

## MICHIGAN CIVIL RIGHTS COMMISSION MEETING

Monday, September 27, 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: Commission Chair Stacie Clayton  
Commission Vice-Chair Zenna Elhasan  
Commission Secretary Ira Combs, Jr.  
Commissioner Richard Corriveau  
Commissioner Regina Gasco-Bentley  
Commissioner Anupama Kosaraju  
Commissioner Gloria Lara  
Commissioner Portia Roberson

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 5:02 P.M.

Chair Clayton welcomed participants to the meeting by way of Zoom web conferencing and Facebook / You Tube livestream platforms.

Roll Call of the Commissioners was taken by Clerk Sylvia Elliott to determine a quorum. Chair Clayton, Vice-Chair Elhasan, Secretary Combs, Commissioner Gasco-Bentley, Commissioner Roberson, Commissioner Lara. With six of eight Commissioner present, quorum requirements were met. *Commissioner Corriveau and Commissioner Kosaraju arrived after the meeting was in progress.*

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Amend the Meeting Agenda by moving Commission Business (Agenda Item VIII) to follow Public Comment (Agenda Item VI).** There was no discussion. **On Motion duly made (Combs) and supported (Lara), the Meeting Agenda was Amended.** *Motion carried unanimously.*

**MOTION: Move to Approve the Meeting Agenda as amended.** There was no discussion. **On Motion duly made (Combs) and supported (Roberson), the Meeting Agenda was Approved.** *Motion carried unanimously.*

***Commissioner Kosaraju joined the meeting at 5:04 p.m.***

## OPENING MATTERS

### WELCOME / CHAIR REMARKS

Chair Clayton provided welcoming remarks, including congratulatory wishes to Chief James White as he was approved unanimously by the Board of Police Commissioners and the Detroit City Council as permanent Chief of Police for the Detroit Police Department; welcomed back Sylvia Elliott to the Department from retirement, as she is serving in a consultant capacity, and as Clerk for this evening's meeting; acknowledged students from Wayne State University's Black Student Union for tuning in to the meeting.

### PUBLIC COMMENT PROTOCOL

Deputy Director Kim Woolridge provided instructions to members of the public who wish to address the Commission during the Public Comment segment of the meeting.

### ADOPTION OF CONSENT AGENDA

**MOTION: Move to Adopt the Consent Agenda as submitted.** There was no discussion. **On Motion duly made (Combs) and supported (Lara), the Consent Agenda was Adopted.** *Motion carried unanimously.*

### APPROVAL OF MINUTES FROM JULY 26, 2021 MEETING

**MOTION: Move to Approve the Meeting Minutes as submitted.** There was no discussion. **On Motion duly made (Gasco-Bentley) and supported (Combs), the Minutes from the July 26, 2021 Commission Meeting were Approved.** *Motion carried unanimously.*

### PUBLIC COMMENT

Mr. Keith Van Poperin, Jackson, MI  
Mr. Van Poperin brought a concern regarding a disability/service animal complaint he filed with MDCR in February 2020; he indicated he is working with Deputy Director Woolridge.

### COMMISSION BUSINESS

- A. Chair's Report, Stacie Clayton  
"It was actually one year ago at our September 2020 meeting that the Commission introduced and approved our Education Equity in Michigan Report. This report was a culmination of a series of public hearings and a year-long examination of disparities in K-12 education in Michigan. From May 2018 through the end of March 2019, the Commission held public hearings around the state and heard from dozens of subject-matter experts, school administrators, teachers, parents, and students on ways Michigan is falling short in its obligation to effectively educate all of its children. At the end, the Education Equity in Michigan Report made ten recommendations for action. The very dedicated Michigan Department of Civil Rights' Council for Government and Education on Equity and Inclusion, some who are joining us via

Zoom this evening, reviewed and worked on actualizing these recommendations. Additionally, we shared a wonderful partnership with the Michigan Department of Education in working on the actualization of these recommendations. I am very pleased to report that one year later, and two directors later, that six of those ten recommendations are ready for action. This includes the exceptionally well researched and written MDCR Education Equity Resource Guide that we will hear about later. But first we will hear from Dr. Michael Rice, State Superintendent of Public Education. Two of our recommendations already are being addressed by the Michigan Department of Education. They are:

Ensure that all data collected by state and county government entities be disaggregated by race and ethnicity and support a well-resourced and quality teacher training program (through universities and colleges), encouraging diversity in its teaching roles and student enrollment.”

***Commissioner Corriveau joined the meeting at 5:23 p.m.***

**B. Education Equity in Michigan Report Recommendations Implementation**

Dr. Michael Rice, Superintendent, Michigan Department of Education

Dr. Rice gave an overview of MDE’s 10-point strategic plan and spoke of how it connected with some findings of the MCRC’s Education Equity in Michigan Report. He then discussed strategies to increase the teacher diversity in schools and the importance of teacher diversity to students. He then spoke of MDE’s already providing disaggregated student data for the analysis of gaps among groups of students.

Alfredo Hernandez, MDCR Director of Diversity, Equity and Inclusion

Mr. Hernandez presented on 3 recommendations ready for action: To develop a Statewide Educational Equity Plan to enhance policies, accountability and opportunities for all, using a holistic approach to inform the MDCR, the State Department of Education, and schools statewide; to encourage schools across the state to create local school equity plans and contribute information and resources to encourage and support equitable practices and opportunities for schools. These recommendations inspired the creation of the Education Equity Resource Guide (a template for developing a school equity plan) by the MDCR Council for Government and Education on Equity and Inclusion. The third recommendation covered by Mr. Hernandez was providing year-round cultural competency/race and equity education, advice and coaching.

Anthony Lewis, MDCR Director of Community Engagement and the MDCR Youth Academy

Mr. Lewis’ presentation covered the next recommendation ready for action: To create a multicultural, student-led component of the Council for Government and Education on Equity and Inclusion to engage students and parents/guardians on the local level. Many students are interested in equity and can help make strides to remove barriers and re-shape equity policies and practices that inhibit students of color. To bring this recommendation to fruition, Mr. Lewis indicated that the

Council created a subcommittee to develop the youth component and recruited students from currently existing MDCR Youth Academy programs (University of Michigan Summer Youth Dialogues Program, University of Michigan and Western Michigan University Social Justice Fellows Programs). This multicultural, student-led Youth Equity Council currently meets regularly on Sundays, and will participate in future meetings of the Council for Government and Education on Equity and Inclusion.

Julissa Labra, Student, Mercy High School

Ms. Labra is a member of the MDCR Youth Academy and participated this past summer in the University of Michigan's Summer Youth Dialogues on Race and Ethnicity. Ms. Labra gave remarks on her experience with the Youth Dialogues, discussions with fellow social justice students on advocacy for equitable funding in schools, and developing a comprehensive model that addresses race in curriculum. She is one of the leaders of the youth component added to the MDCR Council for Government Equity and Inclusion.

Chair Clayton indicated that the Education Equity Resource Guide and a press release would be available on the MDCR website directly following the meeting, and strongly encouraged all to review the document.

**MOTION: To Approve the information received tonight as the implementation of the six recommendations from the Education Equity in Michigan Report that are ready for action.** There was no discussion.

**ROLL CALL VOTE: 8-0**

Clayton - Y	Roberson – Y
Elhasan - Y	Corriveau – Y
Combs - Y	Kosaraju - Y
Gasco-Bentley – Y	Lara - Y

**On Motion duly made (Lara) and supported (Corriveau), the recommendations were Approved.** *Motion carried unanimously.*

**DIVISION AND OTHER REPORTS**

A. Executive Director / Legislative Liaison Report, John E. Johnson, Jr.

Director Johnson submitted a full written report to the Commission on legislative activity from July 2021 to September 2021, as well as the reorganization of the Department, and the activity of the Executive Director and the major divisions of the Department. Commissioner Kosaraju requested further follow up of information on the Michigan Response to Hate Conference and the use of the one-time \$250K allocation from the legislature.

B. Presentation on the Anishinaabe Resource Manual, Melissa Kiesewetter  
MDCR Tribal Liaison and Native American Specialist

The Anishinaabe Resource Manual named “Maawndoonganan”, is an accompaniment to the State of Michigan Social Studies Standards. Ms. Kiesewetter provided information on the Anishinaabe Resource Manual, a project

developed by the Confederation of Michigan Tribal Education Directors (CMTED) due to the absence of Native American history in social studies standards. The link for the document may be found at: [Michigan Social Studies Standards Guide | CMTED](#)

**Vice-Chair Elhasan was excused from the meeting at 6:54 p.m.**

- C. Attorney General Report, Assistant Attorney General David Cannon  
Mr. Cannon submitted a full written report to the Commission and provided a brief status update on the following cases: **Fair Housing Center of Detroit v. Sipra and Paul Santonu, Steven Korn v. Park Place of Northville**, and indicated he is working on a brief for the **Rouch World** case.

**NEW BUSINESS**

- A. Resolution in Support of “A Safe Learning Environment is a Civil Right” by the Education Equity Committee; Commissioner Lara brought forth the following resolution:

*Whereas, COVID-19 is a deadly virus with no available vaccine for students under age 12; and*

*Whereas, Michigan has the 5<sup>th</sup> highest number of cumulative COVID-19 cases among children: 166,715 according to data reported by the American Academy of Pediatrics; and*  
*Whereas, there were 344 new outbreaks and 548 ongoing outbreaks reported on September 14, 2021, and*

*Whereas, the Michigan Department of Health and Human Services says: “Whenever children are brought into group settings, there is a chance for diseases to spread. Students must follow state vaccine laws in order to attend school. These laws are the minimum standard to help prevent disease outbreaks in school settings;” and*

*Whereas, students with disabilities may be more likely to contract COVID-19 due to underlying medical conditions, inadequate health care and systemic social inequities; and*

*Whereas, the Michigan Constitution Art 4, section 51 states, “The public health and general welfare of the people of the state are hereby declared to be matters of primary public concern. The legislature shall pass suitable laws for the protection and promotion of the public health. “*

*Whereas, pursuant to section 51 of article 51 of the state constitution of 1963, the department of community health shall continually and diligently endeavor to prevent disease prolong life and promote the public health through organized programs, including...prevention and control of diseases...”*

*Whereas, no constitutional rights are invaded by public school efforts to prevent and control diseases as the Supreme Court of the United States opined in Jacobson v. Massachusetts, “Even liberty itself, the greatest of all rights is not unrestricted license to act according to one’s own will. It is only freedom from restraint under conditions essential to the equal enjoyment of the same right by others. It is, then, liberty regulated by law;” and*

*Whereas, the Justices in Jacobson further opined, ...[I]n every well-ordered society charged with the duty of conserving the safety of its members the rights of the individual in respect of his liberty may at times, under the pressure of great dangers, be subjected to such restraint, to be enforced by reasonable regulations, as the safety of the general public may demand...;”*

*Whereas, the Revised School Code Act 451 of 1976 gives Michigan schools a duty to protect students from exposure to COVID-19, including those with underlying medical conditions related to their disability; and*

*Therefore, be it resolved, that the Michigan Civil Rights Commission supports best practices for the prevention of COVID-19 in Michigan public schools, and that students must be provided with an educational environment that is safe and welcoming regardless of the student's race, ethnicity, color, national origin, religion, age, gender, gender identity, gender expression, sexual orientation, genetic information, disability, or immigration status; and*

*Be it further resolved, that that the Michigan Civil Rights Commission calls upon the State Board of Education, the Department of Education, the Michigan Education Association and officials at every level of state government to join voices with the many organizations and individuals concerned about protecting Michigan students, and together we call upon all Michiganders to stand in support of all students' civil rights and COVID-19 prevention in Michigan public schools; and*

*Be it finally resolved, that copies of this resolution be sent to the Honorable Governor Gretchen Whitmer, State Health and Human Services Director Elizabeth Hertel, and Interim Chief Medical Executive Dr. Natasha Bagdasarian.*

**BOARD RESOLUTION: To Pass the Resolution: A Safe Learning Environment is a Civil Right.** There was no discussion.

**ROLL CALL VOTE: 6-0**

Clayton - Y	Roberson – Excused
Elhasan - Excused	Corriveau – Y
Combs - Y	Kosaraju - Y
Gasco-Bentley – Y	Lara - Y

**RESOLUTION UNANIMOUSLY PASSED.**

- B. Discussion of Senate Bills 597 & 598  
Commissioner Combs, a community mental health provider, presented an overview and status update of Senate Bills 597 and 598, concerning changes in delivery of the behavioral health system in Michigan. People with disabilities rely on local access to clinics, hospitals and doctors' offices and getting the information and services that are necessary to maintain their good health. A lack of coordinated services might affect their care. Legislative Liaison, Dr. Jerome Reide thanked Commissioner Combs for sharing his perspective as a provider that could be affected by this proposed legislation. Next steps will include Dr. Reide continuing to monitor this legislation, working with the Whitmer Administration, working with the state legislature, and will advise the Commission if this issue needs to be brought back to the table for further action.
- C. MCRC 2022 proposed Meeting Schedule  
January 24, 2022  
March 28, 2022  
May 23, 2022  
July 25, 2022  
September 19, 2022  
November 28, 2022

The above-referenced dates were proposed for the Commission's 2022 Meeting Schedule. The Commission will vote on these dates at the next Commission meeting.

#### COMMISSIONER CLOSING COMMENTS

Chair Clayton thanked everyone for joining the meeting and acknowledged student Michael Joseph of the Wayne State University Black Student Union for staying through the entirety of the meeting; Commissioner Combs congratulated Director Johnson for receiving the **W.E.B. Dubois Freedom and Justice Award** from the Detroit Branch NAACP; Commissioner Lara thanked Dr. Reide for his work on the **"A Safe Learning Environment is a Civil Right"** Resolution; Commissioner Roberson thanked all involved for a successful and productive meeting.

#### ADJOURNMENT

**MOTION: Move to Adjourn.** There was no discussion.

**On Motion duly made (Combs) and supported (Roberson), the meeting of the Michigan Civil Rights Commission Adjourned at 7:24 P.M. Motion carried unanimously.**

*The next regular meeting of the Michigan Civil Rights Commission will convene on Monday, November 22, 2021 at a time, location and method to be determined.*

MINUTES APPROVED AT NOVEMBER 22, 2021 MEETING.