



**TENNESSEE HUMAN RIGHTS COMMISSION**  
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**November 20, 2020**  
**Board of Commissioners Meeting**  
**Via Web Ex**  
**Minutes**

**Commissioners Present:**

Commissioner Arnwine  
Commissioner Behler  
Commissioner Crafton  
Commissioner Crider  
Chair Derryberry  
Commissioner Hayes  
Commissioner Houston  
Commissioner Martin  
Commissioner Sloss

**Staff Present:**

Beverly L. Watts, Executive Director  
Lynn Cothren, Special Assistant to the Executive Director  
Dawn Cummings, General Counsel  
Carla Johnson, Compliance Coordinator  
Veronica McGraw, Communications Director  
William Wade, Associate General Counsel  
Tanya Webster, Title VI Compliance Director  
Saadia Williams, Housing Coordinator  
Dazaly Reyes-Montalvo, Administrative Assistant

**Guests:**

Muriel Malone  
Lauren Cecil  
Allen Staley, Fiscal Officer

**Call to Order**

Chair Robin Derryberry called the meeting to order at 9:05 a.m. CST and requested a moment of silence given the situations in our daily lives. The roll call was taken with nine commissioners present. Last minutes of the Commission meeting were

reviewed and needed corrections, Commissioner Behler made a motion to approve the minutes. Commissioner Arnwine seconded the motion.

### **Executive Committee Report**

Chair Derryberry called the attention on a professional committee that was set up to overview the proposed bylaw amendments for conflict of interest, grievances and commissioner conducts. Commissioner Crider proposed for the bylaws to go to law and legislation Committee first. Commissioner Sloss made a motion for the proposal to go to law and legislation and Commissioner Crider seconded the motion. A vote was taken and pass. A law and legislation meeting was suggested by Commissioner Houston, approved and scheduled for 10-days and was added to the calendar.

### **Law and Legislation Committee Report**

Chair Derryberry called for a report from Commissioner Sloss, the law and legislation committee was originally scheduled to meet as an entire commission, explained it was not possible since there was not a quorum to do so, they were able to meet as regular committee; a consideration was made on the draft or the proposed questions to go to the Attorney General to make a request for an exception on the questions for it to be reduced. Chair Derryberry suggested since there is a law and legislation meeting in the next 10-days, to bring this subject up in the meeting for the entire board for consideration. A motion was made by Commissioner Crafton seconded by Commissioner Behler to accept the report. A vote was taken and passed.

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

Executive Director Watts began her report by noting that budget meeting was held yesterday with F& A regarding the fiscal year 2022 budget. There is no change in budget from FY 2021 to FY 2022. The current fiscal year is \$2,792,400.00 of which 1,910,800.00 state dollars and \$881,600 are federal dollars. She noted we are currently funded for 29 full time positions and there is a cut of 2% for this year which is taken out of equity (\$34,300-\$17,000 from salary and \$17,300 from benefits). We not able to do improvements. The 12% proposed reduction was not removed from the budget. She provided an update about the impact of COVID-19 on staffing, operations, customer service and mission delivery. She noted all positions had been filled except the deputy director. Director Watts introduced the new employees Dazaly Reyes Montalvo, customer services and administrative support; Amy Pedigo, Chattanooga regional coordinator; Xandria Johnson, customer service and administrative support and Gwendoline Adams, Memphis regional coordinator.

Allen Staley reported that everything is on track for the fiscal year. He indicated that revenue is showing a negative because we make accruals and until it comes in it will show as a negative. He again noted that we are on track and not anticipating any problems.

Chair Derryberry welcomed all the new employees. Chair Derryberry asked Director Watts if she had any additional items to report, Director Watts stated there are plans to hold on a virtual all employee meeting during the first week in December so all staff can meet each other and receive some training. We will notify Commissioners of the date and time. Chair Derryberry asked for a motion to accept the executive directors report. Commissioner Arnwine made the motion which was seconded by Commissioner Houston. A vote was taken and passed.

### **Employment Case Report**

Compliance Officer Carla Johnson reported that intake for the two-month period from September 1, 2020 to October 31, 2020 that 116 inquiries were received 74(64%) were received through the online form. She noted that this is a decrease of 24% compared to the same period of the last year. Twenty-two complaints have been files of which 19 are duals filed, and 3 are THRC only. There are 149 pending inquiries, due to the increase workload, customer service staff will be trained to support the intake unit. Agency closed 20 cases of which 17 were dual files, and 3 were THRC only there were 15 cases closed as no cause, 2 complainants requested a notice of a right to sue letter, one charge was not jurisdictional, one was administratively closed and one was withdrawn without benefits. Chair Derryberry asked for a motion to accept the Employment report. Commissioner Houston made the motion which was seconded by Commissioner Behler. A vote was taken and passed.

### **Housing Case Report**

Housing Coordinator Saadia Williams reported for the two-month period of September 1, 2020 to October 31, 2020, the housing division received 123 inquiries and accepted 18 inquiries as complaints for investigation. Disability was the number one basis for complaints followed by race and gender. For this fiscal year, 42 dual-filed complaints have closed, of which 16 or 38% were closed within 100 days. Chair Derryberry asked for a motion to accept the Housing report. Commissioner Arnwine made the motion which was seconded by Commissioner Crafton. A vote was taken and passed.

### **Title VI Compliance Report**

Title VI Compliance Director Tanya Webster reported from September 1, 2020 through October 31, 2020, 48 Title VI Implementation Plans (IP) have been received and all were received by October 1, 2020 which made them timely. There were 15 agencies that submitted manual hard copies and 33 submitted electronically. During that time period 21 agencies Title VI Implementation Plans were initially reviewed but since her commission report, the unit had reviewed 30 agencies Implementation Plans. Initial review memos have been sent out to the Title IV Coordinators to make revisions. She noted that 52 inquiries were received of which 12 were jurisdictional. The remaining 40 were not jurisdictional and were sent to the proper agencies for handling. There are currently 68 open Title VI complaints. She also noted that 250 technical assistance requests were received and most related to IP assistance. Chair Derryberry asked for a motion to accept the Title VI report. Commissioner Sloss made the motion which was seconded by Commissioner Behler. A vote was taken and passed.

### **Legal Report**

General Counsel Dawn Cummings reported that there are two cases currently with the Court. The first one is Echevarria vs JKA. In this case, the Commission issued a Final Order. The Aggrieved Party filed for judicial review of the Final Order. The second case is Robin Wade v. THRC. In this case, a no probable cause finding was issued. The Complainant is requesting that the Court review the investigation and finding. There was a prehearing held during this time period. Complainant requested more time to prepare. Both cases are with the

Attorney General's Office. We have two cases awaiting Commission Board review. These cases are Piatt v. H & Y Consulting and McNeil v. Galloway HOA. The Commission reviews that were scheduled in these cases were postponed by the Commission Board. There are two cases waiting decision from the Administrative Law Judge. One case is Short vs Wild Gals. The other case is a housing case awaiting default judgement. We have two hearings set for December. Those cases are Woods vs KCDC and Kalantzis v. OP Village. Commissioner Crider asked about the status of the ballet arts case. Dawn Cummings said the conciliation agreement has been signed and it is active. Commissioner Houston pointed out there is a typo on the report of Free v. Berryman. With the correction, Commissioner Houston moved to accept the report. The Motion was seconded by Commissioner Arnwine. Motion to accept the report was approved.

### **Communications Report**

Communications Director Veronica McGraw reported that THRC is conducting several fair housing webinars through HUD partnership funds and HUD CARES ACT fair housing funding, the first webinar was titled "Fair Housing and Evictions" and was held on November 17, 2020. She noted that 70 people attended, and this webinar was in partnership with West TN Legal Services. The next webinar titled "What you Need to Know: Housing Discrimination and COVID- 19" is scheduled for December 8<sup>th</sup>, this 3-part webinar series is in partnership with Habitat for Humanity of Greater Memphis. The first webinar held in November is part of the HUD partnership funds and the webinar in December is part of the HUD CARES ACT funds. These webinars will be available for viewing the webinars on the THRC website within the next 2-weeks. She noted that December 10, 2020 is International Human Rights Day, and both Chattanooga and Nashville will have virtual celebrations. She stated if anyone is interested in attending you will receive an email with the link to register. She said that she spoke to Mrs. White about the Wurzburg Award presentation and let her know but due to the increase in COVID-19 cases we are considering an in-person presentation sometime in the spring, if possible. Commissioner Behler made a motion to approve the report and it was seconded by Commissioner Arnwine. A vote was taken and approved.

Commissioner Houston stated the law and legislation committee minutes were not accepted, and one correction that she would like to be consistent is that we refer to her as Chair in some places and Chair Derryberry on others, she would like the minutes to be specific as to what Chair we are talking about. Chair Derryberry said that there was a motion and a second on this. A vote was taken favor on accepting the law and legislation committee report with changes as amended, all were in favor and the report was accepted.

Next board meeting is on January 22, 2021. Chair Derryberry asked for a motion to adjourn, Commissioner Julius Sloss made the motion which was seconded by Commissioner Houston. Meeting adjourned at 10:07am CST.