 person in question, I want to talk to you
14 afterwards.

15 MS. MARCHELEWICZ: Thanks.

16 MR. CHENEY: Other questions? All
17 right. Thank you very much. Is Rene Laroux
18 in? Merryn?

19 MS. RUTLEDGE: Thank you.

20 MR. CHENEY: Let's see. There's one
21 other after Merryn? Just trying to get an
22 idea of how much time we need. Why don't
23 you go ahead and tell us your name.

24 MS. RUTLEDGE: I am Merryn Rutledge,
25 and I have my own firm in organizational

1 development. I come to you today as
2 director and founder of the Vermont Equity
3 Project which teaches teachers in Vermont.
4 Today I'll also, along with others, focus on
5 course units, materials and pedagogy giving
6 you pictures of what Vermont teachers are
7 doing in their classrooms. What I see in
8 Vermont mirrors what I have seen as I have
9 worked with teachers all over New England
10 and at numerous national conferences in the
11 United States and Canada. Vermont
12 classrooms show glaring omissions and
13 damaging images of women and men of color.
14 Some Vermont teachers are creating wonderful
15 examples of inclusive antiracist curriculum,
16 and I will also give you these pictures to
17 show you how easy and hard it is.

18 Let me begin by telling you what my
19 experience base is in Vermont. For four
20 years I have worked with teachers in
21 Burlington, about one in six in the whole
22 district, each for a whole year or one
23 intensive semester. I have given workshops
24 at conferences in the Rochester, Vermont,
25 school district and run a year long

1 humanities council project in South
2 Burlington. Most of the projects -- most of
3 the pictures that I will offer are diptics,
4 that is, two pictures side by side like
5 this, the first showing classroom activity
6 that damages children and the second one
7 showing antiracist teaching to a greater or
8 lesser extent since there are stages of
9 antiracist teaching.

10 First is a picture of damaging
11 curriculum. Seventh graders studying the
12 United States Constitution concentrate on
13 the Founding Fathers each writing reports on
14 one person and then dressing up as that
15 person to deliver their reports. Teachers
16 appear not to notice the hidden messages.
17 All of the Fathers are white men, all girl
18 students and boys of color are being made to
19 concentrate on and dress as a white man.
20 All of the Fathers are relatively or quite
21 affluent. When the Three-Fifths Compromise
22 is discussed, no one speaks of a black
23 person's point of view.

24 The other side of this picture is this.
25 After one semester's discussion about

1 inclusive curriculum, and my experience is
2 that it doesn't take a day's in-service, it
3 takes at least a semester about 30 to 45
4 contact hours of teaching, some seventh
5 grade teachers decide to keep the focus on
6 the Constitution but to teach it
7 differently. Half of the class does pretend
8 that they're going off to Philadelphia to
9 shape the new government. The other,
10 however, after a full class discussion of
11 varieties of roles and lives stays home.
12 Male farmers, apothecaries, women who are
13 now running shops, indentured servants,
14 Afrikaans in bondage. Everybody now
15 discusses the central issues. Teachers and
16 students also in this scenario need to talk
17 about the relative power and the validity
18 and audibility of the voices of all those
19 parties to the discussion as it were.

20 Here's a damaging picture. Teachers in
21 one school find that several black students
22 in the school tend to be dispersed, one or
23 two to a classroom. You've already heard
24 this this afternoon. Teachers try to change
25 that. Still, painful incidents will occur.

1 A white child explains that she was touching
2 her classmate's hair because she wanted to
3 feel what a black person's hair was like.
4 Now the other side of this picture is this.
5 Two teachers, one black, the other white,
6 one a classroom teacher, the other the
7 guidance counselor, start a group to bring
8 children of color together, to talk about
9 themselves, share experience and gather
10 strength. That group is now in its second
11 year.

12 Here's another damaging picture. The
13 main seventh grade history book in a middle
14 school does include women and men of color,
15 white women and disabled folks, but they
16 tend to be mentioned in sidebars or in
17 optional end of chapter activities.
18 Teachers at the school have not noticed the
19 hidden messages. White men are the norm,
20 others are optional or exceptional
21 exceptions. Here's the other side of that
22 picture. The group of teachers who made the
23 discovery about the textbook that I'm
24 talking about do learn the tools needed to
25 diagnose these diseased messages and they

1 take two immediate if intermediate steps,
2 short of ditching the book that is. They
3 teach units of American history as more
4 inclusive using the text as just one
5 supplementary source and they teach their
6 students to see the bias in textbooks so the
7 students can recognize the next time they
8 are presented with biased materials.

9 Another picture of damaging curriculum.
10 An elementary school celebrates black
11 history month with a rich array of posters
12 of women and men of color. The principal
13 also spotlights one person each morning when
14 she addresses the school over the PA. The
15 other side of this picture is this. One
16 week during the Vermont Equity Project the
17 principal suddenly recognizes the hidden
18 messages her staff has been sending.

19 Peoples of color are marginal, extra. We'll
20 celebrate their lives merely as a display to
21 pass by or we might say as extracurricular
22 activity. She begins to wrestle with the
23 need to bring peoples of color into course
24 units throughout the school at every level.
25 It's not easy to involve all of her

1 teachers, to teach them the importance of
2 changing. She's the one principal in
3 Burlington who's involved I think about
4 four-fifths of her staff so far in the
5 Equity Project. No district mandate helps
6 her out. Teachers are left each year to
7 choose professional development courses from
8 an array of competing agendas.

9 Another picture of damaging curriculum.
10 Two sixth grade teachers teaching Central
11 American and Canadian history, a recommended
12 unit, center their units on milestones in
13 each nation's political and economic
14 development. The people highlighted tend to
15 be either affluent public figures or
16 faceless native groups like say the Aztecs.
17 Again, the racist, sexist and classist
18 messages go unspoken. Where are the women,
19 both native and European; where is family or
20 community life, both native and European;
21 what is happening to native peoples? Here's
22 the other side of that picture. These same
23 teachers begin to recognize these and other
24 damaging hidden messages and they take two
25 measures. They teach their students ways to

1 ask questions I just posed so that the
2 children know how to see their own course
3 units and how to talk about what is included
4 and excluded and some reasons why. The
5 teachers also easily find books about
6 Canadian women of color, biographies of
7 Mexicans, books about ordinary human beings
8 and about crafts, communities and the role
9 native peoples played in assimilating,
10 resisting, helping Europeans stay alive,
11 acting in all the ways in which they
12 participated in human story.

13 MR. CHENEY: Ms. Rutledge, is this
14 written?

15 MS. RUTLEDGE: Yes.

16 MR. CHENEY: I think we've got the
17 picture of what you're doing here. If you
18 can give us that and we could include it in
19 our report. But can you tell us -- I'm
20 interested in impact and results changes
21 that you may have brought about.

22 MS. RUTLEDGE: The reason I wanted to
23 put both parts of the picture was to suggest
24 that the results are immediate in the
25 changed perspective and behavior of the

1 teachers.

2 MR. CHENEY: I think we got the point,
3 at least I did, I'm sure my colleagues did.

4 MR. TUCKER: I did.

5 MR. CHENEY: What's happening in the
6 schools when you do this? What kind of
7 impact?

8 MS. RUTLEDGE: It takes about a third
9 of the total staff in my view in order to
10 make any kind of impact beyond the
11 individual teacher's interest in the topic.

12 MR. TUCKER: What impact would it have
13 over a period of time on the children?

14 MS. RUTLEDGE: I can only say that I
15 think it -- I think it's immeasurable when
16 the children begin to see that their lives
17 are no longer tokenized, marginalized,
18 excluded, demeaned.

19 MR. TUCKER: White children?

20 MS. RUTLEDGE: White children begin to
21 understand that multicultural education is
22 not about the other, it's an integral
23 systemic change in the way every teacher
24 does business.

25 MR. CHENEY: How often do you present

1 this in Vermont schools?

2 MS. RUTLEDGE: How often?

3 MR. CHENEY: Yeah. Are you welcome or
4 is this --

5 MS. RUTLEDGE: It's bloody hard work,
6 let me tell you. I've been to the School
7 Development Institutes at Vermont -- at
8 University of Vermont. They're not
9 interested in what I have to offer. Trinity
10 College has been rather hospitable I must
11 say. The school district has been
12 hospitable to the extent to which, frankly,
13 I could interest teachers in doing this
14 work.

15 MR. CHENEY: You're attacking the whole
16 textbook system too.

17 MS. RUTLEDGE: Yes.

18 MR. CHENEY: They're inherently biased
19 in the deficiencies that you've noted.

20 MS. RUTLEDGE: And because those
21 systems are in place, and they're going to
22 be in place for a long time, children have
23 to be taught to see and X-ray, if you will,
24 the cultural systems that we're in the
25 middle of.

1 MR. CHENEY: I'm still seeking for an
2 understanding of how often you get in the
3 schools, how often you get to make your
4 presentation and so forth.

5 MS. RUTLEDGE: In Burlington I begin
6 tomorrow the fourth year of a semester-long
7 cycle.

8 MR. CHENEY: Have you been in other
9 school systems?

10 MS. RUTLEDGE: I have, but not with the
11 opportunity to work for the long period of
12 time that, quite frankly, it takes to make
13 substantial change.

14 MR. CHENEY: You're saying Burlington,
15 not South Burlington?

16 MS. RUTLEDGE: I beg your pardon?

17 MR. CHENEY: Burlington school system?

18 MS. RUTLEDGE: That's where the Equity
19 Project is centered.

20 MR. PENTINO: Is there any other
21 information you have other than what's
22 contained in the Equity Project report that
23 we have?

24 MS. RUTLEDGE: I think what I'd like to
25 add is a kind of prescription for what the

1 kinds of units that teachers have to
2 understand in order to really begin to get
3 the whole picture. They need frameworks for
4 how to evaluate materials. There are
5 teachers aplenty in Vermont who have taken
6 this or that stray course at one of the
7 Vermont college systems. There's very
8 little work, as John indicated before, in
9 systemic racism. Teachers need know how to
10 see that periodic celebrations of diversity,
11 like diversity days which so many schools
12 brag about, are superficial when they're not
13 accompanied by curricular attention. For
14 example, to the -- explicitly to the
15 dynamics of prejudice. Teachers need know
16 how to recognize when course units and
17 materials marginalize and make mere tokens
18 of peoples of color. Teachers need
19 frameworks and practical tools, not just
20 theory, practical tools to allow teachers to
21 systematically integrate the lives of women
22 and men of color, white women and others
23 into the curriculum. When teachers merely
24 add a few women and stir or add a few black
25 people and stir, which is often the approach

1 to the recipe, without revising core
2 assumptions, the curriculum keeps its white
3 European norms. Science is so defined, art
4 is so defined, history is so defined and so
5 forth.

6 Teachers need tools and ideas for
7 teaching even very young children about
8 race, and gender, and culture and
9 stereotyping. In the project that I run
10 teachers have been very successful with
11 children as young as five years old in
12 kindergarten in so doing.

13 And, finally, teachers need education
14 about the connection between curriculum and
15 harassment in the hallways and on
16 playgrounds. Children get mixed messages in
17 Vermont schools with very responsible
18 programs taught by guidance counselors on
19 harassment, but then when they walk into the
20 classroom and their curriculum excludes
21 peoples of color and demeans them by their
22 place in it, then they get permission to go
23 back out of the classroom and perpetuate
24 more harassment.

25 MR. CHENEY: Thank you very much. I

1 think it's time to take a break because
2 we're going to start at 7. I'm sorry you're
3 the last witness for this afternoon. I know
4 you've waited a long time. You had a lot to
5 say. We do have your written materials.

6 MS. RUTLEDGE: Please call on me as
7 I've had lots of opportunity to try to work,
8 for example, on preteacher changes in the
9 education system and it's going to take some
10 help like you folks.

11 MR. CHENEY: When we're done I think
12 one of the recommendations somewhere along
13 the line would be to have the education
14 department systematically address these
15 issues. Maybe that will be an opportunity
16 for you.

17 MS. RUTLEDGE: Thank you.

18 (Recess taken)

19 MR. CHENEY: All right. We'll get
20 started with the evening program. I want to
21 extend the apologies of the Commission,
22 Mr. Mayor, for being late. I'd blame it on
23 the restaurant, but it was probably our
24 appetites. In any event, we're really
25 pleased to have you and please come forward.

1 MAYOR CLAVELLE: Thank you, Kim. I
2 would like to welcome you to Burlington, but
3 I won't because you're not in Burlington,
4 you're in South Burlington. You've got to
5 go about 400 yards that way; you'll know
6 when you're there. The skies are blue, the
7 sun's shining, the air is cleaner.

8 MR. CHENEY: We were wondering about
9 the source of our not welcome.

10 MR. CLAVELLE: I also want to say that
11 I'm not responsible for the weather this
12 evening. I had October; the Governor's
13 responsible for November.

14 But on a very serious note, I want to
15 thank the Commission for coming to the
16 Greater Burlington area this evening and
17 convening this forum to address harassment
18 in Vermont's public schools. I want to
19 speak to you just for two brief moments
20 because I know many people have much to say
21 on this issue. As Mayor -- and I want to
22 tell you that I hear from many constituents
23 about all too frequent incidents of racism
24 in Burlington schools and in our community,
25 and you will hear from some of those

1 citizens this evening. Those who want to
2 speak to you as a parent, I have three kids
3 in the Burlington school system, middle
4 school and elementary school, and we're all
5 stakeholders, and I feel like maybe I have a
6 slightly higher stake considering that I
7 have an adopted daughter born in Korea. And
8 I share this dream, as does everyone in this
9 room, that Burlington, and our state and our
10 country will become a place that's free of
11 racism and free of violence. And I do
12 believe that we've made some progress, but I
13 also know that we've got a long, long ways
14 to go.

15 At one time Martin Luther King defined
16 violence as whatever denies human integrity
17 and leads to hopelessness and helplessness.
18 And I think that if you embrace that broad
19 definition of violence, that we come to
20 recognize schools as a place for some on a
21 daily basis as a place of violence for
22 students, even for teachers, and staff and
23 faculty. Schools are a place of violence, a
24 place where individuals are ignored, are
25 belittled, are called a name, are harassed,

1 are discriminated against and threatened.
2 As we work towards building an environment
3 which is not an environment of violence but
4 an environment of respect, I think it's
5 important that we understand that the
6 schools are a very important place to do
7 this work and education is a basic tool to
8 ending racism.

9 I also think it's very important, and I
10 think that's what's powerful about this
11 forum that you're convening, is that
12 communication and unleashing a dialogue
13 about racism in our community is long
14 overdue, and we need to share our views and
15 to talk about racism and the need to ensure
16 ethnic diversity in not only our schools but
17 all of our institutions. And I know that at
18 times this is a difficult dialogue, it's
19 uncomfortable for some of us, and I know
20 that for many it has provoked a response of
21 denial, but it's time for us as a community
22 and as a state to put these issues of racism
23 on the table and to deal with them in a very
24 forthright and honest manner as painful as
25 that might be.

1 While this evening the focus is on
2 schools, but I think it's also important to
3 remind ourselves that we can't end racism in
4 schools without creating inequity in
5 society. We can't end racism in schools
6 without ending racism in all of our
7 institutions, whether it's City Hall, or
8 businesses, or universities, our
9 neighborhoods. So we've got much work ahead
10 of us, and certainly zero tolerance for
11 racism in schools and the workplace is a
12 place to start, but certainly is not a place
13 to finish. We've got a long journey, and I
14 think that this community forum will bring
15 these issues front and center and place them
16 on the table as a milestone on the journey
17 that we're embarking on as a community.

18 So I want to welcome you here and thank
19 you for convening this forum. I think it's
20 a very, very important dialogue, one which
21 we need to continue on a more regular basis.
22 Welcome.

23 MR. CHENEY: Thank you very much. I
24 don't know if there's questions. Does
25 anybody have questions?

1 MR. HOFF: Yeah, I have a question,
2 Mayor. The testimony we heard this
3 afternoon would indicate that racism in the
4 public schools in Burlington is alive and
5 well. I understand that the school
6 department for all intents and purposes is
7 separate, and yet there is a connection. Do
8 you foresee involving yourself in this in
9 some way?

10 MAYOR CLAVELLE: Well, I certainly have
11 been -- been involved and I also need to
12 become more involved. And there is, as you
13 know, a distinct separation between city
14 government, and the schools are a department
15 of the city but largely autonomous, but I do
16 think it's important that the Mayor, as the
17 only official in the City of Burlington
18 that's elected by all of the citizens of the
19 City of Burlington, utilize that office of
20 Mayor and the bully pulpit of Mayor to
21 provide issues of leadership on public
22 education and certainly on the very
23 important issue of racism. So I've
24 attempted at times, not as boldly as I
25 might, to provide leadership, but I agree

1 that more needs to be done and that there is
2 a responsibility on my part to provide
3 leadership on this issue. I also want to
4 acknowledge the fact that the chair of the
5 school board, Carol Oty, is here this
6 evening as well as one other member of the
7 school board, Leslie Kaigle, and I
8 appreciate that they're here to hear
9 firsthand some of the testimony that will
10 take place this evening. But we need to
11 work together. But I share that
12 responsibility with 28 other elected
13 officials in the City of Burlington, 14
14 school board members and 14 city council
15 members?

16 MR. CHENEY: Anybody else?

17 MAYOR CLAVELLE: Carol and Leslie, you
18 may have a chance to speak if you desire
19 this evening.

20 MR. CHENEY: They're certainly welcome.

21 MR. TUCKER: Carolyn was here this
22 afternoon also.

23 MR. CLAVELLE: Great. Thank you.

24 MR. PENTINO: Rene Shippe. I do want
25 to thank you for staying in the afternoon.

1 I don't know if the committee realizes she
2 was scheduled to speak in the afternoon and
3 has agreed to come and wait until the
4 evening.

5 MR. TUCKER: Thank you, Rene. Thank
6 you very much.

7 MS. SHIPPE: I thank you. What I've
8 heard this afternoon, it really angered me,
9 and I just had to stay. I guess my house is
10 in an uproar and I will say that because I
11 have a foster child who if he doesn't take
12 his Prozac, he's crazy without me, okay? I
13 have a homeless man in the house who just
14 got put out. I have my own two children,
15 okay, and I know it's in an uproar, but this
16 is --

17 MR. TUCKER: Where do you live, Rene?

18 MS. SHIPPE: I live in Morrisville,
19 Vermont, which they call the boonies here.

20 MR. TUCKER: Yeah.

21 MS. SHIPPE: And I'm also called a
22 flatlander, but what I'd like to start off
23 with, a tree. We plant the seed to have a
24 good base, to have firm, sturdy branches. I
25 want you -- that to stick in your mind. In

1 order for you to know about children and
2 racism you have to know a little bit about
3 the base, which is me. I've relocated here
4 from New York, 17 years with the Department
5 of Corrections in New York City, for a safe
6 environment here for my children. I got
7 here June 16th because the children were out
8 of school. August 10th there was a
9 newspaper article on me in Morrisville,
10 Vermont.

11 MR. TUCKER: Sure.

12 MS. SHIPPE: Why did you land here?
13 What are you doing here? What do you want?
14 I came, I registered myself to be a
15 registered voter for Vermont. I'm a Notary
16 Public, I'm a nurturing home, I'm a foster
17 parent, and I'm also a community member and
18 I've also been elected to the Central
19 Vermont Community Action on the advisory
20 board for low income people. When I first
21 went to vote the room was filled with a
22 bunch of Caucasians. As soon as I walked
23 through the door the word was, what is she
24 doing here. What does she want in here?
25 And a man questioned me. What are you doing

1 here? I said, well, what is today? He
2 said, election day. I said, well. Then the
3 Town Clerk, she recognized me. She said,
4 Rene, you're over here at this table, number
5 one. He couldn't believe I was voting. We
6 don't vote. The alien does vote.

7 Two, when I go to legislator
8 breakfasts, and I attend every last one of
9 them, director of the Department of
10 Employment & Training, oh, you're all over
11 the place. Okay, where I come from in
12 Corrections we say, yeah, you're like
13 bullshit, you're all over the place. And
14 she says to me, and what are you doing here?
15 I said, I'm interested in what's going on in
16 my community. And she looked at me and she
17 said, oh. That's me.

18 I heard today -- someone said racism
19 has been reinvented. No such thing. Racism
20 is real. Across America. I have an article
21 here where my daughter was a participant of
22 the Holocaust Institute through the
23 University of Vermont Youth Empowerment
24 Institute, and this is dated Burlington,
25 Vermont, August 5th, 1997. The statement

1 says, Takiyah Asia Shippe, 14, a black girl
2 from Morrisville, Vermont. She couldn't
3 have been a student from People's Academy,
4 she had to be the black girl from
5 Morrisville, Vermont. Okay? We'll deal
6 with that.

7 The issue with me is if Vermont doesn't
8 want people of color, which you are people
9 in the cities -- inner cities, they're
10 coming out of the inner cities because they
11 want their children to have a safe
12 environment. I felt I didn't have that in
13 New York, and I needed a safe environment
14 and a better education for my children, and
15 I felt I would have it here, okay? I look
16 at that sign many times and it says, welcome
17 to Vermont. I want to add a piece to it,
18 but it's not for the people of color, and if
19 you do stay, you will be harassed and you
20 will experience racism all across the board.
21 No matter whether you're hiding, whether you
22 want to be a productive citizen or what, you
23 will experience it here.

24 Two, we all bleed the same, okay? We
25 all eat with a spoon, and a fork and a

1 knife, okay? We all bleed the same way. We
2 have the same color heart. I hear you say
3 what can we do? This is Common Sense 101.
4 If our -- if we as people of color, as a
5 community, as parents, as educators, if
6 something is going wrong with our children
7 and it takes an entire village to raise a
8 child, and that's everybody, that doesn't
9 say they're blue, purple, green, whatever,
10 it takes everybody to raise a child, if we
11 are experiencing all this racism,
12 harassment, then there's a way to stop it.
13 As a committee, I know you all vote. There
14 are community groups who vote. There are
15 organizations that vote. If we deliver a
16 message to the politicians that we will not
17 vote for you until this harassment, the
18 racism stops, the message will be heard.
19 The message will be heard. If we have to
20 hit them in their pockets, just like if I
21 take a day off, I lose pay. For every
22 incident in your district, you lose money.
23 Bottom line. It will stop. We cannot sit
24 with this Commission, that Commission, this
25 consultant, that consultant about our

1 children. These are our future, and we're
2 going to see and we're going to talk. Their
3 minds are growing, their bodies are growing
4 and they're growing, okay? This has to stop
5 now.

6 President Clinton, he asked that
7 Americans across the board volunteer their
8 time in some kind of community organization,
9 okay? The President has asked states, all
10 the states, to jump over in the 21st
11 Century. Here in Vermont they have a hard
12 time doing it. The selectmen are still
13 running their towns on the 18th Century
14 scale. They can't jump over. They won't
15 jump over. They're not moving. They're not
16 dying because they're living the good life,
17 and they're not open for change.

18 I want to say again, we can hit them
19 with their votes. We don't have to vote for
20 them. We can be heard. We will be heard.

21 MR. TUCKER: How are your children
22 doing in school?

23 MS. SHIPPE: Both of my children are 83
24 averages.

25 MR. TUCKER: And how are they being

1 treated in the schools?

2 MS. SHIPPE: Well, my 14 year old, she
3 had a very hard time. She was called the N
4 word.

5 MR. TUCKER: Who was called what?

6 MS. SHIPPE: My 14 year old was called
7 the N word. She told them the blacker the
8 berry, the sweeter the juice. They wanted
9 to fight. She really didn't want to fight,
10 but when somebody walked up to her and
11 slapped her, she said, no, it's on now.
12 Teachers, principal turned back, they didn't
13 see a thing, and it was good because I
14 wasn't waiting for her to be suspended. On
15 the other hand, my 12 year old, when he was
16 called that, oh, he used diplomacy. He went
17 into the principal's office and he sat down
18 and he talked about it. He couldn't
19 understand it because he's been programmed
20 Vermont's way. He's been here ever since he
21 was five years old so he was programmed.

22 MR. TUCKER: You say he was programmed.
23 Is he a child of color also?

24 MS. SHIPPE: He's a child of color.

25 MR. TUCKER: Why are you saying he was

1 programmed?

2 MS. SHIPPE: He's been here ever since
3 he was five years old through the Fresh Air
4 Fund, and every year he kept coming up and
5 coming up and the family just programmed him
6 Vermont way.

7 MR. TUCKER: Which is that he accepts
8 it?

9 MS. SHIPPE: Not that he accepts being
10 called the N word, but he accepts the
11 Vermont culture.

12 He -- he took it to another level and
13 he wanted to have a meeting with the
14 principal, and he did, and the principal
15 ironed it out with him and shoved it
16 underneath the table, okay, which was okay,
17 but on the other hand, my daughter flipped.
18 They had to call me, tell me to come get
19 her, snot was flying, tears were going. And
20 I told them, look, I need a room with her
21 and I need to talk to her. She asked that
22 the person that called her this name do a
23 paper on what an N word person was, okay?
24 She asked that their parents be involved in
25 this. That's another issue with the tree.

1 Supposedly the form was done on a day that
2 she went on a school trip.

3 Another issue, you're always talking
4 about children, but you have to hit the
5 base. The base is home. Parents are home
6 with Budweiser and whatever green leaf they
7 can inhale, and parents have their issues
8 which are heard by these children in school.

9 MR. TUCKER: So what do you suggest?

10 MS. SHIPPE: I suggest that you hit the
11 parents first.

12 MR. TUCKER: How do you do that?

13 MS. SHIPPE: How do you do that?

14 MR. TUCKER: Yes.

15 MS. SHIPPE: When there's an incident,
16 you call in the parent. You call in the
17 parent of the perpetrator and you say, this,
18 that and the other, A, B, C went on. It's
19 an A plan, it's a B plan, it's a C plan, and
20 it's a decision that we can all live with.
21 And that's how it should be governed. I
22 heard the man from the Human Rights
23 Commission, they don't deal with the
24 perpetrator. So it's all right for my child
25 to go up there and slap the principal's

1 daughter and they don't even deal with me.
2 No, it's not going to work like that. When
3 the incident happens, you get the whole
4 family because this is the whole issue. The
5 child did not just pick up the N word from
6 nowhere out of the sky. They did not pick
7 up that my child has woolly hair from just
8 out of the clear blue sky. If you can't hit
9 the parent, you can't hit the child. If you
10 can't hit the principal, you can't hit the
11 teacher. If you can't hit the teacher, you
12 can definitely not have a guidance counselor
13 because they cannot guide. What are they
14 guiding?

15 MR. CHENEY: Are there any questions
16 for Rene? Okay. Thank you very much.

17 MS. SHIPPE: Thank you.

18 MR. TUCKER: Thank you, ma'am.

19 MR. PENTINO: Do you want to come on
20 up? This is Mark Davis.

21 MARK DAVIS, JR.: Junior.

22 MR. PENTINO: Junior and Senior.

23 MR. CHENEY: Who wants to speak? Were
24 you going to speak?

25 MARK DAVIS, JR.: Yeah, I'm going to

1 speak. I'm Mark Davis, Jr. I currently
2 attend South Burlington High School, and I'm
3 sure I know a lot of you are aware of some
4 of the problems I've encountered at the high
5 school. I'd like the opportunity to speak
6 without sounding redundant. First of all,
7 I'll start with the school officials,
8 including the principal, assistant
9 principal, superintendent. They pretty much
10 every day make it obvious that they don't
11 want me in school, they don't want me
12 anywhere in the city pretty much, including
13 the football coach which told my brother
14 that I wasn't welcome to play on the team.
15 And every day he pretty much gives me nasty
16 looks or whatever when I'm walking through
17 the hall. To me it's pretty obvious they're
18 retaliating because of the Civil Rights suit
19 I filed against them in I believe it was
20 '95. And we moved out of state in July of
21 last year, and ever since we arrived back
22 here in Vermont in January this year, I
23 started going back to school there, my life
24 has been pretty much pure misery going to
25 school there.

1 MR. TUCKER: Could you describe some of
2 the stuff that happens to you, Mark, please?

3 MARK DAVIS, JR.: Just like everyday
4 stuff? Just walking through the hall I can
5 hear the N word from kids. Kids will stare
6 at me, give me nasty looks, teachers. I
7 can't walk through the hall without the
8 principal saying where I'm going, why I'm in
9 the hall, whatever. The superintendent will
10 see me every once in a while in the hall,
11 he'll give me a dirty look.

12 MR. TUCKER: And doesn't speak?

13 MARK DAVIS, JR.: And doesn't speak.

14 MR. TUCKER: You were literally told
15 that you could not play football?

16 MARK DAVIS, JR.: Yeah.

17 MR. TUCKER: Who told you?

18 MARK DAVIS, JR.: He told him.

19 MR. TUCKER: Who told you that? Could
20 I ask you that?

21 BRANDON DAVIS: The head coach.

22 MR. TUCKER: Give me your name.

23 BRANDON DAVIS: Brandon Davis. Head
24 coach of the football team.

25 MR. TUCKER: Who told you that, the

1 coach?

2 BRANDON DAVIS: Yeah.

3 MR. TUCKER: Oh, okay.

4 MR. CHENEY: Did he give you a reason?

5 BRANDON DAVIS: He -- well, I asked him
6 if my brother was welcome to play for the
7 team because he wanted to still play, and he
8 said that he wasn't welcome and they're only
9 accepting like, what was it, freshmen or
10 something, and it was obvious that he was
11 giving an excuse because he didn't want him
12 to play.

13 MR. CHENEY: Mark Jr., were you given
14 some no trespass orders?

15 MARK DAVIS, JR.: My father was.

16 MARK DAVIS, SR.: The children have
17 speeches.

18 MR. CHENEY: Fine, we'll get to that.

19 MARK DAVIS, JR.: As I was saying, this
20 was pretty much harassment every day. I
21 can't even concentrate on school work. My
22 grades -- trying to keep my grades up this
23 quarter. I'm doing pretty good so far. And
24 I feel like the school is trying to get to
25 my father through me, you know, with the no

1 trespass and all of that. This past
2 Saturday there was a playoff game --
3 football playoff game, and we drove into the
4 parking lot because we wanted to watch the
5 game, and my mother reminded my father that
6 we couldn't be there because of the no
7 trespass thing. And I was already -- I was
8 already, you know, mad that I couldn't play
9 in the game and that just like -- that
10 ticked me off completely. That made me
11 angry. I already couldn't play in the game
12 and now I couldn't even watch it. So we had
13 to leave because, you know, we couldn't be
14 there.

15 MR. CHENEY: Why couldn't you play in
16 the game?

17 MARK DAVIS, JR.: The coach didn't want
18 me on the team.

19 MR. CHENEY: Why? Did he give you a
20 reason?

21 MARK DAVIS, JR.: He didn't give a
22 reason; he just said I wasn't welcome,
23 period.

24 MR. TUCKER: How old are you, mark?

25 MARK DAVIS, JR.: Sixteen, 17 in

1 December.

2 MR. TUCKER: And what grade are you in?

3 MARK DAVIS, JR.: Eleventh.

4 MR. TUCKER: What's your average?

5 MARK DAVIS, JR.: B.

6 MR. TUCKER: So it's not because of
7 your marks?

8 MARK DAVIS, JR.: No.

9 MR. TUCKER: Is this a new proposition
10 that they have in South Burlington? I know
11 about Proposition 48 and 47, but I didn't
12 know about this proposition, even if you
13 pass, you can't play. Is that what you were
14 told?

15 MARK DAVIS, JR.: No. He just said --

16 MR. TUCKER: Just told your brother?

17 MARK DAVIS, JR.: Yes.

18 MR. TUCKER: Hold on are you, Brandon?

19 BRANDON DAVIS: Twelve.

20 MR. TUCKER: You're in the middle
21 school. So he told your brother in middle
22 school that you weren't welcome to play on
23 the high school football team?

24 MARK DAVIS, JR.: Yeah.

25 MR. TUCKER: Okay. I've got a clear

1 picture.

2 PHILIP DAVIS: My name is Philip Davis.
3 When I was in fifth grade my teacher -- I
4 was insulted by my teacher. When I tried to
5 report it, nobody believed me even though
6 two other students came forward and said
7 they saw the teacher do it. My parents
8 tried to tell the superintendent what
9 happened. They mentioned filing a complaint
10 with the Department of Justice. The
11 superintendent assaulted my mom with the
12 door. When I was in the middle school kids
13 made fun of me all the time because I was in
14 special education. They would get me in
15 trouble all the time and the principal would
16 always blame me. My parents would be called
17 and made to come up to the school every time
18 no matter how small a problem it was.

19 MR. TUCKER: How old are you now?

20 PHILIP DAVIS: Fourteen.

21 MR. TUCKER: So 12, 14 and 16. I want
22 to ask all three of you, how would you
23 describe your experience in that school, in
24 the South Burlington school system how would
25 you describe it for yourself? Just let it

1 out. Don't smile, Brandon. You can just
2 let it out.

3 MR. PENTINO: You can also compare it
4 to your school that you had in Washington.
5 I'd like to hear the difference between the
6 two, what you're experiencing now and how it
7 was better in a different state.

8 BRANDON DAVIS: Washington we had a lot
9 of black teachers and stuff and a lot of
10 friends that were like us, and here they
11 just aren't, and they basically just make us
12 feel uncomfortable because we're different.
13 And they just don't want us here for some
14 reason. I'd rather be in Seattle right now.

15 MR. TUCKER: Mark?

16 MARK DAVIS, JR.: The same.
17 Washington, I mean, I had black teachers,
18 you know, friends that were black. Pretty
19 much all my friends were black. I mean, the
20 school was -- I mean, it was a happy
21 atmosphere. I could walk through the hall
22 and teachers would say hi to me, kids would
23 say hi to me. I wasn't like here, like walk
24 through the halls.

25 MR. TUCKER: Did you participate in

1 sports?

2 MARK DAVIS, JR.: I was playing varsity
3 football.

4 MR. TUCKER: But you can't play it in
5 South Burlington. That's interesting.

6 MARK DAVIS, JR.: Made you feel like we
7 were part of the community out there. Here
8 we're away from everybody.

9 MR. TUCKER: Have you all said what you
10 wanted to say? You've got one other thing
11 to say, Brandon?

12 BRANDON DAVIS: My name is Brandon
13 Davis, and these are some of the things that
14 I went through when I was in elementary
15 school. My teachers used to suggest which
16 books I should read or write a report on.
17 They were always usually about
18 African-Americans. During one of my classes
19 we were talking about slavery and the
20 teacher said, Brandon, don't you feel so
21 lucky that you didn't live during those
22 days.

23 MR. TUCKER: What? Repeat that please.

24 BRANDON DAVIS: During one of the
25 classes the teacher said, don't you feel so

1 lucky you didn't live during those days.
2 And all of the kids just stared at me the
3 way -- the same way they did when we talk
4 about something about African-Americans.
5 And one day the principal said to me that if
6 I miss another day of school, that she would
7 call a truant officer on me to talk to me.
8 And I guess that she didn't like me or
9 something for whatever reason, that's why
10 she said that. And I'm in the middle school
11 now, and the principal, the counselor and
12 the teachers -- some of the teachers make me
13 feel uncomfortable because they know that
14 Mark filed a --

15 MR. TUCKER: Because you're Mark's
16 brother and Mark Sr.'s son?

17 BRANDON DAVIS: Yeah.

18 MR. TUCKER: What role does your mother
19 play in that? We don't want to leave her
20 out.

21 BRANDON DAVIS: Well, the principal and
22 the vice principal are usually just the same
23 way to her as me.

24 MR. TUCKER: Okay. Thank you, Brandon.

25 MRS. DAVIS: My response to that would

1 be whenever there's a problem with one of
2 the kids, I'm the one they call, and they
3 feel that because I'm white, they're white,
4 they can deal with me. I'm going to
5 understand the problem they are very having
6 with my child. I've had the principal say
7 to whatever adult was there with us, oh, you
8 can talk to her, she knows.

9 MR. TUCKER: Okay.

10 MARK DAVIS, SR.: I have a few things
11 to say to this board and one is aside of
12 what we're talking about tonight, my
13 apologies -- personal apologies to Chairman
14 Cheney for my letter my wife sent you. It
15 is nothing personal whatsoever. We just
16 wrote it out because we're just full of, you
17 know, frustration.

18 MR. CHENEY: That's fine, Mark. When
19 you and I talked personally --

20 MARK DAVIS, SR.: I just want to get
21 that with the record.

22 MR. CHENEY: I shared that with
23 Commission members and we can put all of
24 that behind us.

25 MARK DAVIS, SR.: That's fine. This

1 I'm not going to put behind. My children
2 said what they had to say. Everyone in this
3 whole room probably knows where I stand in
4 that what I have to say is that I think that
5 we've made a lot of headway, just the fact
6 that I'm sitting here talking to this board.
7 I know a lot of folks think that this board,
8 you know, we keep telling you our war
9 stories and it's falling on deaf ears, but I
10 believe -- you know, I've had time to think
11 about it, and this board -- I'm thankful of
12 this board being here and me having the
13 opportunities, like other parents, to at
14 least let us -- let you know what our
15 children go through and what we expect to be
16 a part of our kids' education.

17 Number two, this isn't just Burlington
18 that's a problem. There's a problem with
19 South Burlington. You heard earlier from
20 Ms. Marchelewicz. That is the type of
21 mentality you're dealing with, that one has
22 to feel that you intimidate somebody if you
23 speak out, she may not have a job, or
24 retaliation. In my case, you all have seen
25 the letter my wife sent you regards to the

1 boy saying something to my son and I called
2 up the school. I didn't make a threat or
3 anything. I just think it's really sad that
4 it's that easy for a parent to call a school
5 and to try to have a conversation about the
6 conduct of another student and they can
7 completely take what they feel I said and
8 misguide it and have the police charge you
9 with something that you never even said.

10 Now, I mean, I sent -- I showed you
11 all -- you all have seen this letter, and
12 here's the trespassing. I have a no
13 trespassing charge on me, South Burlington
14 schools, the grounds, period, because of a
15 football coach that said he felt -- he felt
16 I was -- he felt that my -- he perceived
17 that my words were threatening. Now, you
18 know, how can one perceive threatening when
19 you call somebody up and you says, yes, I
20 would like to discuss with you my concern
21 about one of your football players using
22 this filthy language to my child. I don't
23 think that's threatening whatsoever. And
24 the thing about it, this board -- I just
25 want you to understand, it's like a good

1 lawyer says, well, if I just had some proof.
2 The proof is right here. The proof is right
3 here. The letter that the school sent me
4 and the school -- what bothers me is that
5 the school -- the assistant principal,
6 principal, superintendent, they didn't have
7 the decency to use -- in other words, when
8 people say the N word, you know what they're
9 saying. Well, in this letter it says, you
10 know, the student called my son a -- the P
11 word, and the second word that goes after
12 that is cat, so if everyone knows what I'm
13 trying to say. They spell the word out. So
14 that only shows you what type of mentality
15 we're dealing with. I mean, the adults that
16 wrote this letter up, why couldn't they just
17 say a derogatory word that this student said
18 or what have you, but they come right out --

19 MR. TUCKER: I want to ask you a
20 question. Were you given a hearing about
21 this no trespass?

22 MARK DAVIS, SR.: No. No. No.

23 MR. TUCKER: They just served it?

24 MARK DAVIS, SR.: Yeah. We got this in
25 the mail. And this was the second

1 trespassing charge against me. What I'm
2 trying to say to this board is this because,
3 you know, you all have seen me before get
4 upset and rant. No more. I've had it.
5 I've let everyone know where I stand. I'm
6 tired. I've gained 100 pounds back and I'm
7 going into heart failure. Like you said,
8 John, your health is more important, so I'm
9 going to take your advice and just give it a
10 rest.

11 MR. TUCKER: Let me ask you a question,
12 and this is really important for me to
13 understand. What you're saying to me is
14 that an arm of the law served you with a
15 notice that said you were not allowed on
16 school grounds, but you never had a hearing?

17 MARK DAVIS, SR.: Yeah. The letter
18 here says you may not enter on the property
19 of South Burlington High School except to
20 pick up and drop off your sons, and you must
21 stay in your vehicle at all times. So
22 that's why last Saturday when we were
23 driving to the football game, we seen a big
24 crowd, I just drove up to the parking lot,
25 and then all of a sudden she had to remind

1 me, you know, we're not supposed to be here.
2 I said, what do you mean? They said that I
3 couldn't get off school grounds. No, you
4 can't even be on school grounds. So what
5 hurt is that Mark said, damn, I couldn't
6 even like, you know, sit there and watch a
7 game, all right, because it was a playoff
8 game and Burlington High School, they --

9 MR. TUCKER: When's the last time Mark
10 participated in any sports?

11 MARK DAVIS, SR.: Oh, he played varsity
12 football in Seattle.

13 MR. TUCKER: I know. When was the last
14 time he played in Vermont because this is
15 his second tour here. Did he play ball at
16 South Burlington?

17 MRS. DAVIS: About nine seconds.

18 MR. TUCKER: So he hasn't been allowed
19 to play since he's been at South Burlington
20 High School, but he made the varsity in
21 Seattle where the competition is really
22 thick and hard.

23 MARK DAVIS, SR.: The kids in
24 Seattle -- let me explain. Seattle he
25 played with some of the kids that now are in

1 the top ten colleges in the nation, and the
2 size of those kids are frightening. And
3 they're good, but I'm hurt for my son
4 because this is about retaliation, okay?

5 Now let me just -- I'll say this and
6 that's it. This summer we were driving by,
7 and we drove up onto the school and I said
8 to Brandon, go down to the football field
9 and ask the coach is Mark welcome to play.
10 And this particular coach told Brandon, no,
11 he wasn't welcome, and the reason why is
12 because we've got too many kids as it is.
13 And that was it. But the ironic thing, I
14 just want to let you know that in regards to
15 this letter that I got, you're missing one
16 thing. The day before this letter came my
17 wife called the school -- I asked her to
18 call the school, and I asked her to ask the
19 assistant principal -- you explain it.

20 MRS. DAVIS: We've got to backtrack a
21 little further. April of '96 they issued
22 him a no trespass then, which didn't even
23 allow him to drop or pick up the kids. It
24 was you couldn't go on the property at all.
25 We were told by the police that that expires

1 a year later, so when we moved back here it
2 had been over a year, so I called up the
3 school and I said to them, are we all set
4 that there's no more no trespass against
5 him, there's no problem with us coming up to
6 the school and doing what every parent does
7 in this day and age, check on the kids and
8 make sure there's nothing going on at school
9 that we wouldn't allow to be going on at
10 home. And he said, no, as far as he was
11 concerned bygones were bygones and
12 everything was all set. And this letter is
13 dated the very next day.

14 MR. CHENEY: I want to tell you that
15 I've been meeting some of the other
16 commissioners. We had a really lengthy
17 discussion about this trespass order, and
18 it's of great concern to us. I personally
19 have serious question whether you can issue
20 a trespass -- ordering against trespass on
21 public property.

22 MARK DAVIS, SR.: This is Vermont.

23 MR. TUCKER: No, listen to us.

24 MR. CHENEY: And we have asked Marc
25 Pentino to contact the Education Department

1 and look into this incident, and we haven't
2 yet got a response. We think you need to
3 let them have time to study the issue, but I
4 just want you to know that a lot of us on
5 the Commission have very serious concerns
6 about the use of a no trespass order of this
7 sort. I, frankly, can't see the legality in
8 it. Maybe somebody can point it out to me,
9 but I don't see it. And I think it's an
10 improper use of authority. But that's my
11 opinion without having heard anybody defend
12 it. So I would like -- we've asked the
13 department to take a look at it and tell
14 us -- I mean, to me and to the rest of us it
15 was very disturbing that you got this
16 notice.

17 MARK DAVIS, SR.: Well, it's disturbing
18 the fact we -- I didn't say or do anything
19 wrong. I did what any parent would do, and
20 that's call up and ask -- you know, let them
21 know I had some concerns about this boy's
22 language.

23 MR. CHENEY: Mark, even if -- even if
24 you did what they said you did, I still have
25 concerns about the way it was done.

1 MARK DAVIS, SR.: But even if I did,
2 but I didn't. The point is this --

3 MR. CHENEY: I understand that, but in
4 this world people are entitled to have some
5 kind of hearing before they suddenly get
6 excluded from public property.

7 MARK DAVIS, SR.: Mr. Chairman, I think
8 the best bet is this. Leave Vermont, in
9 which we are desperately trying to do, as
10 soon as we can. We're trying to leave and
11 never to return here, like I've said in the
12 past, or if we were -- if we were to stay
13 here, because I'm tired of coming back and
14 forth 3,000 miles, I'd ask the Mayor of
15 Burlington, Mayor Clavelle, will we be
16 welcomed in his city. We have never in all
17 the years we lived here -- we have never
18 lived in Burlington, we've only lived in
19 South Burlington and we have always had
20 problems in South Burlington. Now
21 Burlington, my son went down to the football
22 field this summer, spoke with the coach and
23 the players, the atmosphere was just so
24 normal. The kids were nice. The coach
25 was -- Coach Cepetelli was extremely nice to

1 us. My wife spoke with Superintendent
2 Jamillo on the phone and I said, well, we're
3 only just two miles from the city and it's
4 like night and day. You see what I mean?
5 So it's going to be either that or we're
6 gone, but I just want to let this Commission
7 know that I admit I'm a big mouth, I have
8 been, but I've only tried to do what my
9 mother taught me, and that is my children
10 are first, everything else is second.

11 MR. TUCKER: Well, Mark, I want to
12 interrupt you because one of the things that
13 I think that people need to understand is
14 that not all of us sing and dance, okay, and
15 not all of us are going to laugh and smile,
16 and not all of us are going to push things
17 under the table. And I think that you made
18 a tragic mistake by being big in people's
19 eyes and all kind of fantasies, but I want
20 to say that I thank you for coming here
21 personally, as a Commission member and as
22 someone who's gotten to know you over the
23 years, you and your family. And I am glad
24 that Kim and other members of this committee
25 went to the Department of Education because

1 I think that what they did in South
2 Burlington is absolutely illegal and that
3 you need to have your day in terms of before
4 anything like that can be issued. And I
5 hope someone in the government has guts
6 enough to stand up and take them on about
7 this trespass order because if they get away
8 with it with you, they're going to do it to
9 someone else and it becomes easier and
10 easier, and that's what this is all about.
11 And I just want to thank you personally.

12 MRS. DAVIS: Can I make just two quick
13 comments? I don't know if it makes any
14 difference or not, but that trespass was
15 mailed to him, from the letter, from the
16 school Certified Mail.

17 MR. CHENEY: Doesn't make any
18 difference to me.

19 MRS. DAVIS: I thought that was odd
20 when I opened it up because before they
21 served him. The comment you just made about
22 him being big, I was talking to a lawyer at
23 the U.S. Department of Education Office of
24 Civil Rights, the investigator who's going
25 to be handling the retaliation complaint

1 that we filed, and he just couldn't seem to
2 get off the subject. He kept asking me if
3 my husband was big because I guess when the
4 people were here from the Office of Civil
5 Rights, they went back and told them my
6 husband is a big guy. He kept bringing it
7 up. Finally I said to him, do you mind if I
8 ask you what your race is, and he told me
9 that he was white. I said, that all makes
10 sense to me then what you keep asking me,
11 because ever since I got married that's been
12 his biggest problem, that because he's big
13 and he's black, he's a threat to people.
14 And the way the law looks at it from my
15 understanding is that the threat is in the
16 eye of the beholder, and so it's like how
17 can these people help us if they've never
18 met us and just talking to me on the phone,
19 he's, you know, fixed on, well, he's a black
20 man -- I mean, big man, black man, so they
21 have reason to be afraid of him.

22 MR. TUCKER: Okay.

23 MARK DAVIS, SR.: Thank you. This
24 board has made at least its main -- I feel
25 vindicated because you've listened to me

1 with sincerity. That's all I need. And I'm
2 not going to fight the system, but I will
3 fight for my children. That's all.

4 MR. CHENEY: Thank you, Mark.

5 MR. TUCKER: Thank you.

6 MR. PENTINO: Is Mr. Lawrence in?
7 Ms. Samules? Loretta Samules? I see
8 Mr. Totten is here.

9 MR. TOTTON: Well, good evening. My
10 name is Shay Totten. I'm the editor of the
11 Vermont Times which is a local newspaper or
12 weekly paper out of Shelburne covering
13 pretty much Chittenden County and some of
14 the outlying areas. I was kind of asked
15 tonight I think to talk a little bit about
16 the topic that you've been discussing all
17 day today and we'll be discussing further
18 tomorrow, and perhaps some of the media's
19 interest in it, and maybe to some extent I
20 might even offer you a little bit of maybe
21 what the media can try and do and maybe help
22 you try to understand what we try understand
23 on a regular basis. And I think that I'll
24 sort of echo some of the comments that have
25 already been made tonight. You know, I

1 think people -- we are an institution that
2 tries to pride itself on being, you know,
3 the truth seekers, the ones that go after to
4 find the greater truth to some extent of
5 things that affect our community on a
6 regular basis, and a lot of times like
7 everybody else in this community, we fall
8 short of that goal. And we try our best for
9 the most part to try and at least add some
10 kind of perspective to any debate but, you
11 know, I think that if you asked any of my
12 colleagues, I don't think anybody could say
13 with any certainty that they wanted to see
14 the kind of strife and divisiveness that can
15 occur when we talk about issues of racial
16 discrimination and racial harassment, or any
17 kind of harassment. I don't think there's
18 anybody in the media that would say, yeah,
19 we love to cover this stuff and we wish we
20 could do it more because it sells
21 newspapers. You know, we don't sell our
22 newspaper, we're free, so I guess we don't
23 have to worry about any kind of newsstand
24 price.

25 But beyond that, I've been covering

1 issues surrounding racial discrimination and
2 racial diversity for a number of years in
3 this state. For a little background, I am a
4 Vermonter. I grew up in the Northeast
5 Kingdom, extremely rural, extremely white
6 but -- like most of the state, but beyond
7 that I think in a lot of cases I think
8 Vermonters do want to have the kind of
9 community where everyone's accepted. But
10 I've also witnessed firsthand growing up in
11 high school the kind of basic
12 misunderstanding and basic lack of
13 understanding of who people are and what
14 makes people tick rather than focusing on
15 who people are rather than what they look
16 like, and I think that that is pervasive in
17 Vermont. It's pervasive in our society, and
18 it's something that I think in a lot of ways
19 this is something the media in general can
20 help try and shine a light on to some extent
21 to show that this is a very difficult issue,
22 as Mayor Clavelle pointed out, but it is one
23 that we need to discuss. And if the media's
24 going to be a member of this community at
25 large, it's going to be trying to shine some

1 light on this and not just keep on reporting
2 on the same old problems again, and again
3 and again which, quite frankly, having
4 covered stuff around this area for about
5 five plus years I've been to a number of
6 community forums regarding race and you hear
7 the same stories again, and again and almost
8 it seems like you hear the same stories
9 being told to the same people, but for some
10 reason neither the media to some extent and
11 certainly the community seems to hold people
12 to the high standard that they should and
13 ask the tough questions on why nothing is
14 really being happening -- is really
15 happening.

16 I think there has been some progress in
17 the schools, but I think there still needs
18 to be more work. There probably will always
19 need to be more work, but I think coming
20 from the media's perspective, I think a
21 commission with your voice can add to some
22 of the work that's being done in the schools
23 and, if anything, I would suggest that
24 you -- that you, you know, be -- instigate
25 that a little bit and really, really become

1 a focal point for some of it and to get some
2 of that information out about things that
3 are happening in these forums. And your
4 report I hope will be widely distributed I
5 would imagine, and I think that it would be
6 important for the Commission to continue and
7 follow up and to follow up and in turn tell
8 the community what the progress of any kind
9 of outcomes are from this report from either
10 any investigations into some of the
11 complaints that have been aired before the
12 Commission or any recommendations and
13 whether or not there's actually going to be
14 follow up.

15 And I think that's the important part
16 that we all need to sort of focus on is that
17 as we talk about this, each individual
18 situation merits its own airing certainly,
19 and I think we can't deny anyone a chance to
20 do that, but we also need to look at the
21 greater picture as to what is really going
22 to change from all of this, what's going to
23 come out of all of this. So I would sort of
24 just turn that back a little bit and just
25 say, you know, I hope that I'm covering

1 stories in the near future that this
2 Commission is coming to some kind of action
3 in regards to what you're going to be
4 hearing for the rest of tonight and
5 tomorrow.

6 MR. CHENEY: Okay. I don't know if you
7 know much about what our role is or how we
8 work. Our work product is a report to the
9 U.S. Commission in Washington, and
10 historically those reports have been used as
11 a -- on other issues have been used as a
12 benchmark for communities to assess their
13 own progress, and to some degree they have
14 provided a basis for questions. The
15 Commission wrote a report and found these
16 things existed and here we are a year later,
17 what have we done about it kind of thing.
18 So I think the challenge is a welcome one,
19 but our role here is to write just the kind
20 of report that you describe and make some
21 recommendations for action that I hope
22 you'll follow up with your recommendations.

23 MR. TOTTEN: I mean, I certainly plan
24 to. I really am looking forward to seeing
25 what does come out of this report. I've

1 certainly seen reports that come out of
2 similar advisory committees in other parts
3 of New England in looking at issues of
4 higher education. Certainly the State of
5 Connecticut, Massachusetts, I've seen their
6 reports as well and, you know, I'm hoping
7 that it's that detailed. I think some of
8 these reports do often I think from the
9 media's perspective certainly sort of fall
10 short. There's a lot of material in there
11 in our reporting of it, but a lot of times I
12 think that there are perhaps strong language
13 in there and I think that's some of the
14 things that we pick up on. Yes, it does
15 start a dialogue and that's great.

16 Certainly there can never be enough dialogue
17 in a community around a topic like this. I
18 know the media can help that dialogue along;
19 it can also hinder it too if we ourselves
20 don't have the kind of steep learning curve
21 that we need to have in discussing these
22 kinds of issues. Reports like that
23 certainly help.

24 MR. TUCKER: Thank you, Shay.

25 MR. CHENEY: Thanks.

1 MR. PENTINO: Alyana Al-Faruk.

2 MS. AL-FARUK: First I'm going to start
3 off with a few comments and then I'm going
4 to give some concrete examples of what I've
5 commented on.

6 MR. CHENEY: I'm sorry. Would you just
7 state your name for the reporter.

8 MS. AL-FARUK: My name is Alyana
9 Al-Faruk. I want to thank the Commission
10 for coming. I'm really appreciative of
11 that. However, I have mixed feelings about
12 the whole thing. The fact that you have to
13 come is quite insulting to me. Don't get me
14 wrong, I'm glad that you're here, but the
15 fact that we're still dredging this issue is
16 very insulting. It's like African, and
17 Americans and other people of color are
18 still in 1997 having to beg for what the
19 Constitution said every American had, and
20 that's inalienable rights, and peace and
21 justice for all. That's just not true when
22 it comes to people of color.

23 I just need to say that listening to my
24 prior speakers has me very disturbed when I
25 think about what's going on in Vermont with

1 children of color in schools. I would like
2 to respond to you when you say that you
3 heard comments that made you realize that
4 racism is alive and well in Vermont schools.
5 Yes, it's -- it's very alive and well, and I
6 am not particularly sure that the school
7 districts are willing to admit how alive and
8 well it is and if they even understand how
9 alive and well it is. I mean, racism is so
10 entrenched in the school system here, and
11 it's been my experience that when you
12 challenge people on it they look at you and
13 oftentimes don't even know what you're
14 talking about which makes me realize that
15 they're so entrenched in it that they don't
16 even understand it. And to me that's more
17 dangerous than someone who's being racist
18 straight out.

19 I don't think that the people who are
20 being racist realize that racism affects
21 everybody. I mean, it just doesn't affect
22 the children of color because you cannot
23 keep a race of people down without staying
24 down there yourself. So ultimately it's
25 going to affect this entire country when in

1 the 21st and 22nd Century we're not going to
2 be where we need to be because we're so busy
3 trying to keep other people down.

4 I guess I need to now make the
5 comments, the concrete examples. When we
6 talk about racism in the schools, I have
7 four sons that go to school in Burlington.
8 When they initially got here -- and as a
9 mother I'm going to say they're nice looking
10 boys. The first day they got here the girls
11 were throwing their phone numbers at them
12 which really unnerved them because they
13 didn't have that experience before, and what
14 it told me was that they hadn't seen any
15 boys like this before because my sons like
16 to think of themselves as being New York
17 cool kids, and it's kind of an exoticising,
18 you know, making them not human anymore,
19 putting them into like a sub -- not even
20 subhuman, like an alien kind of category.
21 God, they're only kids and they're
22 exoticised. I don't think people realize
23 that when you do that to a people, that's
24 racist, totally racist.

25 I have a son who's 16, and he had the

1 experience of going to a track meet last I
2 think it was May or June at U-32 High School
3 in Montpelier. And as he was getting ready
4 for a run, and he's in middle school, he was
5 then, there were two or three high school
6 students who was milling around. And I have
7 to say that Edmunds Middle School is better
8 than most. The kids are very solidified.
9 And one of his teammates heard someone call
10 him a nigger, and she said, Muji, I think he
11 just called you a name. And what he had
12 said to my son was run, nigger, run, and the
13 entire Edmunds Middle School track team went
14 to their coach to tell them that this had
15 just happened. The coach in turn went to an
16 administrator at U-32 who came out to my son
17 and challenged him like he was the
18 perpetrator at which time my son told her
19 that she needed to get her facts straight
20 and go back and find out who exactly was the
21 victim and who was the perpetrator here.
22 And she did -- she did just that after
23 challenging my son, who was feeling terrible
24 already, and they ultimately made the boys
25 write letters of apology, which you can see

1 that they were made to write because they
2 were not sincere, and the school ultimately
3 wrote a letter of apology to Edmunds Middle
4 School. But what I'm saying is this can
5 happen so easily and I feel that this
6 happens so easily because it's gone on so
7 long unchecked.

8 I think that Burlington school system
9 and Vermont generally likes to pride itself
10 on being liberal and progressive, whatever
11 that means. I think of Champlain Elementary
12 School when my younger son went there, they
13 have a diversity night, and you see little
14 kids doing African dance and all of this,
15 little white kids and their parents very
16 proud, that's real easy to do African dance
17 and blah, blah, blah, but the point is how
18 do you treat African-American kids in your
19 school system. I don't care about anybody
20 doing any dances, what I want to know is how
21 my children are going to be treated, and I'm
22 not happy with how they have been treated
23 overall.

24 And I'll end by saying that when you
25 hear people talk about children and their

1 emotional well-being, you know, the white
2 community is very invested in having their
3 children's emotional well-being stable, but
4 these are the same people who do racist
5 things to African-American kids, and what
6 about their emotional well-being? And I
7 don't know if the school systems have that
8 as a priority. I don't think they do. And
9 that disturbs me. Thank you.

10 MR. HOFF: Could I? I'd just like to
11 comment on an extraordinarily perceptive,
12 and thoughtful and articulate presentation.
13 Just extremely well done.

14 MS. AL-FARUK: Thank you. Thank you.

15 MR. PENTINO: Ms. Wells, would you like
16 to speak?

17 MS. WELLS: Hi. Thank you. My name is
18 Leslie McCrorey Wells, and I'm actually
19 going to read my statement for you tonight.
20 I have a nine year old daughter at Champlain
21 School. Several weeks ago my daughter
22 approached me with a book that she was to
23 read for her fourth grade reading class.
24 She asked me just to read the back cover.
25 She said it didn't sit well with her because

1 of the way that it talked about, in quotes,
2 the Indian and how this young white boy and
3 his grandmother were trying desperately to
4 escape from him by taking a raft down river.
5 I praised her for noticing the negative
6 images and for bringing it to my attention.

7 After reading the first two chapters I
8 went in to speak with my daughter's teacher
9 to ask what she hoped the children would
10 actually gain from this book they were
11 reading and this book that I perceived as an
12 extremely racist book. She informed me that
13 they were doing a unit on Native Americans
14 and that the aim of this particular book was
15 to get the children to understand the
16 American grit of the boy and his
17 grandmother. After a brief discussion she
18 told me that if the children don't bring up
19 the issue of the negative images, she would
20 in their discussions. After finishing the
21 book and realizing -- I went home and read
22 the rest of the book, I had only read a
23 couple chapters at a time, and told her at
24 that time that I would get back to her and
25 tell her what I wanted to do about my

1 daughter reading the book.

2 After finishing the book I realized
3 that the image of the Indian remained
4 constant throughout the book with phrases
5 like they got animal noses, they can smell
6 you out and there is just one Indian --
7 there is never just one Indian, and you
8 don't see them until it's too late and then
9 culminating in a final chapter which
10 depicted how seven Indians were caught after
11 they burned out and murdered several of the
12 white -- good white settlers. Needless to
13 say, there wasn't any other message in the
14 book except that Native Americans were
15 savages.

16 I would like to read a letter that my
17 husband wrote -- Ellington's father wrote to
18 the school at this time. Dear
19 Mrs. Zanhiser. I am writing in regard to
20 the curriculum in my daughter's reading
21 class, specifically the book in which the
22 class is now required to read, Trouble
23 River, by Betsy Byars. I find the depiction
24 of Native Americans quite troubling indeed.
25 Describing Native Americans as savages with

1 animal noses perpetuates stereotypic lies,
2 and the presentation of their culture as
3 solely bent on the stalking and murder of
4 white women and children is reprehensible.
5 The Native American culture is so rich and
6 so fulfilling, how could anyone stand by and
7 let their children read such lies?

8 It is to my daughter's credit that she
9 was able to recognize these stereotypes for
10 what they were and bring it to our
11 attention. Leslie and I have discussed the
12 issue and are in agreement that if the book
13 is to be read in class, Ellington will be
14 allowed to leave the room and read a book in
15 the learning center. While Leslie and I do
16 not and should not have control over the
17 curriculum, I urge the faculty to be
18 critical thinkers and to constantly
19 re-evaluate the curriculum. A book written
20 in 1969 should be carefully evaluated for
21 stereotypic and racist depictions regardless
22 of how many awards it has received. At any
23 age, people are inclined to believe what is
24 written in books, but young readers are
25 particularly susceptible. It is up to the

1 educators to evaluate the reading material
2 carefully so that harmful stereotypes are
3 not perpetuated through yet another
4 generation.

5 This prompted a meeting with the
6 principal and the teacher. In the meeting
7 we talked for about an hour, and I was
8 particularly disheartened with the meeting,
9 but the most significant part for me was
10 when my daughter's teacher told me that she
11 was embarrassed for having missed the
12 stereotypes, but she had realized that it
13 was because she doesn't notice stereotypes
14 that she didn't see them. Clearly missing
15 the point that the reason she doesn't see
16 stereotypes is because she believes them,
17 they fit into her paradigm. Now I'm not
18 here to say this is a bad person; I am
19 saying that she is a part of an institution
20 that is not fit to teach my child or any of
21 our children for that matter. I am fully
22 aware that she does not stand alone.

23 This is a perfect example of the
24 American educational system. I am here to
25 say that this type of education is

1 absolutely unacceptable. When a nine year
2 old stands alone not only identifying but
3 articulating the stereotypes within the
4 literature that has been endorsed and
5 legitimized by her teacher, then I say this
6 is unacceptable and the educational system
7 and society, that is all of us, that allow
8 it to continue are morally and ethically
9 vacant.

10 I am here to say that 20 years ago my
11 father sat up here and testified to this
12 board about the atrocities being perpetrated
13 on his kids, that's me, my sisters and my
14 brother. Nothing was done then, and while
15 this is a different board and I cannot hold
16 you accountable for what happened or did not
17 happen 20 years ago, I can hold you
18 accountable for what happens tonight and
19 what continues to happen and how this
20 hearing moves forward, even if it's just on
21 a personal basis. It is unacceptable that I
22 have to choose between taking my child out
23 of a class and risk her feeling that she did
24 something wrong or leaving her in a class
25 with a teacher that doesn't recognize the

1 existence of a problem with depicting Native
2 Americans as savages. Which would you
3 choose for your child?

4 By the way, the book is still being
5 read in the class. And for those who read
6 this report, I urge you to please develop a
7 sense of urgency about racism within our
8 schools. All of our children are being
9 diminished. If you are in a position to
10 receive this report, you are most likely in
11 a position to do something about it. You
12 have an obligation to all children to be a
13 catalyst for change. Don't allow the legacy
14 that parents of children of color have had
15 to pass on to each generation continue, the
16 legacy of picking our children up at 2:30
17 and attempting to repair the damage that has
18 been done to them during their school day.
19 And let me add, racism is not a problem or
20 an issue; it's a way of life. Thank you.

21 MR. CHENEY: Thank you.

22 MR. TUCKER: I want to say something to
23 Ellington if you don't mind. Ellington, I
24 think that you're really very lucky to have
25 Leslie and David as your mother and father

1 because it's obvious to me that they have
2 given you an education that a lot of other
3 kids haven't been lucky enough to receive,
4 and I think you're to be commended for your
5 courage, and it makes me love you even more
6 for that courage. And, Leslie, it goes
7 without saying, I mean, my hat's off to you
8 and David for the job you've done with her.
9 I'm just sad that 20 years ago I heard the
10 same stories about you and your brother and
11 sisters and here I sit listening to Larry
12 McCrorey's granddaughter having to endure
13 the same things that her mother endured. I
14 would like to apologize because I feel that
15 as someone who is older that I haven't done
16 enough, but thank you for sharing it.

17 MR. CHENEY: Yes, thank you. I don't
18 think any -- I certainly don't want to add
19 to that. Does anybody else? Thanks so
20 much. We really appreciate your coming.

21 MR. TUCKER: Could we take a break?

22 MR. CHENEY: We'll take five.

23 (Recess taken)

24 MR. CHENEY: Let's reconvene and see if
25 we can get this on the road here.

1 MR. PENTINO: Leigh Lamphere.

2 MR. CHENEY: Could you tell us your
3 name please?

4 MS. LAMPHERE: Yes, my name is Leigh
5 Lamphere. I hope you'll forgive me. I'm
6 not truly prepared to speak tonight. I
7 wasn't sure I could be part of the
8 discussion as I hadn't signed up beforehand.
9 I'm wearing two hats. I'm a public school
10 teacher and I'm the parent of two biracial
11 sons who go to the school where I teach, one
12 is in kindergarten and one is in first
13 grade. Racial harassment I think has made
14 me feel like maybe I didn't have anything to
15 contribute to this discussion because those
16 are strong words and I think that I agree
17 with what Jeannemarie Schinhofen has said is
18 we pride ourselves on we're not racial
19 people. We as a family haven't personally
20 encountered strong acts of racial
21 harassment, so it would be easy to say that
22 that term doesn't apply to my family or my
23 children, but I think that it does. We
24 haven't had any major incidents.

25 Last year my son was standing in the

1 hallway, he's a kindergartner, and the
2 kindergarten is housed in the high school.
3 A high school girl walked by and spit her
4 gum in his face. Was that racial
5 harassment? It felt like it. There wasn't
6 any exchange of words. It's sometimes hard
7 to know if that was a racially motivated act
8 or just pure crassness and stupidity.

9 MR. TUCKER: What school?

10 MS. LAMPHERE: It's People's Academy in
11 Morrisville where Rene's children go. But
12 what I'd like to speak more about is the
13 lack of an enlightened approach in the
14 school curriculum. I teach music in the
15 school where my sons go, and I'm careful
16 to -- to do a lot of music from a lot of
17 different cultures, and especially from
18 African-American heritage because that's my
19 personal bend, but as far as the rest of the
20 curriculum goes, it disturbs me that the
21 only kindergarten and first grade classrooms
22 that have picture books with children of
23 color are my children's because I've
24 provided them for those teachers. And it
25 disturbs me that if you happen to get the

1 right teacher and it's February, black
2 history month, you might get to learn about
3 Rosa Parks or maybe Dr. Martin Luther King,
4 Jr., and maybe not if you're in the other
5 classrooms. That's probably the most that
6 you're ever going to learn about the Civil
7 Rights movement. If you get to sixth grade,
8 you're going to learn a little bit about the
9 Civil War, you're going to talk about
10 slavery, but you're not going to talk about
11 Nat Turner, you're not going to talk about
12 the real issues, and we don't have a
13 statewide curriculum and we don't have a
14 national curriculum. I'm not sure even how
15 I feel about that, but I do feel that I
16 don't want to have to be the one that
17 provides that education for my child
18 exclusively because it's not just my child
19 that needs that education. And I don't want
20 to have to enlighten every teacher that my
21 children are going to have along the way and
22 provide books in the classroom so that my
23 children and the children in the classroom
24 are exposed to all the things that children
25 in the whole school should be exposed to. I

1 would like to know that my children and all
2 of the children in my school and in all of
3 the schools are going to get a comprehensive
4 education which is not strictly a
5 Eurocentric education. And even though it's
6 1997, the truth of the matter is the
7 curriculum hasn't changed that much.

8 And it's November and so we're going
9 into a unit on Native Americans, and you
10 might be in the classroom where the teacher
11 actually calls the Native American a Native
12 American instead of Indian and you might
13 not, but you're going to sit around and make
14 headdresses and pretend that you're in a
15 powwow. And I just feel like what little
16 bit is touched on in the curriculum is very
17 often sort of tokenism or kind of tourist
18 approach. You know, we're in Mexico, so we
19 hit pinatas and wear sombreros without
20 looking at the issues of Mexicans and
21 Mexican Americans and so on. And I'm not
22 really sure what the answer is to that, but
23 I guess I'm just feeling a little frustrated
24 as a person who's even in there. And I'm
25 doing my part, I think, but feeling like --

1 and I respect my colleagues and I don't feel
2 that most of them are blatantly racist. I
3 just think that they don't really get it;
4 that they really don't understand and they
5 look and they say, but in February we talked
6 about Rosa Parks, and they just don't get
7 that that's all that they did and that's all
8 that my child will ever know about their
9 heritage and that that isn't right; that
10 there aren't really readily available --
11 well, there are images. You can't buy a
12 textbook in America now that doesn't depict
13 a lot of people of color, but it's still
14 very much like tokenism to me.

15 And I'm not sure what -- I know what
16 I'm doing personally and I just don't feel
17 like -- that that should be all that's being
18 done. And even though I'm there in the
19 trenches and try to enlighten my different
20 colleagues, I just don't really feel that
21 that should be my job. I'm not sure whose
22 job it should be, whether there should be
23 some dictate, whether that would even be
24 helpful if there was just a dictate, if
25 somebody said this is what you have to

1 teach, that it would be taught intelligently
2 or in an enlightened way.

3 MR. CHENEY: Could I ask you a
4 question? You're not the first who said
5 that they've had to supply textbooks. Do
6 you know if there's been any systematic
7 review of the curriculum at People's Academy
8 with a view to this?

9 MS. LAMPHERE: I'm certain that there
10 has not. Well, I've been there for 13
11 years. I'm not at the academy, I'm at the
12 elementary school, but I can speak for our
13 school. No, absolutely not.

14 MR. CHENEY: The textbooks that are in
15 your school, are they all of the type you
16 described where it's pretty much all white?

17 MS. LAMPHERE: No. Again, I mean, like
18 I said, you can't buy a textbook -- you're
19 not going to buy a language arts book that
20 doesn't have cartoon pictures of people of
21 all different races. If you're in sixth
22 grade, you might read Brady, you might read,
23 you know, something, but just in general are
24 they readily available? Is African-American
25 history or any people of colors history

1 really talked about in the schools, not
2 really. It's really very Eurocentric.
3 That's, of course, important, and vital and
4 central, but it's not all that there is even
5 in a place like Morrisville.

6 MR. CHENEY: But to your knowledge
7 there's not been any real curriculum review
8 to see how these issues are dealt with?

9 MS. LAMPHERE: Absolutely not. Thank
10 you.

11 MR. CHENEY: Other questions? Anybody
12 else, Marc?

13 MR. PENTINO: Yes, two more.
14 Mr. Pfenning.

15 MR. PFENNING: Thank you for this
16 opportunity to address you and the others in
17 the room. My name is Leigh Pfenning, I've
18 already spelled it for the court reporter.
19 I'm a Native American in heritage. I've
20 lived in Gaborone, Africa, for five years.
21 I've been the subject of racism there. I am
22 currently the principal at the North Avenue
23 Christian School and I want to tell you that
24 I am a Christian.

25 I have a few issues to bring up. Peter

1 Clavelle said very clearly that our schools
2 are a place of violence. How can we build
3 an environment of respect in our schools was
4 one of his questions, and I want to tell you
5 up front that education will not eliminate
6 racism. I think you need to understand that
7 and that you cannot educate this way. Nazi
8 Germany was very educated and they were very
9 racist. Education will not eliminate
10 racism. One of my agendas is to push for
11 educational choice. I am on the board with
12 Vermonters for Educational Choice. Many of
13 the parents that we have heard from are
14 trapped in a public education system that
15 allows them no choice. Mark Davis, as he
16 shared with us, said that he felt trapped.
17 He lives two miles away from another school
18 district where his children might be able to
19 do very well, but he cannot send them
20 because he is trapped by a school system.
21 If he had a choice, he could send his kids
22 there. The money that funds his kids'
23 education would follow them and that would
24 impact the school that they had left. If we
25 had choice, we could make a change. It's

1 important to remember that.

2 Choice will allow parents to exercise
3 their Democratic rights. It will give them
4 more voice in their child's education. It
5 will allow them to become more involved
6 because the administration of schools and
7 the teachers will have to listen. They
8 won't be getting their funding if they don't
9 listen. They will be forced to listen to
10 these parents. And it will allow people who
11 are stuck in horrendous circumstances a
12 means of escape from those circumstances.
13 Rene has -- she spoke with us. She spoke
14 about a tree needing a firm base. Racism is
15 real, but politics will not eliminate racism
16 either. Racism is an issue of the heart.
17 And here we're not only dealing with racism
18 involving African-Americans, we're dealing
19 with racism involving Asians, Hispanics and
20 every person group that there is.

21 The issues of our heart are based in
22 our values, and our values are based in our
23 beliefs. Ever since 1962 when school prayer
24 was banned this nation has turned from its
25 Christian roots and heritage, and you can

1 look at statistics from that year on and see
2 a horrendous rise in the crime rate, in teen
3 pregnancy and drug use. You can see a
4 horrendous decrease in the SAT scores. All
5 the different things that are going on with
6 this country can be traced back to our
7 turning away from our Christian heritage and
8 our roots.

9 I told you right up front that I'm a
10 Christian because that is my third point,
11 that there is a larger Civil Rights issue
12 that is looming before us, and that is
13 discrimination against Christians in this
14 country. I cannot send my Christian
15 children to a public school because these
16 public schools base their morality in either
17 atheism or secular humanism, and these
18 values and religions, secular humanism and
19 atheism, are religions, they've been
20 declared that by the U.S. Supreme Court.
21 These religions are pushed in our schools
22 and Christianity is not allowed in any way,
23 shape or form. Christians are being
24 discriminated against as well.

25 We need to get to the heart.

1 Education, politics won't work. I feel
2 very, very hurt at hearing the testimonies,
3 and I know that education won't do it
4 because that's not going to change the
5 hearts, and it's a heart matter. Thank you.

6 MR. CHENEY: Thank you. Anybody else?

7 MR. PENTINO: Ms. Oty?

8 MS. OTY: Good evening. My name is
9 Carol Oty. I am the chair of the Burlington
10 school board and I am on the state Board of
11 Education, and I come here tonight to speak
12 as an individual. There is no place for
13 hate and prejudice in our United States of
14 America. We all must work to make the basic
15 tenants set out in the United States
16 Constitution a reality. Our dreams, our
17 ideals must become real. Our nation stands
18 for equal opportunity for all. To the
19 extent that we as a nation fall short, and
20 we do, we must continue to improve. Our
21 public schools, public education stands for
22 equal educational opportunity for all. To
23 the extent that we as a public school system
24 fall short, and we do, we must continue to
25 improve. We all must work hard, try again

1 and try harder. Racism, heart wrenching,
2 wrong.

3 I was glad to have been able to be here
4 this afternoon. I am grateful to have been
5 able to be here tonight. It is one of
6 several forums on race I have attended. The
7 experience hearing people today has been
8 humbling but also inspiring. The incredible
9 strength, humor, idealism, caring of the
10 children who have spoken and of the adults
11 who have spoken. The voices have been full
12 of anguish and anger but also of love and
13 hope. We expect more of our country and for
14 our lives in this country, and we should. I
15 personally will continue to work hard, try
16 again and try harder. Thank you.

17 MR. CHENEY: Thank you very much. Are
18 there any questions?

19 MR. HOFF: Yeah. Based on what you
20 heard this afternoon and, indeed, this
21 evening, has that enhanced your awareness of
22 racism within the Burlington public school
23 system or is this something that you already
24 were well aware of?

25 MS. OTY: I have, as I indicated,

1 attended more than just this forum, and it
2 is something that I was aware of beforehand.

3 MR. HOFF: Do you have a systematic
4 approach to this within the school board?

5 MS. OTY: We do. One of our strategic
6 planning goals is around diversity, and we
7 have been working on -- in many areas to
8 improve around racism and ageism, sexism,
9 and we have a definition of diversity that
10 is fairly all encompassing. We have just
11 hired an equity diversity coordinator for
12 the district. We have looked at our
13 curriculum, are continuing to do that. We
14 have a -- we are trying to increase the pool
15 of applicants for positions in the
16 Burlington school system, and we have --
17 since our strategic plan was implemented
18 three years ago, I believe we've hired eight
19 or nine people of color in the district, and
20 before that we had started to -- to really
21 work on that anyway. And we're working with
22 community and with family involvement and
23 it's just a very -- we're trying to meet the
24 individual needs of students and -- of all
25 students, and it's just a very overwhelming

1 task but one that we continue to work at.

2 MR. HOFF: On the state level?

3 MS. OTY: On the state level, the
4 National Association of State Boards of
5 Education have as one of its out -- you
6 know, foremost goals the appreciation,
7 awareness of diversity, and the -- that is
8 one of the goals that is also, therefore,
9 embraced by the state Board of Education.

10 MR. HOFF: You probably heard the
11 presentation from the two people in the
12 department this afternoon.

13 MS. OTY: Actually, I wasn't able to
14 stay all afternoon so, no, I did not.

15 MR. HOFF: Well, they testified about
16 what a difficult job theirs was and the fact
17 that there wasn't sufficient funding for
18 them to do a whale of a lot more than
19 they're doing now. Would you be supportive
20 of the department's seeking a much higher
21 appropriation in that area?

22 MS. OTY: As an individual you're
23 asking me? As an individual state board
24 member? Yes. I think funding is critical.
25 It's critical on the local level.

1 MR. HOFF: Thank you.

2 MR. TUCKER: First of all, Carol, I
3 want to thank you for coming. And the other
4 school board member.

5 MS. KAIGLE: Leslie Kaigle.

6 MR. TUCKER: My concern is why there
7 are not 14 school board members here. My
8 reason being is that a wide variety of
9 people in the Burlington school system
10 elected you as chairman and a school board
11 member to represent all of the children of
12 Burlington schools, and I'm glad to know
13 that there are two. We're moving in the
14 right direction, and certainly given the
15 wide range of school boards throughout this
16 area, I think it says something that you are
17 the only two school board members that I can
18 be sure were here and who came forward to
19 speak out about this. And I just want to
20 commend you for coming, and listening and
21 hearing. I think, unfortunately, you left
22 at a time though when two different parents
23 spoke about some of the problems that they
24 were having still in the Burlington School
25 District, and I urged them, as I told you

1 earlier, because I'm not sure all the
2 information gets to the school board
3 members, that only one side is presented
4 around issues and I hope that that --
5 there's some kind of mechanism -- do you
6 think some kind of mechanism could be put
7 into place that parents would have access to
8 those people who represent them and not just
9 hear what happened from the administration?
10 I mean, if I went to my boss when I was
11 still working, I certainly wasn't going to
12 represent myself in any way that was going
13 to endanger my job. If I became courageous,
14 I did that, if I worked in an atmosphere
15 where that was encouraged and myself and my
16 employees could grow, and that's my concern.
17 It's not you, and it's certainly not Leslie.
18 I mean, I'm pleased to see the two of you
19 here.

20 MS. OTY: We do have a harassment
21 policy in the district and individual
22 complaints do go through that, the procedure
23 that's set out that backs that policy up.
24 School board members don't follow each of
25 the complaints that come in, but we are

1 completely accessible to the public via
2 telephone and not just board meetings and so
3 forth. We live in the community for people
4 to contact us. What we would probably tell
5 people, however, is that -- is absolutely to
6 listen but also to help in any way we can to
7 make sure that they go through the procedure
8 that's in effect so that appropriate steps
9 can be taken.

10 MR. TUCKER: Okay.

11 MR. CHENEY: Ms. Oty, this is a
12 statewide concern, and we don't mean to
13 single out Burlington in any way. Could you
14 tell me how you rate your school system in
15 terms of dealing with racism? Is it --
16 what's your personal assessment of how that
17 job is being done?

18 MS. OTY: Well, I think something that
19 over the past five to -- past five years has
20 really come up as a critical issue in the
21 school system, and it's something that the
22 board and that community members and
23 teachers, administrators have spent time on
24 through the strategic planning process over
25 the past three years quite a bit of time on

1 and effort, and I would have to say that we
2 are growing in our understanding and that we
3 are working to make things better. And I
4 don't have a ranking for you.

5 MR. TUCKER: That's an honest answer.

6 MS. SAUDEK: You ran down a list of
7 things that you are doing in the school.
8 One of the things that I didn't hear on the
9 list was any --

10 MS. OTY: That wasn't all inclusive. I
11 didn't come prepared with that.

12 MS. SAUDEK: That's fine. Perhaps you
13 just skipped by it and didn't think of it.
14 One of the things that was absent was any
15 attention to the overall curriculum.

16 MS. OTY: Oh, we are. We do look at
17 that. We are looking at that. Our
18 curriculum director is working on that and
19 then --

20 MS. SAUDEK: Is it a high priority?

21 MS. OTY: Yes, it is. Another thing --
22 there's so much I didn't mention. Another
23 thing I didn't mention was teacher
24 education. We've had -- Merryn Rutledge I
25 think spoke this afternoon, and she's done

1 work on awareness of literature and things
2 in literature, just overall awareness.
3 Yeah, it is something we're working on. It
4 is a high priority. It's a lot of work to
5 do because textbooks come as textbooks come,
6 and literature that people have read for
7 years hasn't always spoken to all of us who
8 have been reading it.

9 MR. TUCKER: I would just like to share
10 one other comment with you if I may, and you
11 know that we have met on more than one
12 occasion, but one of the things that I
13 learned in my years of public administration
14 was those people who worked for me on my
15 staff sometimes told me the things that I
16 was most uncomfortable with were the ones
17 who in the long run made me work in an
18 atmosphere in a long run the most tolerable
19 for everyone, and that it's hard to hear
20 some women who you may view as out of step,
21 but sometimes the ones who are most out of
22 step have, in our society, given impetus to
23 the greatest amount of change. And
24 certainly a name that seems to be relevant
25 in Vermont in my own life is Martin Luther

1 King, but Martin Luther King couldn't have
2 done what he did without a lot of different
3 help from a lot of different people. And
4 not everyone is always going to be on the
5 same page or view progress in the same
6 manner. That doesn't make them necessarily
7 an enemy, and that is something that I also
8 would like to see addressed at some point.
9 Sometimes if we bring voices inside we are
10 more likely to hear them if you just listen
11 to them from the outside, and that's my
12 comment.

13 MR. CHENEY: Sam?

14 DR. HAND: It's sort of a related
15 question. We've been talking about
16 harassment policies, ways to deal with this.
17 This is an external process which is imposed
18 upon systems.

19 MS. OTY: The harassment policy?

20 DR. HAND: Well, it sounds this way.

21 MS. OTY: No, that is a -- that is a --
22 the state has mandated that we have
23 harassment policies, but then we work on how
24 ours can -- our district should look. It
25 can't not include everything it needs to

1 under state law, but it is tailored to meet
2 our needs and is always changing.

3 DR. HAND: Who is we?

4 MS. OTY: The school board actually
5 writes the policy and -- with the help of
6 the school attorney, and when we hear
7 comments, for instance, from a parent that
8 they -- they don't know what has happened to
9 a particular student who's done something
10 wrong, and this doesn't have to do with
11 racism necessarily but anything, they don't
12 know what the disposition is, they don't
13 know what's happened to that student, we
14 have to think about student confidentiality
15 and then we have to think about how we at
16 least communicate better than we had been
17 doing in the past, that the problem -- that
18 the student is being dealt with approp --
19 has been dealt with appropriately or is
20 being dealt with appropriately even though
21 we can't say anything in particular. So you
22 start out with a policy written a particular
23 way and then you get comments, complaints
24 and questions about how it's working, and
25 then you further tailor it to meet the needs

1 in your district. So it's actually kind of
2 personalized.

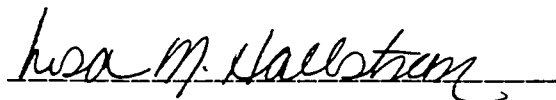
3 MR. CHENEY: Anything else? Thank you
4 so much for coming. We really appreciate
5 it.

6 (WHEREUPON, the hearing was closed at
7 approximately 9:08 p.m.)

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CERTIFICATE

1
2 I, Lisa M. Hallstrom, Court Reporter
3 and Notary Public, certify that the
4 foregoing pages 2 - 305, inclusive, comprise
5 a full, true and correct transcript taken
6 from my stenographic notes taken to the best
7 of my ability in the Public Hearing taken
8 before me as Notary Public on Tuesday,
9 November 4, 1997, at the Sheraton Hotel &
10 Conference Center, Burlington, Vermont.

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14 Lisa M. Hallstrom

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25 My commission expires February 10, 1999.