

## **MICHIGAN CIVIL RIGHTS COMMISSION MEETING**

Monday, March 22, 2021 ~ 5:00 P.M.

Virtual Meeting: Zoom web conferencing platform; Livestreamed via You Tube and Facebook

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

### **MINUTES**

PRESENT: Commissioner Chair Stacie Clayton  
Commissioner Ira Combs, Jr.  
Commissioner Zenna Elhasan  
Commissioner Regina Gasco Bentley  
Commissioner Anupama Kosaraju  
Commissioner Gloria Lara

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 5:00 P.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Chair Clayton, Commissioner Combs, Commissioner Gasco Bentley, Commissioner Elhasan, Commissioner Kosaraju, Commissioner Lara. With six of seven Commissioners present, quorum requirements were met.

*Commissioner Roberson arrived after the meeting was in progress, 5:09 p.m.*

#### APPROVAL OF MEETING AGENDA

**Commissioner Elhasan moved to amend the agenda, to move public comment to the end of the meeting. Commissioner Lara second it. After discussion and vote, the motion carried unanimously.**

#### OPENING MATTERS

Chair Clayton acknowledged that on March 1, 2021, Vernon Jordon, former president of the National Urban League and civil rights activist, died. Mr. Jordon had close connections with all corners of American politics including presidents from both parties, including Democrats Lyndon Johnson, Bill Clinton, and Barack Obama; to Republicans Ronald Regan, George H.W. Bush, and George W. Bush. Unfortunately, soon after that on March 6, 2021, "the people's" Attorney General Frank Kelly passed away. She said some of his legal crusades are legendary and are still remarked upon now, decades later. However, unknown to many is how Mr. Kelley pursued equality in his office and gave Blacks and females opportunities they never had before.

Chair Clayton stated since our last meeting, there has been an increase in hate crimes against the Asian community, including the horrific killings in Georgia last week.

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

Commissioner Anupama Kosaraju shared a few words on behalf of the Commission regarding the surge in hate crimes. She acknowledged the state Legislature passed a resolution last week and it is a step in right direction. On behalf of the Commission, she called for a nation that will make Asian Americans feel welcome and not feel threatened. Kosaraju said there is an epidemic of hate crimes happening in the middle of a pandemic and it is not sitting well in the global community. Kosaraju appreciated everyone's time and wanted to point out that the resolution passed by both the Senate and House identified the numbers to call and report acts of hate against Asian Americans, which she encouraged people to do. Kosaraju said even with the reported high numbers, only five percent of the actual crimes are reported – for example, if we are seeing a report of four thousand crimes occurring, that is only reflective of 5 to 10 percent of the actual crimes taking place, which is obviously a much larger problem. Kosaraju urged each one of us in our roles as community leaders to reach out and dismantle stereotypes and educate how as a country we can move forward and respect and love each other.

#### PUBLIC COMMENT PROTOCOL –

Deputy Director Mary Engelman provided instructions to members of the public who wished to address the Commission during the Public Comment segment of the meeting.

#### ADOPTION OF CONSENT AGENDA

**Commissioner Combs moved to adopt the Consent Agenda as submitted. Commissioner Elhasan seconded it. There was no discussion. After a vote, the motion carried unanimously.**

#### APPROVAL OF MINUTES FROM JANUARY 25, 2021 MEETING

**Commissioner Lara move to Approve the Meeting Minutes as submitted. Commissioner Combs seconded it. There was no discussion. After a vote, the motion carried unanimously. Motion carried with 7 Yeas – 0 Nays – 0 Abstention.**

#### GUEST PRESENTATIONS

Dr. M. Roy Wilson, President of Wayne State University, and a Member of the Michigan Coronavirus Task Force on Racial Disparities, addressed the Commission. Dr. Wilson talked about how in the early days of the pandemic (March and April 2020), there were quite a few disparities with blacks getting COVID and dying from it. He noted that around mid-June, there was a significant shift in disparities.

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

Dr. Wilson stated the vaccination rate in the African American population is much lower right now than in the general population across all age groups, which is a concern for the older age group because they are the ones that are most susceptible to hospitalization and death. He said we must keep a close eye on that to make sure that the vaccination rate in the minority population picks up and becomes equal to that of the general population; otherwise, we are going to go backwards.

Dr. Pamela Pugh, Vice President of the State Board of Education, addressed the Commission. Dr. Pugh expressed her concerns regarding the reopening of the schools in Michigan. She stated approximately 84 percent of the school districts are open, and many of our communities have a COVID-19 positivity rate of about 15 percent. Dr. Pugh stated that we saw a 70 percent decline in our COVID-19 rates because the Governor had put a halt/pause on in-person high school and indoor dining. She said we need to make sure we are impressing on those who are in charge over the vaccine distribution in Saturday clinics, evening clinics, church clinics, in as many neighborhoods as possible, to make sure we make access and distribution as equitable as possible.

Dr. Pugh goes on to say that we have \$841 million dollars that is being held up at the state level, and this funding is supposed to help make the buildings safer. She said the buildings where we know Black children attend are going to have the least adequate ventilation and building conditions are going to be the most deplorable due to inequitable funding in schools. She also said the soaring COVID-19 positivity rate is a huge concern. Dr. Pugh stands with and commends the MCRC for standing up and trying to stabilize funding by holding back 25 percent from charter schools. Dr. Pugh states that in 2017, the NAACP stood for the same and the National NAACP called to eliminate charter schools. She said no federal, state, or local dollars should be used to fund for-profit charter schools, nor should public funding be spent for non-profit charter to for-profit charter management companies. "I continue to stand with our children," she said.

## DIVISION AND OTHER REPORTS

Director White submitted his written report to the Commission; reported on the Director's activity from January 2021 to March 2021.

Commissioner Roberson thanked him for recognizing her father during the Department's Black History Month social media campaign.

Assistant Attorney General Report was provided by Assistant Attorney General David Cannon in the absence of Assistant Attorney General Ron Robinson.

AAG Cannon provided the following contact information for reporting hate crimes: email contact [hatecrimes@michigan.gov](mailto:hatecrimes@michigan.gov) and phone number (313) 456-0180.

Commissioner Combs requested an update on human trafficking. AAG Cannon will follow up on Commissioner Combs' request.

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

## COMMISSION BUSINESS

### Chair Report, Stacie Clayton

Chair Clayton thanked everyone within the Department for putting together the instructional retreat held last month. She said everything was well organized, and the presenters were well prepared. Chair Clayton gave special thanks to Alfredo Hernandez and the Michigan Council for Local Government and Education on Equity and Inclusion work group for their report and continued work and recommendations on the Education Equity in Michigan report. She said this group met once or twice last year and has held four meetings so far this year.

At the Commission's special meeting last November, the Commission voted to have a funding analysis prepared comparing traditional and charter public schools funding. Commissioner Lara, who took the lead on behalf of the Commission, spoke on this topic, as well as TJ Bucholz, the consultant from Vanguard Public Affairs who wrote the Education Equity Michigan Report and performed the analysis, and Buzz Thomas, Chair of the Board for Michigan Charter School Association (MAPSA).

Commissioner Elhasan explained that the job of Commissioners is to hear both sides. She said the public comment and opinion are to provide the Commission the opportunity to potentially revisit, reconsider or think things through based on recommendations made at that meeting or have been made in the past. During a special meeting, she said the Commission mentioned that the Education Report was a living breathing document and they were looking to gain comments and feedback from the public. This meeting was very significant, and the topic was very important. The newest colleagues were not present at the time. Commissioner Elhasan stated she was bombarded by at least 250 e-mails about this topic. She said the Commission wants to do what is right, and they want to have the proper tools to make a decision that is best for the state and best for the students.

Commission Lara stated she is new to the Commission and was not here in the beginning of the Education Equity report. She discussed teachers' salaries, administrative costs, and student demographics. She went on to say that some public-school academies did not have their charter renewed because of significant lack of student progress.

TJ Bucholz presented his analysis that was provided to the Commission. He spoke about the rationale for suggesting the 25 percent reduction from charter schools funding. He said the recommendation came from looking at the difference in funding public school academies verses charter schools and was based on removing the profit motive from the operation of all schools in Michigan. He said the document was created to drive conversation.

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

Buzz Thomas spoke against reducing charter schools funding by 25 percent and stated the equity report got it wrong. He said according to data compiled by researchers from Grand Valley State University, charter schools serve a disproportionately higher percentage of minority students and children living in poverty. He also shared two very important points, that 49 percent of students in charter schools are African American compared to 14.1 percent in traditional public schools, and 75.9 percent of students in charter schools are classified as economically disadvantaged compared to 47.6 percent in traditional public schools. He said traditional school districts in Detroit, Flint, and Grand Rapids did not lose money when a charter school came in; they gained money. He also said half of children in Detroit and half of children in Flint attend a charter school.

**Commissioner Elhasan moved to strike language from the education Equity Report that states charter schools should receive a 25 percent reduction to their foundation grant. Commissioner Lara seconded it. No discussion. The motion carried with a vote of 6 Yeas – 0 Nays – 0 Abstention.**

**ROLL CALL VOTE:**

**Clayton - Y  
Gasco-Bentley - Y  
Elhasan - Y  
Roberson - Y  
Kosaraju – Y  
Lara - Y**

**Commissioner Combs was not present to vote due to technology issues but rejoined the meeting at 6:52 P.M.**

**ONGOING BUSINESS**

There was no ongoing business.

**NEW BUSINESS**

The Commission created three committees: First, Administrative Rules (Chair Clayton, Vice Chair Elhasan and Commissioner Roberson). Second, Education Equity (Chair Clayton, Commissioner Kosaraju and Commissioner Lara). Third, Economic Equity and Contract Compliance (Commissioner Combs, Commissioner Roberson, and Commissioner Lara).

The Commissioners on each committee will work with the MDCR staff and will bring in subject matter experts to help advise the committee when and if necessary. Dan Levy, Mary Engelman, Marcelina Trevino and Sylvia Elliott started some of this work two years ago.

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

#### PUBLIC COMMENT

Kellie McCline – Ms. McCline brought concerns regarding the 25 percent language and is in support of removing the 25 percent language.

Fred Borowski – Mr. Borowski brought concerns regarding the 25 percent language. He is in support of removing the 25 percent language.

King Khii – Mr. Khii brought concerns of being attacked by a white hate group and as a result, suffered brain injury.

Tia Doyle / Fenton, MI – Ms. Tia brought concerns regarding the 25 percent language and is support of removing the language.

8973 – Mrs. George brought concerns regarding low vitamin D in the black community, stating 82 percent of Blacks are low on vitamin D.

Walter Jones / Detroit, MI – Mr. Jones brought concerns regarding how the CARES money has been distributed and is concerned with the current formula being used to distribute funding to public and charter schools.

Thomas Pedroni – Mr. Pedroni brought concerns regarding funding for public and charter schools; stated research conducted in Michigan shows both for-profit and nonprofit charter schools have moved funding out of the classroom and into administrative salaries.

Lola Hopcraft / Flint, MI– Ms. Hopcraft thanked the Commissioners for the thoughtful conversation and additional research conducted for equitable funding.

#### COMMISSIONER CLOSING COMMENTS

Commissioner Kosaraju expressed concerns with literacy gap increasing during COVID-19, which has been exacerbated amongst Black children. She commends the Commissioners for taking up this task.

Commissioner Combs thanked the Commissioners for having the discussion, Commissioner Elhasan for weighing in on the education equity issue, and Commissioner Lara for the research she did.

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

## ADJOURNMENT

**MOTION: Move to Adjourn. No discussion initiated. On Motion duly made (Combs) and supported (Kosaraju), the meeting of the Michigan Civil Rights Commission Adjourned at 7:30 P.M. Motion carried unanimously.**

*The next regular meeting of the Michigan Civil Rights Commission will convene on May 24, 2021 at a time and location to be determined.*

MINUTES WERE APPROVED AT MAY 24, 2021 MEETING.