

GOVERNOR'S ADVISORY COUNCIL ON DIVERSITY AND INCLUSION

Preliminary Report

June 1, 2018



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CHRISTOPHER T. SUNUNU
Governor

Governor's Advisory Council on Diversity and Inclusion

June 1, 2018

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His Excellency Christopher T. Sununu
Governor of the State of New Hampshire
State House
107 North Main Street
Concord, NH 03301

Dear Governor Sununu,

Pursuant to Executive Order 2017-09, please accept the enclosed preliminary report of the Governor's Council on Diversity and Inclusion. The purpose of this report is to summarize the Council's actions to date; to establish the Council's mission, vision, and scope; and to outline the Council's anticipated next steps for the upcoming year.

The Council notes that this report comes after it has conducted only three listening sessions. Thus, the report contains a sampling of the information received during these early sessions. The Council will continue to conduct listening sessions throughout the State during summer and fall 2018, as previously announced.

Sincerely,

Rogers Johnson, Chair

OVERVIEW

Governor Christopher T. Sununu established the Governor's Advisory Council on Diversity and Inclusion (the "Council") by Executive Order 2017-09 on December 14, 2017.

Pursuant to Executive Order 2017-09, the Council works cooperatively with the New Hampshire Commission for Human Rights, the Civil Rights Unit of the New Hampshire Department of Justice, and other relevant state entities to:

- A. Review and analyze New Hampshire laws, regulations, and agency policies and procedures, and recommend changes or amendments, where necessary, to further combat discrimination and advance the ends of diversity and inclusion;
- B. Identify and recommend ways in which the State can support local and community efforts, through educational programs or otherwise, to combat discrimination and advance diversity and inclusion;
- C. Identify and recommend ways in which the State can partner with non-governmental organizations to combat discrimination and advance diversity and inclusion; and
- D. Identify and recommend revisions to RSA 354-A and the scope of the duties of the Commission for Human Rights to combat discrimination and advance diversity and inclusion.

The Council is comprised of representatives from governmental agencies and non-profit organizations, and members of the public, as follows:

- a. Attorney General, or designee;
- b. Commissioner of the Department of Safety, or designee;
- c. Commissioner of the Department of Education, or designee;
- d. Chancellor of the University System of New Hampshire, or designee;
- e. Chancellor of the Community College System of New Hampshire, or designee;
- f. Commissioner of the Department of Health and Human Services, or designee;
- g. Commissioner of the Department of Administrative Services, or designee;

- h. Commissioner of the Department of Labor, or designee;
- i. Chair of the New Hampshire Commission for Human Rights, or designee;
- j. Representative from the New Hampshire ACLU, appointed by and serving at the pleasure of the Governor;
- k. Representative from the New Hampshire Police Chiefs Association, appointed by and serving at the pleasure of the Governor;
- l. Representative from the New Hampshire Sheriffs Association, appointed by and serving at the pleasure of the Governor;
- m. Representative from the New Hampshire Municipal Association, appointed by and serving at the pleasure of the Governor;
- n. Two public members with leadership experience in cultural competency, diversity, and inclusion, appointed by and serving at the pleasure of the Governor;
- o. Two additional members appointed by and serving at the pleasure of the Governor; and
- p. One additional member who shall serve as Chair of the Commission, appointed by and serving at the pleasure of the Governor.

The Council first met on February 8, 2018, at the Executive Council Chambers in Concord, New Hampshire. The full Council has held three additional business meetings and has conducted three listening sessions, which are discussed in more detail below.

The Council issues this preliminary report pursuant to Executive Order 2017-09. The purpose of the report is threefold: (1) to summarize the Council's actions from its inception in January 2018 to the present; (2) to state the Council's mission, vision, and scope; and (3) to outline the Council's anticipated next steps for the upcoming year.

STATEMENT OF MISSION, VISION, AND SCOPE

Executive Order 2017-09 defines the Council's authority and charge. In order to more succinctly define its purpose when meeting with the public across the State, the Council collectively determined that it was important to define for itself a mission, vision, and scope that are consistent with the enabling Executive Order. This additional measure ensures that there is a uniform understanding of the Council's responsibilities and goals.

Mission: The New Hampshire Governor's Advisory Council on Diversity and Inclusion engages in meaningful dialogue with and gathers input from all State residents, visitors, and community organizations in order to inform, strengthen, and advise the Governor of New Hampshire regarding the State's laws, regulations, and policies. We aim to analyze existing systems and determine how to make them more accessible and responsive so that all residents can live free of discrimination and have a full opportunity to participate and prosper in our communities.

Vision: To create and support a state that fosters a culture of inclusion where all people experience mutual respect, safety, equality, and equity, and where they enjoy full access to systems, services, and opportunities to participate without fear of discrimination or bias.

Scope of immediate work: The Governor's Advisory Council on Diversity and Inclusion will engage residents and visitors from all New Hampshire communities through the facilitation of listening sessions and small-group meetings to gathering critical data and information in order to serve as a resource to the Governor on key issues for the improvement and responsiveness of government systems and polices as they relate to diversity and inclusion.

Executive Order 2017-09 relies heavily on the terms "diversity" and "inclusion," but does not define them. Accordingly, the Council again determined that it was necessary to establish a common definition of these terms in order to ensure that all members are working toward the same goals. The Council also received feedback regarding the need to define these terms during its initial listening session. The Council's working definitions of "diversity" and "inclusion" are as follows:

Diversity: Representation of different types of people, voices, and ideas. Each individual is unique. The concept of diversity encompasses acceptance, respect, and recognition of our individual differences—be it along the dimensions of race, ethnicity, gender, gender identity, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or another identity and ideology.

Diversity means more than just acknowledging and/or tolerating difference.

Diversity is a set of conscious practices that involve:

- Understanding and appreciating interdependence of humanity, cultures, and the natural environment.
- Practicing mutual respect for qualities and experiences that are different from our own.
- Recognizing that personal, cultural, and institutional bias, discrimination, and oppression create and sustain privileges for some while creating and sustaining disadvantages for others.
- Understanding of differences so that we can work together to eradicate all forms of discrimination.

Inclusion: The active, intentional, and ongoing engagement of diversity—with people, society, ideas, voices, services, and in communities (intellectual, social, cultural, geographical) with which individuals might connect. Inclusion fosters a sense of belonging and promotes everyone’s ability to exist in systems and access services equitably and equally. An inclusive culture allows people feel respected and valued for who they are as an individual or group, while at the same time feeling “part of” the larger culture.

Inclusion rejects the “one-size-fits-all” concept and requires a willingness to analyze and deconstruct systems and institutions that perpetuate bias, discrimination, inequality, and inequity. Inclusion demands a shift in mindset and culture to allow all people to engage as full participants in society.

The value of an inclusive society is that it increases one’s awareness, content knowledge, cognitive sophistication, and empathic understanding of the complex ways individuals exist and interact.

The Council will continue to develop and deepen its understanding of these and related concepts.

LISTENING SESSIONS

A. Format and Sample Participant Feedback

Pursuant to Executive Order 2017-09, the Council began planning and holding community listening sessions in March 2018. The purpose of the listening sessions is to create statewide forums through which community members can share their experiences living and working in New Hampshire, particularly as they relate to acts of discrimination, bias-motivated incidents, and an overall feeling of inclusion within the State. The Council will use these shared experiences to identify areas of concern and in need of improvement within the State, and make recommendations to the Governor's office regarding how to address them.

As of the date of this report, the Council has conducted three listening sessions in the following locations: Durham, Portsmouth, and Claremont. Attendance varied by location, from approximate 80 people in Durham to 20 in Claremont, exclusive of Council members. The Council used a similar format for the first two sessions—small, facilitated group discussions followed by a large, facilitated group discussion. In Claremont, the Council facilitated one large discussion. In each listening session, in addition to the facilitated sessions, participants were afforded the opportunity to provide anonymous feedback. Dr. Dottie Morris was the moderator for each session.

The listening sessions are forums solely for the Council to capture qualitative information about people's experiences in New Hampshire related to diversity and inclusion. By definition, the yielded information is not intended to be representative. Below is a sampling of the information collected during the Council's first three listening sessions. Please note that these are not the conclusions of the Council, but rather the sentiments expressed by participants during the first three listening sessions:

- A number of participants stated that they do not feel that New Hampshire is a “welcoming” environment for all races, ethnicities, religions, and identities; specifically, participants commented that the State fails to sufficiently acknowledge, accept, and celebrate identities and culturally significant events outside of the dominant culture.
- Some participants expressed that they have had great personal experiences living in New Hampshire and described it as a “great place to live,” but acknowledged that not everyone in New Hampshire shared that experience.
- Some participants liked the fact that neighbors trust and support one another, that they have easy access to politicians, and that it is a small enough state that they can make a difference.
- Participants noted that they experience and observe barriers to societal participation and accessibility to institutions (*i.e.*, cost of higher education, lack of reliable public transportation, lack of affordable housing, lack of language support), which discourages younger and underrepresented individuals from coming to, remaining in, and thriving in New Hampshire.
- A number of participants from each session stated that the education curriculum is antiquated and lacks diversity and representation. This included concerns that their schools focus too much on the ideas and accomplishments of dominant groups, and in doing so, fail to acknowledge and the ideas, accomplishments, and value of other groups. Participants also noted that New Hampshire schools generally lack diversity and representation in educational staff and faculty. However, some parents expressed satisfaction with their children’s educational experiences and stated their schools had good students and were loving spaces.
- Participants noted that New Hampshire still lacks sufficient protection for transgender and gender non-conforming individuals (while the passage of HB1319 helps this point, it does not eliminate the issue).
- A number of participants expressed that many New Hampshire residents do not understand the concept of whiteness and the role it plays in systems of oppression.
- Immigration advocates and some members of immigrant and refugee communities expressed that they do not feel that they have received sufficient assurance from government and/or law enforcement that they are safe and need not fear detention and/or deportation.
- Some individuals with disabilities stated that they are unable to secure gainful employment despite completion of vocational and training programs, highlighting the potential insufficiency of the existing programming.

The Council has been encouraged by some participants, especially city officials and community members from Claremont, who have demonstrated a commendable commitment to self-reflection, self-critique, and self-improvement related to understanding systems of oppression, and how one's place in dominant societal groups can insulate them from experiencing, understanding, and acknowledging these systems. Further, some educators and community organizers shared small-scale partnerships and collaboration within their communities that focus on creating inclusive climates and programming to address issues of access, race, and student well-being. The Council is encouraged that the listening sessions have provided a forum through which it can identify such individuals and initiatives within geographic communities.

The Council will maintain a database that details and records the feedback from each session. It will analyze and examine the compiled information once it completes its first round of listening sessions. The Council anticipates that this information will inform and comprise a significant portion of its initial recommendations to the Governor's office.

The Council will continue to conduct listening sessions in summer and fall 2018. The anticipated locations for these sessions include Nashua, Manchester, Concord, the Lakes Region, the Monadnock Region, the Upper Valley, and the North Country. The Council also plans to visit the State's college and university campuses.

B. Improvements to Methods and Processes

The Council analyzed its past listening sessions to identify ways to adapt its methods and procedures to maximize output and engagement going forward.

First, several Council members identified a need to engage in more community-based groundwork prior to each session. Individuals and community organizations across the State

have echoed this sentiment. Individual council members made significant efforts to reach out to their personal and professional contacts in advance of already-planned listening sessions. However, the Council acknowledges that improvements in group engagement strategies, community outreach, and collaboration continue to be a critical goal. The Council intends to strengthen its process going forward by collaborating with communities and community organizations to schedule, plan, and conduct its listening sessions. This process will also ensure that communities have more advanced notice of listening sessions, which has been an issue to date. A number of local organizations and initiatives, including the Racial Health Working Group in Claremont, the Endowment for Health in Concord, the Racial Unity Team in Exeter, and the Indonesian Cultural Center in Dover, have expressed interest in future collaboration with the Council.

Second, the Council will also seek opportunities to learn about ongoing community-based efforts to foster diversity and inclusion. The Council has sought input regarding the problems that individuals experience throughout the State. However, the Council was not charged with simply highlighting problems related to diversity and inclusion, but also with proposing solutions. The Council can learn from others' successes, and can use existing efforts to foster inter-community collaboration as a model for statewide solutions to identified problems. Moreover, through this engagement, the Council will be able to support and assist community-based initiatives to promote diversity and inclusion.

Third, while the Council believes that the listening sessions are valuable and worthwhile, they are insufficient to capture all voices and to reach all communities. For example, discussions at the listening sessions to date have tended to center on race and immigration, which are undoubtedly important topics, but do not comprise the entirety of the Council's charge. The

Council is now more cognizant that some community members may be less inclined to discuss other topics—such as gender identity, sexual orientation, religious beliefs, and immigration status—or to identify themselves generally in a public, listening-session forum. Thus, the Council will be more deliberate about identifying other, more confidential ways to meet and engage with the public and various communities. This may include developing an online-submission process and facilitating more individualized discussions with specific groups. The information gathered will still be a part of the report and will follow the format used to date of not using any identifying factors when collecting the data.

Fourth, the Council continues to seek ways to assure the communities and individuals participating in this work that their time and participation will result in a commitment to addressing their experiences of bias and discrimination. This is, perhaps, one of the more difficult aspects of this work, but it is a critical component, as without the voices at the table, the Council will not be able to put forth the recommendations needed for change.

Accordingly, the Council will focus on community engagement and outreach over the summer, particularly with regard to some of the State's larger communities. The Council hopes that by developing community relationships and partnerships, it will not only improve the listening sessions, but position itself, for example: (1) to more precisely identify what the State and local communities are doing well with regarding to diversity and inclusion, (2) to determine how to replicate those successes on a larger scale; (3) to identify what is preventing ongoing efforts from being more successful; and (4) to identify systemic deficiencies in need of immediate attention related to diversity and inclusion.

PRELIMINARY RECOMMENDATIONS

The purpose of this preliminary report is to summarize the Council's actions to date and to outline the Council's anticipated next steps for the upcoming year. Over the course of the next year, the Council will make recommendations to the Governor's office as required by Executive Order 2017-09. However, the Council identified two areas of concern that it wishes to raise now.

First, the State is poised to amend the New Hampshire Law Against Discrimination to add gender identity as a prohibited basis of discrimination in employment, housing, and places of public accommodation. If enacted, there are a number of other state statutes that reference identity-based classes, such as the Civil Rights Act (RSA 354-B) and the hate-crime enhancement statute (RSA 651:6, I(f)), that do not expressly include gender identity as a protected class. In order for New Hampshire and its communities to fully ensure and protect the civil rights of their transgender and gender non-conforming residents and visitors, all statutes, ordinances, regulations, and policies that reference identity-based classes should be amended to include gender-identity as an express protected class, so as to align with the Law Against Discrimination.

Second, visibility and acknowledgement are prerequisites for all individuals and communities to feel included and valued in society as a whole. Our society will be stronger and more cohesive if we work to celebrate and recognize the full history of the identities, cultures, religious holidays, and milestone events that affect and define all communities throughout the State. There are examples of these acknowledgments on a community-by-community basis but very few are recognized at the state level.

New Hampshire appears to be behind other states in this endeavor. For example, Juneteenth is an important holiday, particularly within Black and African-American communities, as it commemorates the end of slavery in the United States. Many see it as America's other Independence Day. Forty-five states currently recognize Juneteenth as a day of observance. New Hampshire, Hawaii, Montana, North Dakota, and South Dakota are the only states that do not.

The Council therefore recommends the Governor's office, state agencies, and local governments and entities examine how they observe and celebrate the identities, cultures, holidays, and events of communities that have been historically underrepresented in New Hampshire, and identify ways to bring visibility, and public acknowledgement and recognition to those communities and individuals. Given the importance of this issue, the Council anticipates presenting more specific recommendations on this point in the future.

ANTICIPATED NEXT STEPS

Summer 2018

1. Coordinate and finalize dates, locations, and times for statewide listening sessions
2. Engage in targeted outreach in various communities to develop local partnerships and to assist with planning summer and fall 2018 listening sessions
3. Continue to conduct listening sessions
4. Engage and support ongoing community-based initiatives that promote diversity and inclusion
5. Begin to engage in targeted, community-based discussions with individuals and/or groups who may not be inclined or able to attend formal listening sessions
6. Coordinate training and learning sessions for council members to develop and deepen understanding of diversity and inclusion-related issues—for example, cultural competence, implicit and overt bias, and systemic discrimination and oppression
7. Engage with the New Hampshire Commission for Human Rights regarding existing process and procedure toward the end of proposing revisions to RSA 354-A

Fall 2018

1. Continue to conduct first round of listening sessions
2. Continue to engage in targeted, community-based discussions with individuals and/or groups who may not be inclined or able to attend formal listening sessions
3. Identify any legislative recommendation in advance of 2019 legislative session

Winter 2018

1. Complete first round of listening sessions
2. Synthesize gathered information and identify precise areas of focus for first formal recommendations to Governor
3. Make preliminary recommendations to Governor, as necessary and appropriate

4. Engage with community partners and solicit input related to substance of formal recommendations to the Governor
5. Promote and support legislative agenda
6. Begin to outline formal report to the Governor