

# **Protocol and Information for Committee Hearings**

Developed by the Vermont Legislative Social Equity Caucus

December 13, 2022

## **TABLE OF CONTENTS**

<a href="#">Definitions</a>	1
<a href="#">Protocol for Legislative Leaders</a>	2
<a href="#">Considerations by Committee Leaders</a>	4
<a href="#">Introduction for Witnesses</a>	4
<a href="#">Legislative Committee Information</a>	4
<a href="#">Preparing Testimony</a>	5
<a href="#">Testifying In-Person and Navigating the Statehouse</a>	6
<a href="#">Online Testimony</a>	6
<a href="#">Dialogue with the Committee</a>	7
<a href="#">Accessibility Information</a>	7
<a href="#">Security in the State House</a>	7
<a href="#">Resources to Use When Hearing is Not Safe and Inclusive</a>	8
<a href="#">Witness Preparation Checklist</a>	9

## **Definitions**

**Ableism** is the discrimination of and social prejudice against people with disabilities based on the belief that typical abilities are superior. At its heart, ableism defines people by their disability, and is rooted in the assumption that disabled people require “fixing.” Like racism and sexism, [ableism represents a hierarchy whereby entire groups of people are defined as “less than,”](#) based on harmful stereotypes, misconceptions, and generalizations of people with disabilities.

**Equality** means everyone receives the same thing (such as wages) and/or is treated exactly the same. Equity accounts for individual differences and/or people’s needs by considering the context of a person’s life and experiences.

**Equity** is intentional and ongoing work to improve outcomes for all marginalized groups, including, but not limited to, identities based on race, ethnicity, religion, family income and wealth, ability, language, sexual orientation, gender, and immigration status. Equity goals are determined by the needs of the individual and/or marginalized groups with the intention of enabling them to achieve various outcomes (such as adequate income or housing), given historical and systematic barriers they face. Equality isn't always equitable. That is because different people or groups may have different needs in order to thrive. Thus, fairness requires a more holistic understanding of what is needed to allow someone to flourish. To learn more about the differences between an equality framework versus an equity framework, see [this resource](#) (United Way of the Capitol Area).

**Harm**, in this context, is when someone makes a comment or uses a line of questioning to challenge or question someone’s experience, story or identity. Harm may include hate speech. It may also result from [un]consciously expressing bias or discrimination against someone based on their social identity.

**Inclusive Space** means creating a respectful, welcoming and inviting space for people with different identities, backgrounds and experiences for everyone present in a hearing, including

staff and legislators

**Microaggression** is a statement or action that is often subtle and/or indirect (and may be unintentional), and has the impact of reinforcing biased attitudes, beliefs, or discrimination against a marginalized person. To learn more about microaggression see this [resource](#) (Atlantic).

**Racial equity** is the goal of improving outcomes for racially marginalized people and supporting them in getting what they need to thrive by considering the history of racism and racial discrimination that impacts people's lives based on their racial identities.

**Racism** is prejudice, bias, or antagonism towards someone based on their racial identity.

**Social equity (justice)** is improving outcomes by working to eliminate systemic barriers, inequalities and inequities in our communities and ensuring people have access to opportunities and improved outcomes regardless of their identities.

### **Protocol for Legislative Leaders to Create a Welcoming and Supporting Hearing for Witnesses**

The General Assembly deliberative process relies greatly on the testimony, expertise, and experiences shared by witnesses in committee hearings. We are committed to creating an inclusive and welcoming environment for witnesses because Vermonters deserve a democratic space that acknowledges and values their knowledge, expertise, and lived experiences.

Each committee will offer the following committee process when inviting, welcoming, and engaging with witnesses:

- Share the witness protocol document, whenever possible, at least 48 hours before a witness is asked to testify in committee so witnesses can prepare.
- Invite witnesses to participate in hearings as soon as possible, thereby acknowledging and accommodating the fact that many witnesses must take time off from work to testify if they are not regular advocates/lobbyists.
- Communicate with witnesses as soon as possible for any schedule changes, including if testimony time will be limited.
- Offer witnesses adequate time to testify whenever possible and seek to reschedule if a witness will be given less than five minutes to testify so as to honor their time and work to prepare testimony.
- Schedule witnesses who are not paid advocates/lobbyists at the beginning of hearings to allow adequate space and time to allow them to testify.
- Prioritize witnesses who attend with interpreters because rescheduling interpreters can be difficult and often includes additional costs either to the legislature and/or the advocacy organizations offering the service.

- Monitor testimony time of witnesses to respectfully set reasonable time limits so that witnesses have equitable time to testify. Equitable time means offering more time to witnesses who do not have regular time and access to legislators like paid advocates/lobbyists.
- Confirm the correct pronunciation of witnesses' names and pronouns. If someone's name is mispronounced, pause, thank the person, and correct it. If someone uses another person's wrong pronouns, pause, thank the person, and use the correct pronouns. Here is a [resource](#) on how to use correct pronouns.
- Speak clearly and plainly, and encourage all committee members to do the same, to allow for language accessibility and ease in understanding the legislative process. Clear language is particularly important for people who require an interpreter and/or people requiring auditory assistance. Moreover, clear and transparent communication and explanations benefits everyone.
- Whenever possible, begin each hearing by sharing ground rules that include: 1) maintaining a safe and welcoming space for all people, 2) stopping harm if it occurs, and 3) offering equitable time to witnesses who are not paid advocates/lobbyists. Consider reading the purpose statement of this document to frame the goals of the ground rules.
- Understand that testifying on topics can invoke emotions in witnesses and others in the room. Pause when necessary to allow people to share emotions and allow people to express themselves within the boundaries of maintaining a safe and inclusive space for all gathered. Emotions are valid and normal, and don't have to be logical to you to be so.
- The committee chair and/or committee leadership will maintain a welcoming and safe space during hearings, including stopping aggressive lines of questioning from committee members which challenge or question someone's experience or story. Leaders will stop interruptions. Leaders will also remind witnesses they are not compelled to answer questions, specially as relates to personal information and experiences.

If harmful questions are posed in the hearing, committee leaders will pause the conversation and clarify what is legally permitted to be asked of a witness, committee member, or staff. For guidance on legally permissible questions, please contact Legislative Counsel. Harmful questions include comments or lines of questions that challenge or question someone's experience, story, or identity. Harmful questions also include hate speech and/or [un]consciously expressing bias or discrimination against someone based on their identity.

A person, especially a witness given the power dynamics in a hearing, may not specifically say they were harmed, which is why it is important for committee leaders to understand the fundamental nature of common harmful statements and questions. For more information on what is considered harmful, please contact the [Human Rights Commission](#) or the [Office of Racial Equity](#).

When harm occurs, committee leaders will pause the hearing, acknowledge it, and apologize for harm caused to a witness in real time, or at minimum, immediately after the meeting. For more information on stopping harm, especially regarding racism, see this

[resource](#) (Gage, C.).

If committee leaders do not maintain a safe and welcoming space or miss pausing harmful conversations, members of the committee are encouraged to ask to be acknowledged to ask for a pause in the hearing to address the issue.

### **Considerations by Committee Leaders**

When taking up a bill, consider what communities are most impacted by the content of the bill. Organize hearings to allow ample time for those most impacted to testify and/or offer comment on the bill. For some communities there are leadership structures in place to represent the community to the public. In other cases, there are advocacy organizations who hold a mission to represent the interest of certain communities. Whenever possible, seek information on leadership systems before inviting people to testify so communities are honored and respected. For example, many Abenaki citizens are organized under tribal governments with a chosen leader or designated spokesperson for each tribe. The Somali Bantu community xxxxxx. There may be one or multiple entities that represent specific communities and all should be invited to testify.

### **Introduction for Witnesses**

The legislative process relies greatly on the testimony, expertise and experiences shared by witnesses in committee hearings. Vermonters are a critical part of the legislative process. The legislature welcomes and appreciates you taking the time to testify. Our policy-making decisions better support Vermonters as a result of your engagement.

The legislature is committed to creating safe and inclusive spaces for people to testify. A safe space means holding hearings where people may share their personal experiences and positions on policy without being questioned or challenged in an invalidating manner. We can disagree on policy, but we should not question or challenge someone's experience. The legislature commits to providing open and meaningful ways to safely engage with the democratic process for witnesses, members of the legislature, and staff. However, comfort may be different from safety. There will be times when testimony provided causes personal discomfort. In these cases, individuals are encouraged to discern the difference between safety and discomfort or unease.

An inclusive space means inviting people with different identities, backgrounds, and experiences to participate in hearings and creating a respectful, welcoming space by all people present, especially legislators.

### **Legislative Committee Information**

- Each legislative committee in the House is led by legislators in the roles of Chair, Vice-Chair, and Ranking Member (most senior member).
- Committee membership size varies, but generally every committee is made up of legislators from around the state and from different political affiliations.
- Every committee is assigned one professional staff assistant who supports the committee.

- The committee assistant is generally the person who reaches out to you to invite you to testify.
- Committee contact information is available on the [legislature's website](#) on each committee page and in the email they used to confirm your testimony date and time.
- Bills are drafted by legislators in the months leading up to a biennium and into the first part of each session. The legislature is working to use an equity framework to better understand the purpose, impact, and intended (and unintended) outcomes of legislation. You can find the equity framework [here](#).
- Legislative leaders and all members of the House and Senate receive annual professional training designed to better understand individual bias, systemic inequities, and discrimination.

### **Preparing Testimony**

Your invitation is to speak at a legislative committee meeting and its members, along with other witnesses. The amount of time offered to each witness varies, depending on the committee's schedule, number of other witnesses scheduled, and other activities. While committees strive to give witnesses adequate time to speak and run on time, sometimes unexpected schedule changes limit time for testimony and/or cause delays in meeting times. Committee chairs and assistants will do their best to communicate these changes to you in a timely manner.

- Committee [agendas](#) are posted weekly at <https://legislature.vermont.gov/>.
- Committee members, documents, and prior testimony on the bill or topic you are testifying on can be found on [committee pages](#). You can also find the original version of a bill and information on the status of the bill by searching the bill number or keyword on the legislative [website](#).
- Witnesses are allowed to offer remarks in various ways: verbal remarks, speaking from written documents, or sharing visuals. The documents you provide will be shared with committee members and will be posted for the public record on the committee's website. If possible, you are asked to submit written testimony 24 hours in advance of your appearance before the committee.
- We also invite you to share how to properly pronounce your name so the person running the committee hearing can accurately introduce you to the committee. Please also share your pronouns, if desired.
- When you begin your remarks, we ask you to introduce yourself for the record (your name and town and/or professional title or organizational affiliation if that applies to your testimony).
- If you have a family or work relationship with anyone on the committee, you should mention it (for example, "In full disclosure I work with Rep. [name's] partner.").

- When beginning your testimony, it is customary, but not required, to acknowledge the committee with a general statement of “good morning/afternoon Chair [X] and members of the [XYZ] Committee.”

### **Testifying In-Person and Navigating the Statehouse**

- Directions, transportation options, parking when traveling to the statehouse can be found [HERE](#).
- Bathrooms, accessible entrances can be found [HERE](#).
- Information on accessibility and accommodation requests can be found by contacting Mike Ferrant, Director of Legislative Operations at 802-828-2271 or [mferrant@leg.state.vt.us](mailto:mferrant@leg.state.vt.us).  
<https://legislature.vermont.gov/staff-and-offices/staff-offices/legislative-operations/>.
- Committees have [assigned rooms](#) in the Statehouse. The Sergeant-at-Arms is located in the main lobby of the building and can help direct you to the correct room.
- When the committee is meeting fully in-person, witnesses are welcome to enter the committee room at any time and asked to sit alongside the edge of the room. Covid protocols can change room capacity limits at times, so check in with legislative staff if Covid cases are high.
- You are encouraged to arrive at least 10 minutes ahead of the beginning of the hearing.
- In the committee room, you will find chairs or benches at the edge of the room. When it is your turn, you will be invited to share your testimony.
- A committee usually follows the order of witnesses as listed on the committee agenda. You can request to speak at a different time by notifying the chair if you need to request a certain timeframe to speak.
- Remember that anything you are doing/saying is being viewed and heard by the committee and anyone who is watching on YouTube. Hearings are also recorded.

### **Online Testimony**

When the committee is meeting virtually or in a hybrid setting, witnesses may participate via Zoom which is live streamed on YouTube and archived afterward on the committee website.

- You may connect via Zoom with a desktop computer, laptop, tablet, or cell phone. If you're using a cell phone, be prepared to be unable to see everyone in the meeting, given limitations of the Zoom app on phones. If using your cell phone to connect to the hearing, email the Committee Assistant the last 4 digits of the number so that the assistant may admit you to the meeting. They will need this number to admit you to the meeting.
- Please sign into the Zoom meeting 10 minutes before your scheduled testimony.
- Only people who have been invited to the hearing will be admitted.

- Legislative staff recognize you by your device name. If you are unfamiliar with how to change your name on your device, please work with the committee assistant. If your device shows up as “iPad 2”, staff will not know who you are.
- Please mute yourself and turn off your video until it is time for your testimony.
- If you are calling in on your phone, rather than using the Zoom software, you should use \*6 to mute or unmute yourself, and \*9 to raise your hand.
- If you need further instructions, let the committee assistant know via email or phone. They will provide their contact information to you when scheduling you to testify.

### **Dialogue with the Committee**

Committee members may ask questions and engage in a back and forth with witnesses after the witness provides initial comments. If you are asked an unreasonable question, you can pause and look to the chair for further direction. You are not required to answer personal questions.

The chair or vice chair leads the meeting. They recognize members of the committee when a member indicates they would like to speak. The chair or vice chair is also charged with maintaining decorum and safety of all participants in the meeting.

### **Accessibility Information**

**Interpreter Services:** If you or another witness requires interpreter services or accommodations for auditory or physical accessibility to attend a meeting, please contact Mike Ferrant, Director of Legislative Operations at 802-828-2271 or [mferrant@leg.state.vt.us](mailto:mferrant@leg.state.vt.us). You can also make a request using the legislative website:

<https://legislature.vermont.gov/home/site-resources/accessibility/>. Please note, you must make the request 48 hours in advance of when you need the services. The legislature does not consistently provide interpretation services at all committee meetings, but it can be requested. Interpretation is provided at no cost to the witnesses based on available resources.

**Accommodations:** If you require physical accommodations, please contact Mike Ferrant, Director of Legislative Operations at 802-828-2271 or [mferrant@leg.state.vt.us](mailto:mferrant@leg.state.vt.us) or the Sargent of Arms, Janet Miller at 802-828-2228 or [jmiller@leg.state.vt.us](mailto:jmiller@leg.state.vt.us). Another resource is [Green Mountain Self Advocates](#), a disability rights organization with resources on how to self-advocate.

**Communication Resources:** Readable.com is a free website to assist people with written communications to use concise and accessible language for people of all literacy and language skills.

### **Security**

The Capitol Police provide police services at the State House for legislators, visitors, and staff. Committee leadership can request Capitol Police to be present in a hearing to offer security and a presence to monitor the safety of a space. The Capitol Police may be reached at the following numbers by any legislator, witness, visitor, or staff member. 802-828-2229 (emergency) and 802-828-2273.



The State House does not have metal detectors or security screening at the entrances. Firearms are prohibited from the State House under the Rules of the House and Senate.

### **Resources to Use When Hearing is Not Safe and Inclusive**

We are committed to making committee hearings and legislative engagement a safe and inclusive experience for members of the public. The legislature acknowledges our existing resources are limited at this time to fully address harmful incidents. However, we do have some resources available to the public and encourage you to use them if you experience a harmful or unsafe interaction.

**Speaker of the House's Office** at 802-828-2245, if it occurred in the House.

**Senate Pro Tempore's Office** at 802-828-3806, if it occurred in the Senate.

**House Discrimination Prevention Panel:** The House Discrimination Prevention Panel receives and investigates complaints of alleged discrimination involving members of the House and legislative staff working in the House. The Panel also adopts and updates the House Policy for the Prevention of Discrimination and provides education, training and forums for members and staff to understand issues of discrimination. For more information: <https://legislature.vermont.gov/committee/detail/2022/346>.

The Senate does not have a comparable discrimination prevention panel at this time.

**Human Rights Commission:** The Commission protects people from unlawful discrimination in public accommodations and provides information and referrals to individuals.  
<https://hrc.vermont.gov/>

**Sargent of Arms:** This office is responsible for the functional operations of the legislature, including meeting room access, communicating with legislators and operating the Capitol Police Department. <https://legislature.vermont.gov/staff-and-offices/staff-offices/sergeant-at-arms/>

**General Assembly Human Resources Office:** This office provides solutions in a nonpartisan and confidential way to promote a fair and positive work environment in the legislature.  
<https://legislature.vermont.gov/staff-and-offices/staff-offices/human-resources/>



### **Witness Preparation Checklist**

- ☐ Review the agenda and any relevant information on the bill you will be addressing ahead of time. Committee [agendas](https://legislature.vermont.gov/) are posted weekly at <https://legislature.vermont.gov/>. Relevant testimony and documents on bills in committees can be found on the [committee pages](#).
- ☐ Prepare written remarks or visuals to help document your testimony (optional). Submit written testimony to the committee assistant 24 hours in advance of your appearance.
- ☐ Share the proper pronunciation of your name to the committee assistant ahead of time via email and/or with the chair via email (optional). Share your pronouns (optional).
- ☐ Watch your email for updates from the committee assistant on changes to the agenda and amount of time you may have to testify due to unexpected schedule changes during the day.
- ☐ Arrive at the committee room or sign into the Zoom committee room 10 minutes before you are scheduled to testify.
- ☐ If you are virtually testifying, name your Zoom name before signing into the meeting (via computer or tablet). If you are calling in to testify, email the Committee Assistant the last 4 digits of the number so that the assistant may admit you to the meeting.

Mute yourself and turn off your video until it is time for your testimony. If you are calling in on your phone, rather than using the Zoom software, use \*6 to mute or unmute yourself, and \*9 to raise or lower your hand.
- ☐ Introduce yourself before you begin your remarks with your name, town, and/or professional title or organizational affiliation if that applies to your testimony.
- ☐ Mention if you have a family or work relationship with anyone on the committee (for example, "In full disclosure I work with Rep. [name's] partner.").
- ☐ Greet the committee in a way that feels comfortable to you. Some people use the statement, "Good morning/afternoon Chair [X] and members of the [XYZ] Committee" (optional).