

**PENNSYLVANIA HUMAN RELATIONS COMMISSION
MINUTES OF COMMISSION MEETING
OF OCTOBER 24, 2016**

The meeting convened at 1:00 PM, Monday, October 24, 2016 at 333 Market Street, Harrisburg, Pennsylvania.

ATTENDANCE:

Commissioners present:

Joel Bolstein, Interim Chair
Dr. Raquel O. Yiengst, Vice Chairperson
Dr. Radheshyam Agrawal (phone)
Kathleen Dormer-Carusone
Hon. Terence Farrell (phone)
Michael Hardiman
Gerald S. Robinson

Commissioners Absent:

George Dawson (phone)

Staff present:

JoAnn Edwards, Executive Director
Tammy McElfresh, Special Assistant to the Executive Director
Kathy Morrison, Chief Counsel
Geoffrey Biringer, Director of Education and Community Services
John Clark, Director of Enforcement
Diana Medley, Acting Philadelphia Regional Office Director
Heather Roth, Harrisburg Regional Office Director
Carl Summerson, Hearing Examiner
Christine Reese, Press Secretary
Debbie Walters, Administrative Officer
Lyle Wood, Acting Pittsburgh Regional Office Director

CALL TO ORDER

Chairman Bolstein called the meeting to order 1:10 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 Bolstein announced the meeting was being recorded.

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

INTRODUCTION OF GUESTS

Chairman Bolstein noted guests in attendance two new human relations representatives in the Philadelphia Regional Office Ronnesa Edwards and Lisa Collins and Debra Brice and Ian Fahnstock from the Central Office Enforcement Division.

Chairman Bolstein noted that while conducting the town hall meetings with staff in each of the offices, it was mentioned that long-time staff have never been to a

commission meeting. Chairman Bolstein asked Executive Director Edwards to invite staff to attend each meeting.

Chairman Bolstein extended a welcome to everyone on behalf of the commission and happy to see the new staff members as the commission has been waiting to make the hires and are very much needed.

APPROVAL OF COMMISSION MEETING MINUTES

Minutes of the Public Commission held on September 26, 2016 were presented for approval.

MOTION:

Commissioner Yiengst made a Motion, seconded by Commissioner Hardiman to approve the minutes with. 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 provided additional details and background for the benefit of guests in attendance.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Edwards asked commissioners and staff to go around the table and introduce themselves to the guests in attendance.

Report on December Commission Meeting

Debbie Walters of the Planning Committee provided an update on meeting planning. Ms. Walters reviewed the location, technical logistics, and panel discussion details.

Education Division Report

Commissioner Yiengst shared her feelings of disappointment with regard to the education system and specifically noted PSA testing core comparisons. Our students are falling behind. Commissioner Yiengst asked where our priorities are.

Chairman Bolstein expressed he also came out of the meeting in Allentown disappointed. In the past, PHRC has only handled complaints and been reactive to current events versus being proactive.

Commissioner Yiengst explained how PHRC has worked with the State Department of Education and has never felt they were concerned about issues.

Pennsylvania is not the only state with this problem and other states have been more aggressive to solve the problem.

The parents do not understand the grading system and the only way to advance is through a quality education.

Chairman Bolstein discussed the possibility of having a public meeting during an upcoming commission meeting and conducting a panel discussion that is education focused. The secretary of education should be invited to discuss the situation, testing and what is the Department of Education doing?

Commissioner Yiengst proceeded that PHRC needs to look within ourselves and analyze what we have here as far as experience. Executive Director Edwards added PHRC continues with our partners to work together, for example with the Lehigh Advisory Council and asking them to take this on as a priority. A possible goal is to have each advisory council look at schools.

We need to look at our Education and Community Service Division. Are they knowledgeable enough, asked Commissioner Yiengst?

Chairman Bolstein said in defense of the employees, everyone here is very dedicated to the mission of the commission. It is not because of a lack of commitment. At the point when PHRC can move above the 84 complement, this would be the time to refocus our efforts.

It was noted that areas like Allentown with a 75% Hispanic population and school staffing that is not representative of the population are an issue.

Commissioner Robinson added one thing PHRC could do is look at what the hiring plan is for the 101 complement, noting it shows no change in the Education and Community Services Division.

Director of Education and Community Services, Geoffrey Biringer provided an overview of his monthly report. Director Biringer also noted that in the past, there were two public meetings in the Allentown area and is in the process of forming the Lehigh Advisory Council.

Chairman Bolstein recommended an overarching strategy to work across the state to collectively put heads together. With the limits of our resources, we should be partnering with others who are working on the same issues.

Commissioner Hardiman recommended looking at strategies, what has and what has not worked.

Commissioner Yiengst discussed working with Special Assistant Tammy McElfresh to get Spanish books out to Hispanic Centers.

Director Biringer noted the crisis protocol is in its second draft and provided highlights of trainings and events from his report.

Director Biringer discussed the issues related to racist comments posted on social media by the York City Mayor.

Commissioner Robinson asked for an update on the Reading School District settlement. Specifically, what mechanism has been put in place to track?

compliance? Commissioner Robinson requested a report to the commissioners be provided outlining the school district's compliance with regard to reporting.

Chairman Bolstein added, we need to make sure we are focused on the equity side as well as disparities.

Commissioner Robinson noted his review of the annual reports and that they do not show any progression. Each year's annual report was in a different format. Commissioner Robinson recommended each year's annual report should include basic statistics. Press Secretary Christina Reese explained that there is no standard for reporting. Director of Enforcement John Clark said a meeting will be set to review.

Commissioner Robinson reiterated PHRC has undergone a re-engineering, but without statistics there is no way to know if anything has changed.

Report on the Budget

Executive Director Edwards provided a budget review and explained that in January 2017 it is hoped that PHRC will be able to hire additional staff. By December PHRC's staff compliment should return to 84. Work will continue with OA/OHR on plans for the January increase to staffing.

Chairman Bolstein asked about the current status on Annuitants. Executive Director Edwards explained that Annuitants would return in March because of the limited number of days they are permitted to work each fiscal year.

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.

Director Clark reported the 2016 EEOC contract came to an end in October and was met. PHRC submitted a total of 1194 cases to provide a cushion should cases be held for review during processing. The 2017 EEOC contract proposal was submitted for 1137 cases.

The first week of November five staff members are scheduled to attend the 2016 EEOC FEPA Mini Conference.

LHRC Updates

It was decided that workshare agreements versus MOUs would be used so that complainants could file with either entity. Director Clark plans to reach out to all LHRCs and propose the Workshare agreement.

Report on Mediation

An overview was provided of the report contained within the commission packets as it contains new metrics on the Mediation Program.

Mediation Coordinator Katherine Petruczok reported she has been working with the new temporary clerical staff person and teaching the sales pitch. Chairman Bolstein asked for success stories to show Mediation is useful and beneficial to the parties as well as being able to provide it is useful and saving money.

Commissioner Robinson and Executive Director Edwards met with representatives from the Bar Association to get attorneys to do mediations pro-bono.

Chairman Bolstein said we either need a better pitch to Respondents or be more selective on the cases we refer to Mediation.

Mediation Coordinator Petruczok also noted the need to get best practices down on paper.

NEXT SESSION

The November Commission meeting will be held Monday, November 28, 2016, at 1:00 PM in Harrisburg, PA.

UNFINISHED BUSINESS

Commissioner Yiengst shared she was not able to attend the Safe Schools event.

NEW BUSINESS

Director Biringer provided the following resumes for Commission approval as a member of the noted Advisory Council.

- Damaso Albino Jr., Lancaster/Lebanon
- David Baird, Lancaster/Lebanon
- Christine Louise Fullem, Southwestern
- Timothy A. Haas, Montgomery
- Sharon Kaya, York
- Eric Mandell, York
- Collen Wisor Patterson, Cumberland/Dauphin/Perry

MOTION:

Commissioner Hardiman made a motion, seconded by Commissioner Yiengst to approve the listed applicants to PA advisory councils. With all in favor, motion carried.

ADJOURNMENT

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

MOTION:

Commissioner Carusone made a motion, seconded by Commissioner Hardiman to adjourn. With all in favor, the Public Session was adjourned.

Respectfully submitted,

S\Joel Bolstein

Joel Bolstein
Interim Chairman

S\Radheshyam Agrawal

Dr. Radheshyam Agrawal
Commissioner