

**MICHIGAN CIVIL RIGHTS COMMISSION**  
**Monday, May 20, 2013 – 2:00 P.M.**  
**Michigan Department of Civil Rights, 8<sup>th</sup> Floor Commission Room**  
**110 W. Michigan Avenue, Lansing, MI 48909**

**MINUTES**

**Present:** Commission Chair Mike Zelle  
Commission Vice-Chair Lisa Peeples-Hurst  
Commission Secretary Jared Rodriguez  
Commissioner Agustin Arbulu  
Commissioner Rasha Demashkieh  
Commissioner Arthur Horwitz  
Commissioner Deloris Hunt

*The meeting of the Michigan Civil Rights Commission was called to order by Commission Chair Mike Zelle at 2:05 p.m.*

I. WELCOME

Commissioner Zelle brought welcoming remarks and called the meeting to order.

II. APPROVAL OF MEETING AGENDA

*On Motion duly made (Commissioner Rodriguez) and supported (Commissioner Demashkieh), the Agenda was approved as submitted. Motion carried unanimously.*

III. APPROVAL OF MINUTES FROM MARCH 25, 2013

*On Motion duly made (Commissioner Demashkieh) and supported (Commissioner Hunt), the Minutes from the March 25, 2013 meeting were approved as submitted. Motion carried unanimously.*

IV. DIVISION REPORTS

Director's Report – Dan Krichbaum, Director of the Michigan Department of Civil Rights submitted his written report for comment and/or discussion; Commissioner Arbulu expressed interest in the section regarding Pay Equity, and proposed that the Commission hold hearings to take testimony and develop a record on pay equity to present to the legislature and other public policy developers – in West Michigan, Lansing and Detroit.

*On Motion duly made (Commissioner Arbulu) and supported (Commissioner Horwitz), the Commission will hold hearings to develop a record on pay equity that will be presented to state legislators and others in public policy. Motion carried unanimously.*

Commissioner Zelle also announced Director Krichbaum's retirement for the end of July 2013.

Enforcement Report – In Lori Vinson's absence, due to participation in the 2013 HUD Conference, Patricia Barrera indicated that during the October 1, 2012 through April 30, 2013 measurement period, the Enforcement Division processed 1,205 new formal complaints,

completed 1,357 cases, some resulting in \$744, 390 in monetary Awards. April 30, 2013 marked the end date for the HUD partnership grant period – the Division is in the process of preparing the year end reports.

\$185,000 awarded to MDCR from the U.S. Department of Housing and Urban Development for seven (7) partnership grants, deadline for use of funds was May 1, 2012 – two (2) grants were allocated for the Enforcement Division; resulting in backlog reduction for the Housing Unit by 143 cases, and 293 fair housing professionals across the state received Fair Housing Training.

Mark Bishop indicated that two of the HUD grants received were allocated for Community Response Training and Law Enforcement Hate Crimes Training; Mr. Bishop distributed materials for the trainings, Karen Bolsen provided an overview of the Community Response Training, and Mr. Bishop provided an overview of the Law Enforcement Hate Crimes Training; results and next steps for both efforts were included in the distributed materials.

Hearings and Policy Report – Dan Levy indicated that follow-up and next steps for the LGBT Report will be discussed at a future meeting; today’s main focus is the Amicus Brief regarding Proposal 2 (University admissions applications), to be submitted by MDCR to the Michigan Supreme Court. Mr. Levy will update and refine the brief, but major changes are not needed; submission is due in August 2013. After discussion, a Motion was initiated:

***On Motion duly made (Commissioner Arbulu) and supported (Commissioner Demashkieh), the Commission authorizes MDCR to prepare an Amicus Brief to be submitted to the Michigan Supreme Court, consistent with the briefs submitted to date regarding Proposal 2, affirming continued support on the Commission’s position on this longstanding issue. Motion carried unanimously.***

Legal Affairs Report – In Sylvia Elliott’s absence, due to participation in the 2013 HUD Conference, the Legal Affairs Report was accepted as submitted, and Dan Levy addressed questions from the Commissioners: In comparison to last year, have we made progress on the number of cases that have gone to charge or are in conciliation? (Commissioner Arbulu)

Dan Levy indicated that the amount of time that cases are in conciliation has been reduced - supporting data can be provided upon request. Also, Commissioner Zelley requested a means to determine progress on resolve of the Twenty Oldest Cases reporting. Dan Levy indicated that this will be addressed in future reporting.

Public Affairs Report – In Leslee Fritz’ absence, Vicki Levengood reported on her behalf. Ms. Levengood reported on the most recent 50<sup>th</sup> Anniversary events, indicating that MDCR has generated increased media coverage, had had good engagement with community leaders and raised awareness of our services within the communities of Benton Harbor, Cadillac, Harbor Springs, Petoskey and Holland. External follow-up communications vehicles described by Ms. Levengood included GOVDELIVERY, which Public Affairs is in the process of developing; an internal newsletter, and a newsletter to be shared with the practitioner community. The Community Relations Division will be responsible for monitoring and maintaining relationships with communities MDCR has touched through the 50<sup>th</sup> Anniversary Tour.

## V. COMMISSION MATTERS

Chairman’s Report – Commissioner Zelley presented an award of recognition to former Commissioner Stephanie Comai for her 2 years of service on the Commission. The award reads:

*“We proudly honor Stephanie Comai for 2 years of excellence and commitment in defense of the civil rights of the people of Michigan and the prevention of discrimination as a Michigan Civil Rights Commissioner, serving from 2011 to 2013.”*

Attorney General’s Report – Ron Robinson reported on the *Barash v. SMART* case, indicating that previously, SMART filed a Motion for Reconsideration of their dismissed appeal; the Motion was denied. SMART then filed an Appeal to the Court of Appeals, addressing the issue of whether or not the circuit court judge properly dismissed SMART’s appeal based on their failure to submit a timely brief, as notice was not sent. Mr. Robinson recommends MDCR’s next step to file for Enforcement of the underlying claim in circuit court, Commissioner Zelle concurred. Mr. Robinson will provide updates as further actions regarding this case continues.

Mr. Robinson introduced his law clerk, Sarah Domin.

## VI. DEPARTMENT INITIATIVES

Anti-Bullying Initiative – John Golaszewski reported that MDCR is currently working with three school districts for the pilot bullying prevention program: Vandercook Lake, Allendale, and Detroit Public Schools. The school administrators have been asked to provide a quarterly progress report, which is due this Friday, May 24<sup>th</sup>. In addition to Mr. Golaszewski, Rick Olivarez, Lee Gonzales and Linda McLin are collectively working on this effort; all have received the Olweus model of Anti-Bullying Training from the Oakland Mediation Center. Lee Gonzales has been instrumental in creating a partnership with the Michigan Elementary and Middle School Principals Association to ensure that MDCR work is highlighted, and has arranged for MDCR to present at their annual conference later this year.

Mr. Golaszewski also indicated that based on testimony collected from the six Bullying public forums across the State, the group is currently researching MDCR’s potential role in Workplace Bullying; a meeting is scheduled with Michigan State University professor, Dr. Michelle Kaminski. Commissioner Arbulu commented that Workplace Bullying often goes unreported, so this is an area that should be carefully considered; data should be established. Commissioner Hunt commented that employers will need training to identify workplace bullying and to conduct thorough investigations of claims. Mr. Golaszewski indicated that MDCR may potentially convene a conference on workplace bullying in the fall.

Global Michigan Initiative – Mary McLellan reported on the success of the Asian and Pacific American Affairs Commission’s Heritage Day Celebration Event at the State Capitol earlier this month; the Governor’s Policy Office now leading the Global Michigan Initiative, an Interdepartmental Committee Collaboration (the Immigration Workgroup) consisting of executive-level representation from each state department that meets bi-weekly; the purpose of the meetings thus far have been to identify programs/initiatives in each state department that touch on immigration, and to identify our customers (immigrants, migrant workers, foreign-born students, entrepreneurs and licensed professionals); two upcoming events that Commissioners are invited to attend include the Global Great Lakes Initial Convening (June 6, 2013) and Upwardly Global Launch of Licensing Professional Guidelines (June 20, 2013) – Ms. McLellan will send an e-mail to the Commission with the dates of these events, and she may be contacted for registration of either or both events.

## VII. OLD BUSINESS

There was no old business.

VIII. NEW BUSINESS

Director Selection Process – Commissioner Zelley proposed to the Commission the draft Director Selection Process memo, dated May 20, 2013, which outlines the step-by-step process of the Commission’s role in selecting a new Executive Director. After discussion and proposed revisions (Dan Levy will revise and resend the document), a Motion was initiated:

***On Motion duly made (Commissioner Peeples-Hurst) and supported (Commissioner Demashkieh), the revised Director Selection Process is accepted for adoption by the Commission. Motion carried unanimously.***

The following dates were set: July 22, 2013 – recommendations from the Advisory Committee will be discussed at the July 22, 2013 Commission Meeting; a Special Meeting will be convened on July 29, 2013 to hold open interviews of final candidates, and a final decision will be made.

IX. PUBLIC COMMENT

L.W. Morrow – Mr. Morrow brought concerns regarding continued harassment from the campus police department from Colorado University, and he is seeking a multi-million dollar award.

X. ADJOURNMENT

***On Motion duly made and supported, the meeting of the Michigan Civil Rights Commission adjourned at 4:26 p.m. Motion carried unanimously.***

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Secretary

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Director