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**PENNSYLVANIA HUMAN RELATIONS COMMISSION**

**M I N U T E S**

TIME: 1:00 P.M.

Special Virtual Meeting

August 7, 2024

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Pennsylvania Human Relations Commission  
Special Virtual Meeting  
August 7, 2024

COMMISSIONERS:

- Joel Bolstein, Esquire, Chair
- Dr. Raquel O. Yiengst, Vice Chair - Absent
- Mayur Patel, Esquire, Secretary
- Dr. Rad Agrawal - Absent
- Michael Hardiman, Esquire
- Curtis Jones
- Aleena Sorathia - Absent

EXECUTIVE DIRECTOR

- Chad Dion Lassiter, MSW - Absent

DEPUTY CHIEF COUNSEL

- Morgan Williams, Esquire

COMMISSION COUNSEL

- Vacant

STAFF PRESENT:

- Ashley Walkowiak, Director of Policy,  
Intergovernmental Affairs and Mediation
- Debbie Walters, Administrative Officer II

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Pennsylvania Human Relations Commission

August 7, 2024

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MEETING CALL TO ORDER AND OPENING STATEMENT

The time is now 1:00 p.m.

“Welcome to the special public meeting of the Pennsylvania Human Relations Commission. We are pleased to have you join us.

Pursuant to Section 711 (a) of the Sunshine Act, 65 P.S. § 711(a), this Commission meeting may be recorded by attendees. Your voluntary participation in the meeting constitutes consent to be recorded. The meeting has been advertised in accordance with the provisions of the Sunshine Act.

This special meeting of the Pennsylvania Human Relations Commission is hereby convened. I note the presence of a quorum. I call the meeting to order.”

Chair Bolstein noted the presence of Commissioner Curtis Jones, Commissioner Mayur Patel, Commissioner Michael Hardiman, and himself. He further noted, if additional Commissioners joined, their names would be added.

1 \*\*\*

2 ADOPTION OF AGENDA

3 CHAIR BOLSTEIN:

4 The first item is a motion to adopt  
5 the agenda. Everybody has seen the  
6 agenda. Can I have a motion to  
7 adopt it?

8 COMMISSIONER PATEL:

9 So moved.

10 COMMISSIONER JONES:

11 Second.

12 CHAIR BOLSTEIN:

13 It was moved by Commissioner Patel,  
14 seconded by Commissioner Jones. All  
15 in favor of the agenda please say  
16 aye?

17 [The motion passed unanimously.]

18 \*\*\*

19 NEW BUSINESS

20 [Chair Bolstein noted a presentation of one final  
21 guidance on Emotional Distress in Housing and one  
22 proposed guidance on Harassment in Education.

23 Ashley Walkowiak, Director of Policy,  
24 Intergovernmental Affairs and Mediation, provided a  
25 summary of each guidance.

1           Regarding the Emotional Distress Damages in  
2 Housing cases, Ms. Walkowiak indicated that  
3 Commissioners voted to tentatively approve the damage  
4 calculation guidance for emotional distress damages  
5 in housing cases on April 29, 2024. She noted the  
6 purpose of this guidance is to provide clarity to all  
7 Pennsylvanians regarding how this agency would  
8 evaluate damages resulting from discrimination in  
9 housing or commercial property for humiliation and  
10 embarrassment pursuant to PHRA Section (f)(1), which  
11 clarifies the agency's assessment of civil penalties  
12 pursuant to Section (f)(2).

13           She stated the agency staff opened the public  
14 comment period for four weeks following the vote.  
15 The guidance and link to provide comments were posted  
16 to the website. Email solicitation for comments were  
17 circulated to nearly 400 housing stakeholders on May  
18 8, 2024.

19           Ms. Walkowiak indicated the comment period closed  
20 on May 31, 2024, comments were circulated internally  
21 to the Executive Director, Deputy Chief Counsel and  
22 Director of Fair Housing and Commercial Property on  
23 May 31, 2024.

24           She noted only eight comments were received and  
25 counties represented were Dauphin, Cumberland,

1 Lawrence, Berks, Westmoreland, Bucks, Philadelphia,  
2 and Delaware. Three individuals disclosed the  
3 organizations they were associated with including the  
4 Pennsylvania Residential Owners Association, the  
5 Western PA Continuums of Care, and Centro Hispano  
6 Daniel Torres, Inc.

7 Four individuals stated they so support the  
8 guidance, four individuals stated they do not.  
9 Remarks were generally nonsubstantive and have been  
10 circulated to the Commissioners.

11 The Agency reinforces that PHRC has an obligation  
12 under the law to assess these damages and therefore,  
13 reaffirms its position that it is necessary to  
14 provide the public with this clarification on how it  
15 will proceed under the confines of the PHRA. The  
16 guidance was put forth in good faith and ask at  
17 present for the Commissioners' final vote.

18 CHAIR BOLSTEIN:

19 Is there a motion to adopt the guidance  
20 on Damage Calculation in Housing Cases?

21 COMMISSIONER JONES:

22 Mr. Chairman, I move that we adopt the  
23 guidance on Housing Counseling Cases.

24 CHAIR BOLSTEIN:

25 And is there a second?

1 COMMISSIONER HARDIMAN:

2                   Second.

3 CHAIR BOLSTEIN:

4                   It was moved by Commissioner Jones and  
5                   seconded by Commissioner Hardiman. Is  
6                   there any discussion? All those in  
7                   favor of the motion please say aye? Any  
8                   opposed?

9 [The motion passed unanimously.]

10   \*\*\*

11 [Chair Bolstein thanked staff for their hard work on  
12 this guidance, which followed the policy-on-policy  
13 development, and now an official policy guidance of  
14 the PHRC. The second item, PHRC's guidance entitled  
15 Harassment in Educational Settings, Guidance on  
16 Evaluating Claims of Bullying and Harassment under  
17 the PHRA.]

18   \*\*\*

19 [Regarding the Harassment in Education Guidance, Ms.  
20 Walkowiak stated the Agency at the request of the  
21 Commissioners presents today legal guidance on  
22 evaluating claims of harassment in educational  
23 settings. In requesting this preliminary vote, the  
24 PHRC exercises its authority granted to formulate  
25 policies that effectuate the purposes of the PHRA.]

1 She stated the purpose of this proposed guidance is  
2 to provide clarity to Pennsylvanians regarding how  
3 the Commission will exercise its discretion in  
4 adjudicating cases of harassment in educational  
5 settings.

6 Pending what is hoped to be a favorable vote  
7 today, comments will be solicited from the public for  
8 the period of August 8 through 29, 2024. The  
9 guidance will be posted to the website, stakeholder  
10 and public engagement with the guidance will be  
11 sought through a press release, social media, direct  
12 emails, and partnerships with state government  
13 entities.

14 A few weeks will be taken to analyze and evaluate  
15 the comments gathered and propose edits to the  
16 Commissioners if necessary. She noted hoping to ask  
17 for a final vote on September 23, 2024, in order to  
18 issue the guidance in full near the start of the  
19 academic calendar year.

20 CHAIR BOLSTEIN:

21 I would then entertain a motion to  
22 approve the proposed guidance for  
23 release for Public Comment.

24 COMMISSIONER HARIDIMAN:

25 So moved.

1 COMMISSIONER JONES:

2                   Second.

3 CHAIR BOLSTEIN:

4                   It was moved by Commissioner Hardiman  
5                   and seconded by Commissioner Jones. Is  
6                   there any discussion? Not hearing any,  
7                   all those in favor of the motion please  
8                   say aye? Any opposed?

9 [The motion passed unanimously.]

10   \*\*\*

11 [Chair Bolstein again thanked staff for all their  
12 hard work. He noted this as a very important  
13 guidance document and looks forward to seeing what  
14 kind of comments are received from the public, which  
15 will be posted on the website as well along with the  
16 other policy adopted in final form.]

17   \*\*\*

18 ADJOURNMENT

19 CHAIR BOLSTEIN:

20                   I need a motion to adjourn.

21 COMMISSIONER HARDIMAN:

22                   So moved.

23 CHAIR BOLSTEIN:

24                   All in favor, please say aye?

25 [The motion passed unanimously.]

1 \*\*\*

2 [The meeting adjourned at 1:09 p.m.]

3 \*\*\*

4  
5 CERTIFICATE

6  
7 I hereby certify that the foregoing summary  
8 minutes of the Pennsylvania Human Relations  
9 Commission, was reduced to writing by me or under my  
10 supervision, and that the minutes accurately  
11 summarize the substance of the Pennsylvania Human  
12 Relations Commission meeting.

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15 Court Reporter  
Karissa Cross,

16 Minute Clerk

17 Sargent's Court Reporting  
18 Service, Inc.

*M. Joel Bolstein*

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M. Joel Bolstein, Chairman

*Debra A. Walters* o/b/o Commissioner Mayur Patel

Mayur Patel, Secretary