



**TENNESSEE HUMAN RIGHTS COMMISSION**  
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**September 19, 2014**  
**Board of Commissioner's**  
**Meeting Minutes**

**Commissioners Present:**

Commissioner Cocke Phone  
Commissioner Houston  
Commissioner Horne Phone  
Commissioner McDaniel  
Commissioner Miller  
Commissioner Pierce  
Commissioner Selberg Phone  
Commissioner Walker Phone  
Commissioner White  
Commissioner Wurzburg

**Commissioners Absent:**

Commissioner Coleman Jr.  
Commissioner Garrett  
Commissioner Jones  
Commissioner Martin  
Commissioner Starling

**Staff Present:**

Beverly Watts, Executive Director  
Sabrina Hooper, Deputy Director  
Shalini Rose, General Counsel  
Matthew Stephenson, Title VI Compliance Director  
Richard Gadzekpo, Housing Coordinator  
Lisa Lancaster, Executive Assistant

**Guests:**

Allen Staley, Centralized Accounting  
Carol Berz, Council Woman  
Charles Dupree and daughter, Jenny  
Phyllis Quarles Brooks  
Corey Taylor, Housing Investigator

**Call to Order**

Vice Chair Miller called the meeting to order at 9:00 a.m. CDT and welcomed those in attendance. Roll was called. She asked for a moment of silence following a video presentation honoring John Sigenthaler and George Barrett.

**Annual Report Release**

The meeting was turned over to Executive Director Beverly Watts to present the Agency's Annual Report. She noted that each Commissioner has a copy in their notebooks. The

Annual Report is printed in your booklet and is not printed for the public but will be posted on our website by Monday morning. We will print cards and distribute to the public about access to the report how to request a hard a copy. The NAACP is holding their Annual State Conference this week and the cards will be shared with those attending.

FY 2014 started off with a 50<sup>th</sup> Anniversary Celebration with over 400 attendees at the Marriott in October of 2013. We honored fifty five individuals most of which were in other locations across the state with the culminating activity at the Marriott. People still stop me and tell me that it was a great event. Staff did a marvelous job pulling that together. Video of the event is posted on YouTube.

Last July most of our focus was on developing the Anniversary Celebration. We spent the first 90 days the event. Please note that 2013 was our 50<sup>th</sup> year in business. One of the questions that we heard over a year long period is how do you get that much extra-curricular activity and continue to do the functions of the agency. We had one dedicated staff member to this event.

You can do that because you have a great staff. Commission staff was able to continue to process cases in a timely manner. Last year we received 8,764 calls and we instituted a process in the Customer Service arena that I think is important. It is not in the report but I want you to see how we get these numbers. Customer Service staff consists of Lisa Lancaster, Leon King and Cathy Abramowitz was with the agency for part of the year. Frank Guzman and Jennell Riddle also cover the front desk from time to time. We have been working since last year on a database which will enable us to develop information on calls beginning with the initial call by inputting zip codes and other data that could be useful for future planning. We refer a lot of calls out to other agencies and with the help of the database we can tell you how many calls were referred and to whom. So this information will be readily available in the next year.

We also review dollars and cents involved in complaint resolutions. We negotiated over \$490,000 in benefits for complainants. This included conciliations, settlements and mediations. We closed 401 employment cases of which 33 were resolved with mediation. Our mediation success rate is a 63%. We attempted 52 mediations and 33 were successful. Individual benefits from mediation range from \$250 to \$150,000 per complainant.

Commissioner Wurzburg asked about legal representation of complainants involved in mediation and that will be shared with you later in the Employment report.

The housing division closed 97 cases of which 43 were conciliated resulting in \$66,000 in benefits to complainants. There were non-monetary benefits in housing which included accommodations and modifications for persons with disabilities, revoking evictions, making policy provisions and providing housing opportunities. The housing unit exceeded the HUD cooperative agreement for the third year in a row. They closed dual filed cases at a rate of 60% in 100 days or less. They hired a new staff person in January which means for half the year they were not fully staffed.

The heart of what we do and the group that keeps us on task is the legal division. They review everything that we do and everything that goes out of the organization that includes no probable cause closures, conciliations, settlements, and withdrawals with settlements. We have two attorneys and they manage to review 470 cases for closure. This includes housing cases, employment cases, and requests for public records. The upcoming challenge will be that both attorneys will be out on personal business and we must make things continue to move efficiently.

The Title VI Program Annual report is found under tab XI in your notebooks. Title VI is part of the Civil Rights Act of 1964 and prohibits discrimination by federally funded programs based on race, color and National Origin. Federal dollars account for 38% of the state budget in 2013-2014. In years past it has been higher. The scope of the activities of this program is that it is a clearing house for complaints. It receives Title VI complaints from a variety of sources and then in some instances sends those complaints back to the state agencies to conduct an investigation which is reviewed by the Title VI unit prior to issuing a finding. Matthew Stephenson became the Title VI Director in March of this year. Prior to that Matthew was a regional coordinator in the Nashville investigator division. The unit provides training and technical assistance to Title VI Coordinators throughout the agencies covered; it collects and reviews Implementation Plans which are due on October 1 of every year; conducts compliance reviews; and provides policy guidance. Since taking over this program in 2009 we have consistently trained Title VI coordinators on an annual basis and continue to provide additional policy guidance on an ongoing basis. We receive more and more questions and as we provide more guidance we also collect more data. The unit reviewed 42 Implementation plans and found 40 in compliance.

In September of 2013 we provided training and guidance on LEP policies at the University of Tennessee at their Title VI Symposium. In July of last year we conducted our annual training for coordinators. We also issued a report card to Commissioners and Directors for the first time. I told them what they looked like over several years. Some were surprised at the reports and they got more involved which was our intent to make sure that Title VI was being seen at the highest level. Compliance reviews were conducted on two agencies. One was the TN State Museum and the Department of Agriculture. The Department of Agriculture has completed the four recommendations that were found and corrected those. The compliance review of the TN State Museum found that some signage was not as good as it should have been and two contract employees who were guards did not know about Title VI. Since then these issues have been corrected. An investigation was completed with respect to the Department of Education and we conducted an investigation in Rutherford County. Both are complete but the Rutherford County investigation which is against the Circuit Court is in our office for review.

Last year Title VI received 354 inquiries and 60 of those were jurisdictional and 50 of those came from the Department of Corrections. The unit tracked Title VI complaints made directly to recipient agencies. This information was gathered from the Implementation Plans and determined that 1,011 complaints were alleged statewide and 846 of those were from Department of Corrections. The Department of Corrections tends to have the highest number of complaints but many of them are not jurisdictional but they are reviewed by the unit. We are looking into strengthen that process over the next year.

In 2013-14 there were many activities in addition to the hearings all over the state, we conducted a successful Employment Law Seminar in June; developed a fair housing program in partnership with Memphis HUD office and other fair housing agencies; participated with Fair Housing Matters Conference in Nashville which has been in existence for over ten years; and worked with ECHO in Knoxville on a fair housing program.

We closed a grant from National Community Reinvestment Coalition and we received another one grant for this year. The purpose of the grant that was closed was to look at HUMDA data to determine whether or not there might be issues we might need review regarding fair lending practices as well as training on fair lending practices.

We have been busy and staff continues to work hard on a variety of issues. What you notice is that we have people coming and going. I would like to thank two people for putting this report together. The first is Susannah Taylor Berry who was our Communications Coordinator who left on June 27, 2014. The second is Shay Rose who said I know how to use Publisher and I will help you finish. I thank each of them for preparing the Annual Report. The report will be available online and hard copy on request. We will notify the public in a variety of ways such as a press release and we have made inquiries about how to get it into the college and university libraries.

With respect to the hearings and the release of the report from those hearings this will be talked about during the Education and Outreach committee report.

Commissioner Pierce noted that it looked very nice with the illustrations and Commissioner Wurzburg noted that it was easy to read.

Commissioner Miller asked for approval of the minutes the July 18, 2014 Board meeting minutes. Commissioner Pierce made a motion to accept them and the motion was seconded by Commissioner White. A vote was taken and passed.

### **Executive Director's Report**

Executive Director Watts began her commission report with the introduction of new staff Erica Kesse who is the new Special Assistant to the Executive Director and Communications Specialist. She came on board in late July and has been drinking from a fire hose ever since. The other new person is Corey Taylor and he is a housing investigator in the Knoxville Housing unit.

The meeting was turned over to Allen Staley to review the budget request for the year beginning July 1, 2015. It is due to be submitted by September 29, 2014. He noted that the first step in the Budget process is for the budget to be discussed at THRC starting with the Budget and Audit Committee and then the full commission. The period discussed will be July 1, 2015 to June 30, 2016. We have just closed FY 2014 and are currently in FY2015.

The budget request will be submitted on September 29, 2014 to Finance and Administration Budget Office and THRC will then meet with the Budget Director, Assistant Budget Director, Deputy Commissioner and other representatives from other departments and including the Legislative Budget Office. This meeting is an opportunity to identify any potential issues that the Commission may have. This will happen sometime in October or November.

The Governor's recommended budget will be presented early next year at the State of the State Address in the early part of 2016. The Legislature will review the budget recommendation and then House and Senate legislative committees will be held in the spring. The legislature will pass the Appropriations Act sometime in May and will go into effect on July 1, 2015.

The total budget request is for \$2,496,100 which is broken out into personnel costs sometimes referred to above the line costs and all other operating costs or below the line costs. This request is being funded with \$1,713,500 in state funds and \$782,600 in Federal revenue. We are also requesting an additional \$20,000 cost increase that is being requested to help costs associated with Education and Outreach activities.

With previous budget reductions the Education and Outreach efforts have been seriously impacted and the agency feels this is a necessary request. The likelihood that this request will be granted is slim but if we don't ask we will definitely not receive.

The program summary Report shows a summary break out of actual costs for the fiscal year just completed which was 2014; the current year's budget 2015 and the budget request for 2016 which is the base.

Commissioner McDaniel asked if there was a cost of living increase for personnel in the upcoming year. Mr. Staley noted there has been no discussion of personnel increases in salaries for staff in the current year budget.

The Base Request Detail Report shows more detail for each of the three years. For 2014 THRC spent a total of \$2,359,200 which was within the \$2.5 million budget. The commission did need to use \$13,200 of carry forward funds. We are able to carry forward up to \$200,000 every year in past savings and this year with cases and other causes we needed to use the \$13,200 to close. The carry forward balance was \$93,000 which will leave about \$80,000 in carry forward funds.

The Base Supporting Detail report gives additional information about Professional services and payments to state agencies. The next pages outline the cost increase related to Education and Outreach. Specifically this request will allow for additional travel, communications and sponsorship outreach efforts.

The last document represents an overview of THRC and its programs. It breaks out the main program areas of administration, housing, employment, legal services, communications and Title VI.

Finance and Administration requires agencies to identify 7% potential budget reductions in state appropriations which equates to \$120,000. The reductions identified are Personnel operational costs in the amount of \$41,800 to travel, printing, duplications, communications, rentals, training and computer related expenditures.

The second item identified is longevity and benefits in the amount of \$43,400. We currently have \$53,000 equity or the difference between what is budgeted for the benefits and what is anticipated actual expenditures. There is some wiggle room and we could take some money from the benefit equities line item to help reach the reduction target. There is also a small amount of longevity that we thought that we could reduce in the amount of \$2,000.

The third item is a reduction in salaries and benefit equity in the amount of \$34,800 because of the potential reductions we are not planning to fill the vacant administration position at this time.

Commissioner McDaniel asked if the 7% was optional and would only be used if the Status of the State deems reductions necessary. Mr. Staley noted that if the sales tax revenues are not at the level that they feel like they can balance the budget that will impact their decision on what level of reductions they will take. Every year we have to identify potential reductions but some years they don't take them at all and sometimes they take only part of what is identified.

Executive Director Watts noted this is what is recommended to the legislature and how it impacts and whether there need to be additional cuts. If the sales tax revenue is acceptable across the board raises have been given and the legislature is the final word in the budget. This is the process from the Executive Branch which goes to the budget office. They will decide whether our recommendations as they stand will go forward to the Legislature.

The Budget and Audit Committee met telephonically on September 16, 2014 and presents this budget for approval by the board. A motion was made to accept the committee's recommendation by Commissioner Cocke and seconded by Commissioner McDaniel. A vote was taken and passed.

Executive Director Watts presented a review of the Customer Service survey reports and noted that we continue to interview witnesses identified in case processing. Two witnesses are interviewed per employment investigator and one witness per housing investigator. These are conducted by Frank Guzman and the numbers continue to be low for responses.

The customer service survey is now being done with Survey Monkey. This period resulted in 12 responses. We hope to increase the numbers by trying other things over the next year. I received two calls from Senator Corker's office via the Governor's office which were about customer service issues. Both cases were no probable cause and the individuals were upset. Both were given the rights to reconsideration and neither chose to file for a reconsideration.

We got a couple of calls from Senator Tate about the Department of Corrections and we responded and we are still monitoring those issues with a contractor for the Department of Corrections.

Both I and Deputy Director Hooper handle these calls and we do keep a log of those types of calls. Some are active cases and some are closed cases. We update the case files with this information. We recently received a call about records and why certain records were withheld when copies were requested and witness information was not included.

When people are unhappy we always encourage them to file for reconsideration. In most cases complainants only see their side and don't see the evidence. We document all conversations and update the files with that information and any letters that are sent.

While I was giving a speech a respondent said why has the case against me taken so many years and is not closed yet and I got a bit nervous. We found that we did have the case, there were some issues. Things happen up and are handled as they come to us. We always look at what the issues are and how we can make improvements.

#### **Education and Outreach Committee Report**

Commissioner Wurzburg gave a report on the Education and Outreach Committee meeting noting that Chair McDaniel was unable to attend due to a death in his family. We discussed that three different reports were coming out at the same time. The Annual Report which was presented this morning by the Executive Director, which I think is a beautifully constructed report. And the issue is how we get it out to the public.

With over \$40,000 budget reduction possible we have got to use the internet, we have got to use the web. It would be good if we can get notices out to various entities, and constituent organizations. Commissioner Cocke is concerned about how we are getting these into the libraries of public schools and colleges and universities and public libraries. If we can afford it, we will send postcards to take them directly to the web.

There is also the Title VI Annual Report which was presented this morning as well. This also needs to be on the web for anyone interested in reading it.

And lastly we talked about the Status of Human Rights in Tennessee report and the committee voted to postpone the release of the report until the November Board of Commissioners meeting. This report is 211 pages long and an executive summary was needed of the findings that we compiled to make it easily digestible. This report was compiled from all the hearings that we had across the state last year. It contains a lot of the testimony that was heard and the executive summary will be very important.

The question is now, what do we do with it? The committee decided that after the release of the report at the November board meeting we should stay and have a round table discussion about it. One of the questions brought up at the meeting was so many people are saying that when it comes to civil rights we are back to square one. Obviously we

cannot go out in the world today and not know that it is a different world than the 1950's and 60's.

When you go out to eat and you see folks from various religions out and about and having a good time it is a different world than I grew up in. But with the frustration that is in the news about Ferguson Missouri and for so many folks voter suppression we feel like we are fighting battles all over again that we thought we had fought and won a long time ago.

About three or four years ago the Commission conducted roundtable discussions around the state and brought different organization together and let them talk about where they were in their communities. And then we had the official hearings last year. Maybe we should go back to the roundtables now and just have conversation to get the civil rights community around the table and go through the report with them.

Executive Director Watts noted that because of the nature of the issues we are looking at the report will be in sections as opposed to just one report. We have a section on Human Rights Initiatives across the United States; Issues of Employment Discrimination facing Tennesseans; Housing section; Access to Programs and Services; Justice and Law; New Americans and Immigrant; Human Rights LGBT; Human Rights on voting Rights; Homelessness; Disability; Education; Violence against Women; General and Global Human Rights issues.

I intend to do executive summaries by section for it to be easier to write and read it. The general/global summary will talk about all of these and where everything is. There will be a final section on general recommendations at the end of the report. For each section there will recommendations as well which will be included at the end to include recommendations by the speaker and recommendations that we think the organization given authority might be able to undertake.

We anticipate the report to be completed around mid October and that all commissioners will receive a copy of the report before the commission meeting in November. I will do a PowerPoint to make it easier to go through. We will not be printing the report since it will be available online. If people ask for it we will have to figure out how we can provide hard copies. We will publicize it online also. Because it is at the November meeting we will have a presentation and invite people and then send it out to the press. At the November meeting we will have recommendations for action by other bodies, the state in general as well as other places that need to get it and we will talk about recommendations that THRC can undertake given our authority.

All four hearings are on YouTube and we want to publically thank Commissioner Houston and her staff for providing transcripts for speakers that did not provide written testimony to us.

We have not received any word about the State Audit that was conducted and concluded in June. We have not had our official Exit Conference and the last time I spoke with them they said they were still reviewing it. We know that they will conduct the Exit conference, give us the purposed report, allow us to respond, and then they will finalize it. In both

instances we will have the opportunity to respond. We will call a meeting of the Budget and Audit Committee for a review of the audit and our responses prior to submitting to the Comptroller.

The HUD Performance Assessment will be discussed later in the Housing report.

Commissioner Houston made a motion to accept the Executive Directors report. It was seconded by Commissioner Pierce. A vote was taken and passed.

Commissioner McDaniel made a motion to accept the Education and Outreach Committee report and it was seconded by Commissioner Houston. A vote was taken and passed.

### **Employment Case Report**

Deputy Director Sabrina Hooper reported on the case processing period from July 1, 2014 to August 31, 2014. During this time we received 119 inquires which resulted in 52 charges being accepted for investigation. Within the same timeframe the agency closed 47 cases with an average of 272 days of investigation. Our open inventory at the end of August 2014 was 238 cases.

Four mediations were closed resulting in monetary benefits of \$4,500 to the complainant and five settlements closed which resulted in approximate monetary benefits to the complainant in the amount of \$36,000.

Last year we received 138 inquiries which resulted in 77 charges being accepted for investigation. We closed 102 cases with an average of 264 days of investigation. Our open inventory at the end of August 2013 was 291 cases. We closed 10 mediations and 5 settlements with an approximate total monetary benefit of \$200,000 to the complainants.

Commissioner Wurzburg asked if we could report on how many complainants were represented by counsel in our mediations. Of the 41 mediations conducted in FY 2013-14 five complainants were represented by counsel and thirty two respondents were represented. As of July 1, 2014 of the 12 mediations conducted complainants were represented three times and respondents eight times. We will continue to track this information in our report.

The comparison reflects a decrease in case processing. At this time we are shifting our case closure push to better align with the EEOC measurement period which is May 1, 2013 to April 30, 2014. Normally, you would see higher numbers during this time because it is at the end of the federal fiscal year and we would have a need to push to close our contract. We've discovered that if we closed from May to April of the next year, this will potentially increase our contract automatically and then we will not need to ask for an upward modification that may or may not be approved. There will just be a little shift in the numbers in comparison years. Given this, we have completed our EEOC contract.

We are working with TSU who received a HUD grant. We were able to receive an intern for the fall and spring semesters. We met with the candidate on Wednesday and he will

probably start with us by October 1. He will work with Education and Outreach on housing events and with Richard on investigations and case processing.

A motion to accept the Employment report was made by Commissioner Wurzburg and seconded by Commissioner Pierce. A vote was taken and passed.

### **Housing Case Report**

Housing Coordinator Richard Gadzekpo reported that during the period from July 1, 2014 to August 31, 2014 62 inquiries were received resulting in 32 charges being accepted. Disability was the primary bases for cases and was followed by race. During the period 11 complaints were closed. When we do the comparison between 2014 and 2013 I would draw your attention to the fact that it looks like we are receiving more complaints now than the previous year. This year it was 62 and last year it was 52. Of those accepted this year 32 and last year 24. Benefits received this year \$4,798 and last year \$500. Our efficiency goal is 63% and we hope to stay on target to reach the goal HUD has set for us.

Outreach conducted during the monthly event at City Hall is going well and we delivered five complaint forms and spoke with seven to eight people. Our new staff member Corey Taylor was just assigned his first case and he has promised that it will be closed within 100 days.

The HUD Performance Assessment noted that we were able to meet and exceed the HUD Standards. There were minor concerns about an oversight with 2 cases where we did not complete a form that we were supposed to.

I always want to acknowledge the team effort for us to be able to do what we do. I want to thank Director Watts, Deputy Hooper, and the Legal staff who assure that our work is well done. One of our staff members said they were proud of what we do.

A motion to accept the Housing report was made by Commissioner White and seconded by Commissioner McDaniel. A vote was taken and passed.

### **Legal Report**

General Counsel Shay Rose reported on the July 1, 2014 to August 31, 2014 period when 49 employment cases were closed, 9 were administrative closures and 7 were settlements and there were 2 reconsiderations/appeals.

In housing, we closed 10 cases 3 of which were administrative closures and 5 were conciliations, settlements or some type of agreement. Legal also completed 4 copy requests.

Rachel Appelt attended the Title VI Training, Shay Rose attended the breakfast CLE at King & Belew; Rachel Appelt spoke at the Labor Conference with Commissioner Starling and Shay Rose attended EEOC's Policy Conference in San Diego.

Our intern Jesse Yoder finished his term on July 31, 2014. We will not have an intern in the spring as both of us will be out on maternity leave but will look at an intern for the summer.

We have worked with the Executive staff to make sure that everything including the Legislative session is covered.

The cause case update includes the employment case where a corrections officer was terminated because of his race. This went to hearing in November 29, 2012, and the ALJ has not issued a response. We have reached out to the ALJ several times and have received no order at this time. .

In housing, the first case is a disability one - failure to grant a reasonable accommodation by moving the Complainant to a first floor apartment. Complainant has a new attorney and staff are continuing to revive discussions with the respondent and an onsite was conducted this week and the parties are close to a settlement.

The second case is a failure to grant a reasonable accommodation based on disability which was just caused on June 30, 2014. The landlord felt that the Complainant calling an ambulance for assistance with her medical issues was a nuisance and evicted her for this reason. They also denied her request for a companion animal when they added an additional fee to her monthly rent which is not allowed under fair housing laws. This is a mixed finding case, as we did not find cause for the discriminatory statements, harassment or retaliation. The parties are close to a settlement and if they don't they will request a formal mediation which we will set up for them.

Commissioner Houston made a motion to accept the legal report. Commissioner Pierce seconded the motion. A vote was taken and passed.

### **Outreach & Education**

Erica Kesse reported on the period that covers July 1, 2014 through August 31., 2014 when we did two exhibits; there were four presentations and speaking engagements, two were done by Director Watts, one by Shalini Rose and one by Rachel Appelt. Director Watts spoke on the radio show Straight Talk hosted by Sherry Bishop and the audience is mostly African American.

The outreach attendance was nine and six of those were attended by Director Watts and two by Matthew Stephenson and one by Frank Guzman. We had one advertisement in a booklet for the NAACP. There were a total of 16 events in the period and a total for the year of 16.

In summary at four speaking engagements we reached 3,240 people.

Commissioner Miller asked if anyone could provide the revenue from the Employment Law Seminar in June. Allen Staley said \$29,000 and we carried forward \$3,000.

Commissioner Wurzburg added that the Education and Outreach Committee would like all commissioners that have connections to any media resources to give that information to Director Watts to be used in the releasing of the Status of Human Rights in Tennessee report.

Commissioner Pierce announced that she did a talk show in Knoxville on channel 10 on Equal Pay a couple of months ago and a couple of weeks ago she did one on Women's Right to Vote.

Executive Director Watts noted that the tracking for Facebook is on the last page of the report. Erica reported that we had five new likes on FaceBook and we did 12 posts per month and we have gained 23 unique users and on YouTube 199 views and 660 minutes viewed.

Allen Staley noted that the numbers for the Employment Law Seminar were \$16,000 with \$12,000 in expenditures and that left a savings of \$3,000 that we will carry forward.

Commissioner Miller noted that if you have a Facebook account you can use your mobile device to check in and it will show up on your page and all your friends will know you were here.

Commissioner Pierce made a motion to accept the communications report and Commissioner Selberg seconded the motion. A vote was taken and passed.

### **Title VI Compliance Report**

Matthew Stephenson, Title VI Compliance Director reported on the timeframe of July 1, 2014 to August 31 2014 and noted that the staff entered the period having completed all open investigations. We have received 71 and the turnaround time is now four days. Of the 71 inquiries 22 were jurisdictional complaints and those have all been initiated and are all open. During the period we have not closed any complaints and all of the 22 are now open and of those 18 are from the Department of Corrections.

In comparison to last year there were about the same number inquiries but they did more closures and they had 28 open cases.

Near the end of June we initiated a direct investigation involving the Rutherford County Circuit Court and the investigation was completed by LaShondia Chambers. We are currently reviewing the findings with legal.

The compliance review with the Department of Education has begun and we expect to have a complete review of all the findings by the end of October. We will be ramping up the compliance review cycle to complete more per year. Coming soon will be Finance and Administration and the Commission on Children and Youth and hopefully a couple more before the end of the fiscal year.

It is Implementation Plan season and we issued the department guidelines on July 23, 2014 training and a reminder was sent on August 1, 2014 and again since then reminding them the due date is October 1<sup>st</sup>. We have received a few and have begun the review process.

The guidelines are similar to last year and the only major difference is that we have asked for access to the original data. We have asked them to send us original spreadsheets of the data to make it easier to compile that after the fact.

The July 23, 2014 training was our big annual event and technical assistance. We had a full day event which began with the report card session with department heads and commissioners then moved onto the coordinators and did a very extensive training on how to do internal investigations in relation to the Human Rights commission.

We had 18 technical assistance requests during the period that involved Title VI coordinators or others calling us to ask how to implement their policies. Most of these could be resolved with a phone call and within 24 hours.

We are conducting an extensive review of our Standard Operating Procedures and have completed a complete overhaul of our complaint and inquiry procedures and are starting a compliance review procedure review.

A motion was made to accept the Title VI report by Commissioner McDaniel and seconded by Commissioner Wurzburg. A vote was taken and passed.

### **Announcements**

Commissioner McDaniel expressed his appreciation for attendance at his anniversary celebration and also for kind words for the loss of his sister.

Commissioner Pierce announced that the annual economic summit will be held from October 19 to the 20<sup>th</sup> at the Airport Marriott. Outstanding speakers are lined up such as Commissioner Clyburn and Victoria Butz from Harvard and she will send each of you the official announcement and encouraged everyone to participate.

Also Paula Casey chairs a committee called the Tennessee Women's Monument Committee which is trying to get a monument on the capitol grounds or state property for women who were involved in the suffrage movement as there are no statues of women on state grounds and we would like to rectify that so we are raising money and speaking with legislators and people in government to try to get them to approve a spot so we can put a monument out here so people will know how important the history is that Tennessee played in the women's right to vote.

Executive Director Watts added that staff will from time to time send commissioners information about events that are upcoming in your community and if you would like to attend we probably have tickets available. If there is some event or place that you think we need to be, let us know that and we will try to get there. Or if you would like to represent us at that event, let us know that and we appreciate you volunteering to do that.

Commissioner Pierce made a motion to adjourn. The motion was tabled until the Presentation of the Jocelyn Dan Wurzburg Legacy Award was complete.

Executive Director Watts: Last year during the 50<sup>th</sup> Anniversary Celebration we went around the state and honored advocates in specific city locations and an additional five. And we also did something else that we thought was unique. The planning committee chairs which consisted of Commissioners Jocelyn Wurzburg, former Commissioner Ruby Miller from Oak Ridge and Commissioner Patricia Pierce and Commissioner Wurzburg was excluded from the discussion (I wonder why). It was decided that we needed an award to recognize individuals who have done outstanding kinds of things. Commissioner Karla Miller is going to come and tell us about the criteria. The suggestion was presented to this board and they approved the presentation of the award last year to Commissioner Jocelyn Wurzburg for her service to the Commission having worked not once but twice.

She was recognized for her outstanding service because it is Commissioner Wurzburg who wrote legislation which gave us enforcement authority. She is now in this body again and she is prodded and pushed us along to do some things that she thought was necessary and our mediation program has been strengthened and actually enhanced as a result of that and the roundtable discussions and some other things have been things that she pushed and prodded along with other commissioners.

So when we think of her service, we see action, we see results and we see legacies. Commissioner Wurzburg we thank you for that and we have named this award in your honor. The first recipient was Jocelyn Wurzburg at the 50<sup>th</sup> Anniversary Celebration last year and if you think it is hard to surprise this woman, you just don't know.

We have people whispering every kind of place and way to get this done and we managed to surprise her. So that was good thing and we just want to thank her for her service.

After the 50<sup>th</sup> Anniversary we presented to this body that it needs to be an annual event and so Commissioner Miller will come and talk to you about the criteria for recipients.

Commissioner Miller: The Jocelyn Wurzburg Civil Rights Legacy Award is an award that is given to a person who is a long-term advocate of human rights whose life work embodies the ideals and principles of inclusion, equity, equality, access and diversity. And also demonstrates a consistent pattern of commitment to the elimination of discrimination. Also who cultivates and promotes initiatives that establish and foster a more inclusive and equitable community and environment. And one who exhibits visionary and insightful leadership to confront and resolve human rights issues. In short that person needs to be as fabulous as Jocelyn Wurzburg.

And apparently we have one in the room and her name is Dr. Carol Berz. Before Dr. Berz comes forward I would like to invite Jocelyn Wurzburg to come and say a few words.

Commissioner Jocelyn Wurzburg: Surprise does not begin to cover what happened at the 50<sup>th</sup> Anniversary. Commissioner Pierce, Commissioner Miller and I were on stage we had just finished what we had done so I was trotting off stage and headed down the stairs and they called me back and (for you Commissioners who were not there) it was an incredible surprise. This has to be the finest that I have ever received to have you do this.

Then the icing on the cake for this is that the first awardee of this award after its establishment has to be, for me, one of the most wonderful friends a woman could ever have in the person of Dr. Carol Berz.

We go back a long way, Carol and I, in fact we even laugh that we have had so many parallels in our lives, her in Chattanooga and me in Memphis, including that both of our ex-husbands were roommates in college. How parallel can you possibly get.

I had heard about Carol and we had met and she helped establish the panel of American Women that was designed to create a human relations program about prejudice and how it affected our lives. She started that in Chattanooga. Dr. Berz currently serves as Vice Chair of Chattanooga City Council. She is also Chief Executive Officer of a company called Private Dispute Resolution Services and Carol was one of the founders of mediation for the state of Tennessee.

She called me and said let me tell you what I am doing with my law degree. I am helping people get divorces in an uncontested way that is sane and sensible and not destroying the lives of the children and that is what you ought to be doing in Memphis. And I said great idea and then I went to a course in mediation and I called her and I said there is a name for what we are doing and it is called mediation. And you have got to start it in Chattanooga. So we formed what was called the Mediation Association of Tennessee.

She has gone on to be one of the first board members of the newly created Academy of Professional Family Mediators. She was on the Board of the Association for Conflict Resolution. She has been on that case for a very long time. And I am here to tell you that for the Academy of Professional Family Mediators she is the peacemaker on that Board of Directors because it is a strong opinionated board of Directors.

Carol was on for over eleven years the first Woman Chair of the Chattanooga Human Rights Human Relations Commission. She was appointed by the Governor for the Task Force on Church Arson. You may remember a decade ago there was a plethora of black churches mostly being burned and she was appointed by the Governor in office at the time.

She is a former Chair of the United States Civil Rights Commissions State Advisory Committee. She has received the Chattanooga Area Chamber of Commerce Athena Award. And she has been honored over and over again according to Rev. McDaniel with the highest and most important awards and acknowledgement.

I had written down here that Carol is smart, kind and I had written passionate warrior but I crossed off the word warrior because in mediation world we don't use analogies to things like warriors and battles and such. So she is a passionate advocate for human rights and civil rights and for conflict resolution. And luckily for me she is my friend, Dr. Carol Berz.

Commissioner Miller: We would like to present the Jocelyn Wurzburg Civil Rights Legacy Award to Dr. Carol Berz.

Phyllis Quarles Brooks: Not to be anti-climactic but there is nothing better than this but I would like to add how much we appreciate you. I have a few words to read from the Council. She has so many titles, attorney, Doctor, Council Lady, wife, mother so Dear Attorney Berz, It is with great pride that we extend our heartfelt congratulations to you on this very special occasion when you receive an award from the Tennessee Human Rights Commission named in honor of Jocelyn Wurzburg a tireless advocate for civil rights. You are most deserving to receive the Jocelyn D. Wurzburg Civil Rights Legacy Award.

As a former member of the Tennessee Economic Council on Women and the Women's Economic Council Foundation we are extremely proud of you and wishing continued success in your endeavors. All the members of the Economic Council and the Foundation send our warmest regards. Signed by Deana Wise, Chair and Karrie Campa, Vice Chair.

Dr. Carol Berz: I have always wondered why people get rewards for doing the right thing. It is what we should be doing every day. This is terrific and thank you my friend. Everything bad that I get in trouble for I have learned from either Jocelyn or Paul. I have to tell you that Paul and I have gotten in trouble a lot. In his church or his former church (but it will always be his church) there is a picture of Paul and me at the first Martin Luther King march in Chattanooga.

I was student at UTC and Paul's hair was (he was not always so austere and demure) and there was all kinds of FBI and TBI. We marched down MLK and we ended up at the old Olivet Church and everybody was creating dossiers on us because we acted like we could be trouble makers. Do you remember that Paul? (Oh Yeah!)

We were always getting in trouble. I looked like a little boy. I was really, really skinny and looked like a little boy in college and Paul was this very handsome (Like he is now except he had the hair). And then we continued getting in trouble together and thank God for that.

You know Jocie has heard me say (and I want to say again) that we were raised; I grew up in Backette in Atlanta. My dad was raised in Atlanta and my mom in Philadelphia and we were raised that if God gives you gifts it's not because you are so special, you are to use them for the betterment of other people. That's why you have those gifts.

And in the Old Testament the word is tacaunlaun the Hebrew is repair the world. That we were here and given our gifts for repair of the world. Not to talk about it, not to march and try to get people to think our way particularly. In other words we need to learn to walk the talk. And I guess it has been my spirituality, my firm belief in God that is in there that sees me through some pretty rough times. Whether it has been marches, whether it is standing up for wage equity, women's rights, sexual orientation equity, you name it. I don't think that God makes mistakes. I think sometimes we do as a little lower than the angels I am fallible. I know one thing that every creature is good and that somehow we have to figure out how to enable folks to be the best they can be.

The other thing that really helps us other than faith is a sense of humor. I am now a politician. I fell into that actually through the Tennessee Economic Council on Women. I did

a lot of writing for the council and we would publish books on the economic impact of domestic violence, the economic impact of women not owning businesses. One of them was the economic impact of women not being in Government.

When women are at the table the conversation changes and yet women somehow don't participate in government to the extent that they should. I had just sent the final draft to Nashville to be published and given to the Legislature and I got a phone call from a friend of mine who said Carol this isn't a democratic or a republican call. This is a call would you consider running for office.

Offices in the city of Chattanooga are non-partisan so it truly was a non-partisan race and my Democratic friends and my Republican friends and even Tea Party folks got involved because I am convinced that what people want is good government, honest government, not whiney government. And we won and we have been winning and in that process I have been able to do what I can for civil rights and human rights and it has been my pleasure and my honor.

I first got introduced to this body through my friend Joce who wrote the legislation for it and then I had the pleasure up at Fall Creek Falls of training (maybe not you guys) a number of the staff in mediation. That is how it got started.

I thank you very, very much. I would like to introduce the rocks. We have children. Not the roommate husband. My husband, Charles Dupree. We have been married for 32 years and he is a Federal Criminal Attorney. He doesn't mediate much. Our daughter Jenny who runs our business for us and the other kids are all over the country.

Family is important. Organizations like this are important. Your spirituality is important. Caring about other people is important and we need to not forget that. And particularly in some very difficult challenging times. Above all remember to keep your sense of humor. Earth is not a major planet and everything will work out okay. It will be okay. Thank you very much.

Executive Director Watts; Let me just say thank you for all those of you who let us do this. Thank you commissioners and Thank you Carol Berz for the work you do because it is people like you in places all across the state that keep moving us forward. And for that we are truly grateful. And thank Jocie and her work. Please join us after the meeting is adjourned for a light repast to celebrate Carol.

Commissioner Miller untabled the motion to adjourn that Commissioner Pierce made a while ago. Is there a second? It was seconded by Commissioner Houston. With no discussion the meeting was adjourned at 10:55 a.m.