

MINUTES	Thursday, May 13, 2021 at 12:00 PM	
Human Relations Commission Meeting	Commission Room 1st Floor—City Hall 224 West Ninth Street Sioux Falls, South Dakota or by teleconference at 1-408-418- 9388, Access Code 187-629- 7150##	

BOARD MEMBERS PRESENT: Nassir Yemam, Megan Myers
PRESENT BY PHONE: Megan Grode Wolters, Ryan Chase, Justine Schoolmeester
BOARD MEMBERS ABSENT: Karen Gourley, Kassidi Smith
STAFF PRESENT: Sharla Svenes, Lyndsey Meier, Elise Haugaard

CALL TO ORDER

A quorum being present, the meeting was called to order at 12:03 p.m.

ADOPT THE AGENDA

A motion was made by Myers and seconded by Yemam to adopt agenda. Motion passed.

APPROVAL OF MINUTES

A motion was made by Chase and seconded by Grode Wolters to approve minutes from the April 2021 meeting. Motion passed by a vote of 5-0.

BUSINESS OR PENDING ISSUES BROUGHT BEFORE THE BOARD

Guest Speaker - Scott Michael Dunn, CEO Costello Companies – Fair Housing Discussion:

- Dunn discussed issues on the horizon per HUD with top three concerns being sex discrimination, Covid-19 related issues, and disability. Disability remains the biggest issue needing to be addressed in housing. Dunn referenced a U.S. Supreme Court case, Bostock v. Clayton County, Georgia, which ruled that gender identity and/or orientation discrimination does equate to discrimination based on sex as prohibited by Title VII of the Civil Rights Act of 1964. HUD has seen an upward trend in sex discrimination with one agency reporting 56 cases. Dunn provided national data of discrimination cases from 2010-2020 which revealed disability continues to be the predominate basis followed by race. Disability accounts for over 50% of cases and more than every other category combined. Dunn noted to alleviate uptick, it's important to review Fair Housing provisions and continue to educate yourself on individual rights.
- In regard to Covid-19 related issues, HUD is focusing on four primary protected classes: race as they've seen an uptick in discrimination against Asian Americans; disability issues where landlords are using COVID restrictions as a reason to not provide reasonable accommodations; familial status issues involving landlords concerned with children not following Covid-19

regulations/guidelines resulting in restrictions; and sexual harassment due to the number of people losing their jobs and fearful of also losing their housing which in turn has increased vulnerability to sexual exploitation and/or harassment.

- Discussed reasonable accommodations of assistance animals under the Fair Housing Act. This has led to a growing industry online with websites requesting payment for certification. Inquiries into these markets have shown they are ultimately preying on individuals with disabilities. HUD has determined verification bought off the internet is not sufficient per FHEO-2020-01. Dunn advised the Social Security Administration reports 12% of people have a disability which he feels is a conservative assessment. Reasonable accommodations need to be met while also remembering other tenants and protection of their rights. Creativity is often utilized to ensure satisfaction by all parties.
- Yemam brought up language barriers and not having access to interpreters which can result in miscommunication and/or misinformation. Dunn said they are utilizing Language Link services which helps property managers and tenants communicate more effectively. Section 8 properties use the same lease agreement which has been translated into other languages. Tenants often rely on their own connections to assist with translation of documents. They have also seen minor children used to translate, although they would prefer to utilize other options if available. HUD Program provides documents in approximately 15 other languages.

Officer Elections: Schoolmeester motioned to nominate Myers for Chair and Chase seconded. Motion passed 4-0. Myers motioned to elect Schoolmeester as Vice Chair which Yemem seconded. Motion passed 4-0. Myers moved to defer election of Secretary until next meeting. Grode Wolters seconded motion and it passed 5-0.

Update from Board Diversity Recruitment Committee: Myers indicated they continue to work on streamlining recruitment and onboarding for citizen boards. Board chairs and liaisons have been identified and they are hoping this undertaking can be a group effort.

Update from Communications and Outreach Committee: No update at this time.

Discussion regarding Possible Renaming of Commission to Better Reflect its Purpose: No action being taken at this time. Further discussion held about ambiguous name and Myers suggested human rights division as this better states functions. Item will be continued for upcoming meetings.

HUMAN RELATIONS DIVISION STATISTICS

There are currently 46 active discrimination cases, and the top three bases are race, disability, and retaliation. In April, the Human Relations Office had 22 walk-ins or phone calls regarding housing; two phone calls regarding employment; and 11 calls regarding other discrimination-related items.

CIVIL RIGHTS UPDATE

- April 19, 2021 – DOJ announced settlement today with the Arizona School District to protect English learner students. The agreement resolves the department’s investigative findings that found system wide failures to provide the instruction, resources, and teacher training that students need to master English, leaving them to struggle academically year after year. The department conducted its investigation under the Equal Educational Opportunities Act of 1974. Under the settlement agreement, the district will increase language instruction for English learner students so they can become fluent in English and understand coursework in all of their academic subjects.

- April 15, 2021 – DOJ announced settlement agreement with the City of West Monroe, Louisiana resolving allegations that the current at-large method of electing the West Monroe Board of Aldermen results in Black citizens having less opportunity than white citizens to participate in the political process and to elect candidates of their choice, in violation of Section 2 of the Voting Rights Act. Although Black residents comprise nearly 30% of the electorate, no Black candidate has ever been elected to the West Monroe Board of Aldermen. Under the agreement, West Monroe will discontinue use of its current at-large method of electing the five members with three of the members now being elected from single-member districts and two members remaining elected at-large.

PUBLIC INPUT

Anny Libengood and Scott Michael Dunn were present and provided input. Libengood discussed name change and shared research shows human rights is often used in other Midwestern cities. Dunn also noted that Human Relations is too similar to Human Resources and infers similar functions.

NEXT MEETING

June 10, 2021

ADJOURNMENT

A motion was made by Myers and seconded by Yemam to adjourn the meeting. Motion passed by a vote of 5-0.

Meeting was adjourned at 1:05 p.m.

Respectfully submitted,

Lyndsey Meier
Human Relations Specialist