



---

**Human Rights Commission**  
12 Baldwin Street  
Montpelier, VT 05633-6301  
[hrc.vermont.gov](http://hrc.vermont.gov)

[phone] 802-828-2480  
[fax] 802-828-2481  
[tdd] 877-294-9200  
[toll free] 1-800-416-2010

June 30, 2022

Yoram Samets  
Jewish Communities of Vermont  
Antisemitism Task Group

Dear Mr. Samets:

Thank you for your comments during the public comment period of the June 23<sup>rd</sup> meeting of the State Board of Education's EQS Subcommittee, in which, on behalf of the organization Jewish Communities of Vermont (JCVT), you expressed support for the mission of the Act 1 Working Group. This is not the first time you have offered positive and affirmative comments of this sort. We are grateful for them.

However, Mr. Hage and I cannot reconcile your kind words with certain pointed criticisms of the Working Group. In particular, we take strong exception to the accusation that the Working Group or we as its chairs have somehow not been appropriately transparent in our dealings with JCVT or responsive to its contributions to our work. We must respond to this now, as we were compelled to earlier this year.

JCVT and you were shown the utmost respect, like every other individual or organization. You attended several Working Group meetings, Mr. Samets, and often chose not to speak at them. Respectfully, you had the same opportunity to inform and shape the deliberations and thinking of the Working Group as every other member of the public. You will recall, for example, our meeting on March 17, 2022, when you, a New England representative of the Anti-Defamation League, other Vermonters who are Jewish but, to the best of our knowledge, not affiliated with JCVT, and Asma Elhuni, a member of the Working Group, exchanged opposing views on matters of interest to JCVT and others. This was a thoughtful and civil conversation, and it was facilitated to ensure that all voices, including yours, could be heard.

We also note that in a March 10<sup>th</sup> letter the Anti-Defamation League commended the Working Group for how it conducted its public proceedings. ADL said: *"Our staff members have observed many of the Working Group's public meetings, and we would like to express our appreciation for your group's commitment to implementing a sound ethnic studies framework in Vermont and navigating the many comments and concerns raised by the public."*

It is important now to reiterate key points that were shared with JCVT, in writing, after it criticized the Working Group and, specifically, its co-chairs in a letter dated March 7, 2022. This letter called on the Working Group to reject the February 17<sup>th</sup> draft of the revised EQS Manual.

I responded to JCVT in a letter dated March 17 and shared it with the Working Group. I will revisit some of that letter's salient points now, providing more detail and context for some:

1. The Working Group endorsed the formation of an EQS Subcommittee. It understood that the revision of the EQS Manual could not be done thoroughly or well without a subcommittee dedicated to this task.
2. On August 30, 2021, the Working Group voted tentatively in favor of a comprehensive revision of the EQS Draft, with the explicit understanding that this was not a finished product and that it would be circulated widely to generate commentary from public readers in and outside of Vermont's education community and from organizational leaders of constituencies represented by members of the Working Group. Persons and groups were tasked with responding by **September 30**. (We extended the commentary period beyond September 30 for some individuals and entities when requested.)
3. Comments to the August draft of the revised EQS Manual by every interested party, *including the September 30<sup>th</sup> document by the Jewish Communities of Vermont*, were shared with the Working Group in a Google folder entitled: "[Act.1 Documents, EQS Reviewers.](#)" And "[Non-Working Group Members, General Public and Extra Documents.](#)" Additionally, the JCVT letter of March 7 was included in a separate Google folder for the [March 17<sup>th</sup> meeting of the Working Group](#). Nothing, Mr. Samets, that came from a public source to inform and inspire our work was ever hidden from the Working Group, the EQS Subcommittee, or the public.
4. All written public commentary on the revised EQS Manual of August 30 were included in an expanded version of the manual that was shared with the Working Group. This version positioned comments in direct proximity to those sections of the EQS Manual they were pertinent to. By my rough count, there are 12 places in this document that show comments from JCVT, some of them more substantive than others. For example, in respect to the proposed revisions in Section 2110 that expands the categories of protection against "discrimination," JCVT suggested we incorporate the words "national origin." We elected not to do so because Section 2113, which lists anti-discrimination protections in state and federal law, includes "national origin." Plus, the word "bias" was later omitted from the new language, which was a primary reason put forth in JCVT's rationale for including "national origin" in this section. More importantly, this recommendation influenced the Working Group's thinking more broadly. The phrase "national origin" is found in four new provisions in Section 2114: see the definitions of "discrimination," "racial discrimination," "ethnic group," and "ethnicity."
5. Throughout the revised EQS Manual that was circulated last February with public comments, we used the initials of all contributors rather than identify each by name, personal or organizational. This was done for privacy purposes and to reduce the chance that individuals or groups would be attacked by those opposed to our mission. (The EQS Subcommittee was "Zoom bombed" at one meeting by someone who spouted vile racist comments.) All contributors' names were redacted and their comments structured in the same way, and members of the public were invited at each meeting to express themselves and ask questions during the public comment period.

6. Since you attended several meetings, you know the EQS Subcommittee worked tirelessly under difficult circumstances to review and share all comments and work products, to re-write and reformat the EQS Manual, and to get a final submission to the State Board of Education by April in anticipation of the start of its internal review. Mr. Hage and I also offered to meet individually with members of the Working Group or the leadership of their organizations if that would be helpful to clarify or expedite things, and that happened on occasion. I also communicated with the State Board of Education to make sure the Working Group was in synch with its schedule.
7. You will recall that one meeting of the Working Group in February was taken up entirely, *and unexpectedly*, by a long debate on the new literacy provisions in the revised EQS Manual, as well as an exchange of views about the addition of “approved independent schools” to certain sections of the EQS Manual. This prevented us from discussing the EQS Manual more comprehensively as called for in the agenda. At a future meeting, however, we covered the ground we could not at the previous meeting.

To be candid, there are criticisms made by JCVT in its March 7<sup>th</sup> letter as well as the letter submitted to the State Board on June 24<sup>th</sup> that call into question my and Mr. Hage’s integrity and competence. They deserve a far more detailed rebuttal than what can be provided here. We are prepared to offer such a rebuttal to the EQS Subcommittee of the State Board of Education and to the entire Board should that be necessary or helpful. The latter would include the relationship and influence of the statutory language in Act 1 (2019) to the thinking, deliberative process, and products of the Working Group and its EQS Subcommittee.

For now, please know that we stand by our work and our process.

Respectfully,

Amanda Lucía Garcés  
Director of Policy, Education and Outreach  
Vermont Human Rights Commission  
Chairwoman of the Act 1 Working Group

Cc:

EQS Subcommittee of the Vermont State Board of Education  
Act 1 Working Group  
Dr. Daniel French, Secretary of Education