



**INDIANA
CIVIL
RIGHTS
COMMISSION**

MITCHELL E. DANIELS, JR. GOVERNOR



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INDIANA CIVIL RIGHTS COMMISSION
Minutes of the
April 20, 2007 Meeting

Chair Blackburn called the regular monthly meeting of the Indiana Civil Rights Commission ("Commission" or "ICRC") to order. The meeting was held in Indianapolis, Indiana in Room A of the State Conference Center at the Indiana Government Center South, in Indianapolis, Indiana.

ATTENDEES:

The Commissioners present were: Commissioners Alpha Blackburn, David C. Carter, Barry Baynard, and Charles Gidney. Four Commissioners being present and constituting a majority of the commissioners, a quorum exists—being a number sufficient to conduct business and take final actions.

Commission Director Gregory Kellam Scott, and several staff members, including Deputy Director Christine Cde Baca, were present in person.

A. AGENDA REQUEST:

No Agenda requests were received for this month.

B. APPROVAL OF THE MINUTES:

It was moved by Commissioner Carter and seconded by Commissioner Baynard to approve and adopt the minutes from the Commission's February meeting. The motion carried by unanimous vote of all Commissioners present.

"Morality cannot be legislated, but behavior can be regulated." – Dr. Martin Luther King, Jr

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C. NEW BUSINESS:

Deputy Director Cde Baca reported the Indiana Consortium of Human Rights Agencies will hold it's annual meeting June 20th and 21st at the Fort Wayne Hilton in Fort Wayne, Indiana.

Judge Scott reported the agency is in the process of planning a agency retreat with strategic planning and staff team building as the main purposes. The retreat will be held September 27th and 28th.

This meeting being the Annual Meeting of the Commission, the election of officers is on the Agenda. Commissioner Baynard nominated Alpha Blackburn to serve as Chair and David Carter to serve as Vice-Chair. No other nominations were made. Both Commissioners accepted their nomination. Commissioner Gidney seconded the motion. The motion carried unanimously, with all present voting to elect Commissioner Blackburn as Chair and Commissioner Carter as Vice Chair.

D. OLD BUSINESS

Director Scott reported that House Bill 1777, which proposes to transfer the Dr. Martin Luther King Indiana Holiday Commission from the Indiana Civil Rights Commission to FSSA was introduced before the General Assembly in the House of Representatives. The Bill, sponsored by Representative Summers passed in the House. It was then passed on to the appropriate committee in the Senate. It has not passed in the Senate so it is not law, at this time. The Director will keep the Commissioners apprised as to the status of HB 1777.

Director Scott reported the annual Holocaust Observance was held in the Rotunda on Monday, April 16, 2007 While Director Scott was not able to attend due to family responsibilities, Deputy Director Cde Baca attended the program. The related Youth Summit brought approximately 1,000 students to the Rotunda from high schools across Indiana. The Key Note speaker was Phillip Landry.

Deputy Director Cde Baca reported the Commission's letter to the General Assembly and Governor Daniels opposing House Bill 1777 was completed, signed by all Commissioners and will be delivered to all intended recipients. Deputy Director Cde Baca stated she would hand deliver copies of the letter to the Governor's Office and to the Senate so the Commission's unanimous opposition to HB 1777 will be on record, indicating opposition to the transfer of the King Commission to another agency and disagreement with the reduced quorum requirement as impractical and making clear to all the Indiana Civil Rights Commission, an agency comprised of both democrats and republicans, oppose

House Bill 1777 and stating the reasons why it is not considered to be in the best interest of Hoosiers.

Director Scott announced the May Commission meeting will be held at The University of Evansville in Evansville, Indiana. The Evansville local commission is looking forward to having the Civil Rights Commissioners present for the purpose of conducting its May Meeting in Evansville.

E. COMMITTEE REPORTS:

Financial Report

The Commission's monthly financial report was presented by Robin Degner, the Office Operations Manager. The Report was accepted without any questions.

F. CONSENT AGREEMENTS:

It was moved by Commissioner Carter and seconded by Commissioner Baynard to accept the Consent Agreement in the case of Armstead v. Northeastern Wayne School Coporation. The motion carried unanimously.

G. FINDINGS OF FACT. CONCLUSIONS OF LAW. AND ORDERS:

It was moved by Commissioner Baynard and seconded by Commissioner Carter, that the Commission accept the findings of fact, conclusions of law and order proposed in the case Blain and Sterns v. Complete Stop, Inc. The motion was approved unanimously.

H. REPORT FROM COMMISSIONERS ON COMPLAINANT APPEALS:

It was moved by Commissioner Carter and seconded by Commissioner Baynard to accept the recommendation of Commissioner Ramos to uphold the Director or the Deputy Director's finding of No Probable Cause in the case of *Brooks v. Business Health Plus*. The motion was approved unanimously.

I. ASSIGNMENT OF APPEALS TO COMMISSIONERS:

Complainant Appeals were assigned to Commissioners as follows:

Chair Blackburn – Freeman v. St. Vincent Hospital
Comm. Carter – Kordachi v. Evansville Housing Authority
Cohen v. Vevay Apartments
Comm. Baynard- Lapadat v. Steffey Insurance Agency
Comm. Gidney—Hendricks v. Indianapolis Housing Authority

J. ADMINISTRATIVE UPDATE :

Director's Report

Director Scott presented his report to the Commission. Commissioners should recall the Commission's budget was presented to the Ways and Means Committee and it is expected to be approved, providing additional funds for the Commission and, for the first time in over ten years, a separate line-item funding the Dr. Martin Luther King, Jr. Indiana Holiday Commission.

The Director and members of the commission legal staff have had a second meeting with the Attorney General's Office regarding the Proposed Retaliation Regulations. The meeting went well and we provided information to the Attorney General's office to answer questions about the open access statute and the authority and procedural ability of the Commission to issue an immediate order of cease and desist.

Deputy Director Report

The Commission's Deputy Director, Christine Cde Baca, reported that the Commission's pending case inventory this month reflects 473 cases. During the month of March, 59 cases were added to the caseload. Dispositions or case closings during that time were 67, reflecting continued reduction of the pending case load.

The Commission's Deputy Director, Christine Cde Baca stated the staff was able to complete the mediation of a total of twelve cases during the month of March, which resulted in several case closings by mediation.

Deputy Director, Christine Cde Baca reported the Education Steering Committee will work with The Department of Education through the Indiana School Improvement Grant, focusing on Positive Behavior Incentives Support. The committee has met twice with the next meeting scheduled to be held April 25th, 2007.

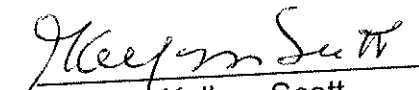
Commission staff member Katherine Lee, who works with the Deputy Director in the area of education, reported on the Disaggregated Data which deals with trends and looks at disparities, suspensions and expulsions. She noted a possible trend in the area of discipline based on defiance.

K. **ANNOUNCEMENTS:**


None this month.

L. **ADJOURNMENT:**

There being no further business to come before the Commission, on motion duly made and seconded, the meeting was adjourned.



Gregory Kellam Scott
Director
Dated: _____



Alpha Blackburn
Chair
Dated: 4/20/07