

**PENNSYLVANIA HUMAN RELATIONS COMMISSION
MINUTES OF COMMISSION MEETING
MARCH 28, 2016**

The meeting convened at 1:00 PM, Monday, March 28, 2016 at 333 Market Street, Harrisburg, Pennsylvania.

ATTENDANCE:

Commissioners present:

Gerald S. Robinson, Chairman
Dr. Raquel O. Yiengst, Vice Chairperson
Dr. Radheshyam Agrawal (phone)
Joel Bolstein
George Dawson (phone)
Hon. Terence Farrell (phone)
Meron Yemane

Commissioners Absent:

Kathleen Dormer-Carusone (excused)

Staff present:

JoAnn Edwards, Executive Director
Tammy McElfresh, Special Assistant to the Executive Director
Kathy Morrison, Chief Counsel
John Clark, Director of Enforcement
Geoffrey Biringer, Director of Education and Community Services
Christina Reese, Press Secretary
Heather Roth, Harrisburg Regional Office Director
Carl Summerson, Hearing Examiner
Debbie Walters, Administrative Officer
Morgan Williams, Acting Pittsburgh Regional Office Director (phone)
Diana Medley, Acting Philadelphia Regional Office Director (phone)
Nichole Okum, Clerk Typist 3

CALL TO ORDER

Chairman Robinson called the meeting to order 1:00 PM. He further announced that the meeting had been advertised and was open to the public, in accordance with the provisions of the Sunshine Act. He stated that prior to the meeting, in keeping with the confidentiality requirements of the Sunshine Act; there had been a closed session to discuss compliance matters.

Chairman Robinson announced the meeting was being recorded.

Attendance was taken and the presence of a quorum was noted.

INTRODUCTION OF GUESTS

Chairman Robinson noted the attendance of a guest, Howard Reed.

APPROVAL OF COMMISSION MEETING MINUTES

Minutes of the Public Commission held on February 22, 2016 were presented for approval.

MOTION:

Commissioner Yiengst made a motion, seconded by Commissioner Bolstein to approve the minutes with no changes and with all in favor, motion carried.

CHIEF COUNSEL'S LITIGATION STATUS REPORT

Chief Counsel Morrison provided a review of her status report and a copy is attached for review. Ms. Morrison also provided in her report an outline of work done by the legal staff and trainings they have conducted.

Chief Counsel Morrison provided an update on the Swim Club cases and highlighted that closures are anticipate for next month and that the PA Supreme Court has accepted the City of Philadelphia's jurisdiction over SEPTA.

A discussion ensued regarding the number of cases in post PC and conciliation status. Chairman Robinson asked what these cases are waiting for.

Executive Director Edwards had issued a guideline stating the attorneys are to have three to four cases on the docket at one time. Chief Counsel Morrison explained the need for preparation when a case is placed on the docket and balancing the workload to allow the attorneys the needed time to assist their teams at the regional offices.

Executive Edwards explained that the guidelines were developed with consultation from Chief Counsel.

Chief Counsel Morrison agreed to move the cases forward; however, noting there will still need to be time available for the attorneys to work with their teams.

Hearing Examiner Carl Summerson noted that once the case reaches him, pre-hearing preparation is basic information. Once a letter is issued, the Respondent and Complainant are notified that the case is moving forward. In many instances, the case will settle.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Edwards welcomed Mr. Reed and extended her appreciation of his continued support and partnership with the PHRC.

Mr. Reed commented that he is active on the Board of North Penn YWCA and the commission is invited to use the facility for training.

Mr. Reed noted that a current project is underway through North Penn School District and the YWCA hosting a Civil Rights Summit in September/October timeframe. There are many in the area on the path to citizenship.

Director of Education and Community Service Geoffrey Biringer will contact the Montgomery County Advisory Council regarding participation in the Summit. Mr. Reed provided a handout containing an overview of the project.

Report on the Budget

Executive Director Edwards provided a budget update, noting a spending plan meeting she attended last week. Executive Director Edwards noted she went in to the meeting enthusiastic, anticipating filling positions with waiver funds, only to be told that waiver funds cannot be used for that purpose. PHRC cannot hire or replace positions. The Budget office advised Executive Edwards that they would work with PHRC on moving any remaining waiver fund to the 16-17 FY budget. If the EEOC contract is not met, waiver funds could be used but this won't help with a downward modification evaluation from EEOC toward the future year's contract.

The possibility of needing to implement a comp time program will be mentioned at the upcoming Quarterly Meet and Discuss with PSSU.

Report of Education and Community Services Division

Director of Education and Community Services Geoffrey Biringer provided an update on current outreach activities and an overview of the division for visitors.

It has been suggested to have another audit of Reading School District to give an up to the minute view. The school district has provided what they feel was required. We are still reviewing the documents and information submitted before we can determine actual compliance.

Director Biringer feels he should be ready for court by the end of May. An audit would be extremely beneficial and it may be cheaper for Reading School District to do an audit versus going to court. Director Biringer will inquire if Reading School District had to pay for the previous audit.

The Pittsburgh MOU is now in place. The Coatesville MOU is being used as a template for the entire state.

Director Biringer is working to have one document to see where outreach is being done for the entire agency. A Fellow will be coming on board and will be working on a variety of projects including the book reading and training advisory councils on working with the book.

An offer was received from a non-legal person to collect climate surveys at high schools in Philadelphia and to speak with school administrators.

Dickenson has offered an intern and will be going through Chief Counsel and OGC for the necessary approvals.

Taskforce has been focusing on hate crimes, hate speech and bias. A meeting attendee, Tiffany Chapman Lawson, brought up an instance occurring in schools regarding inappropriate touching/fondling.

Christine Reese and Tammy McElfresh have been working with local advisory councils. So far there are nine and have good prospects for another in Lehigh County. In your packet is a proposed amendment to the Bylaws to reduce the minimum number of members on an advisory council to eight (8).

MOTION:

Commissioner Bolstein made a motion, seconded by Commissioner Yemane to accept the proposed revision of Bylaws on advisory councils, lowering the minimum number required to eight (8). With all in favor the motion carried.

Director Biringer will provide notice to local advisory councils of the change in Bylaws.

A handout was distributed regarding the school funding formula. The subject was referred to the Policy Committee. Commissioner Bolstein requested information from Director Biringer on both sides of the issue.

Report on EEOC and HUD Contracts

The monthly and year-to-date reports contain specifics and are attached.

The monthly HUD report was provided in the commission packet for review in advance of the meeting.

Mediation

The monthly Mediation report was provided in the commission packet for review.

Report of Press Secretary

Press Secretary Christina Reese noted that during the past month she continues to spend much time planning meetings for the Executive Director to meet with legislators to garner support for a sustainable budget. Ms. Reese has also been working on updating current brochures and developing one for the Mediation Program.

STRATEGIC PLAN UPDATE

An update on the Strategic Plan was provided by the Executive Director and current scorecards were distributed.

NEXT SESSION

The April Commission meeting will be held Monday, April 25, 2016, at 1:00 PM in Harrisburg, PA.

UNFINISHED BUSINESS

None

GUEST COMMENTS

Guest comments were addressed earlier in the meeting.

ADJOURNMENT

This meeting was electronically recorded. The file will become part of the permanent record.

Commissioner Yemane made a motion, seconded by Commissioner Yiengst to adjourn. With all in favor, Chairman Robinson adjourned the Public Session.

Respectfully submitted,

S\Gerald Robinson

S\Radheshyam Agrawal

Gerald Robinson
Chairman

Dr. Radheshyam Agrawal
Commissioner