

**South Carolina Human Affairs Commission  
Board Meeting**

June 29, 2023

S.C. Department of Parks, Recreation and Tourism  
Edgar A. Brown Building  
1205 Pendleton Street, Room 252  
Columbia, SC 29201

**BOARD MEMBERS PRESENT**

Chairman James T. McLawhorn, Jr.  
Vice Chair Sharon Sellers  
Commissioner Mary Amonitti  
Commissioner Steve Hall  
Commissioner Leon Winn

**STAFF PRESENT**

Interim Commissioner Marvin Caldwell, Jr.  
Deputy Commissioner Dan Koon  
General Counsel Caroline Scrantom  
Deborah Thomas  
Tarnya Whitmire  
Janeen Sanders

**GUEST**

Thomas Kaminer – SCHAC Budget Director  
ADMIN Shared Services

Janie A. Davis – Former SCHAC Commissioner

**I. CALL TO ORDER**

The South Carolina Human Affairs Commission (“SCHAC” or the “agency”) held its Board meeting on February 16, 2023, at the S.C. Department of Parks, Recreation and Tourism, Edgar A. Brown Building, 1205 Pendleton Street, Room 252, Columbia, SC. Public notice was posted at SCHAC’s main office entrance and placed on the SCHAC’s website. Chairman McLawhorn called the meeting to order at 10:05am and asked for the roll call.

**II. ROLL CALL**

Janeen Sanders, Executive Assistant, called the roll of Board members. A quorum was established.

Prior to the approval of the minutes, Chairman McLawhorn invited former SCHAC Commissioner, Janie A. Davis up to receive the esteemed Order of the Palmetto award.

The Order of the Palmetto is the highest civilian honor awarded by the Governor of South Carolina It is awarded to South Carolinians who demonstrate extraordinary lifetime achievement, service and contributions of national or statewide significance.

Chairman McLawhorn spoke very highly of how former Commissioner Davis ran the agency during the time she was here and how the work of the agency is still as important as ever. He affirmed that the Board was still fully committed to continuing the work of the agency even in her departure with the staff of full capable employees leading the charge.

**III. APPROVAL OF MINUTES**

Chairman McLawhorn called for the approval of the minutes from February 16<sup>th</sup>, 2023; March 17<sup>th</sup>, 2023, and May 16<sup>th</sup>, 2023. The motion for the minutes to be approved from the February 16<sup>th</sup> meeting was made by Vice Chair Sellers and seconded by Commissioner Winn. The motion for the minutes to be approved from the March 17<sup>th</sup> meeting was made by Commissioner Hall and seconded by Commissioner Amonitti. The motion for the minutes to be approved from the May 16<sup>th</sup> meeting was made by Commissioner Winn and seconded by Commissioner Amonitti. The minutes were unanimously approved.

**IV. OLD BUSINESS**

There was no old business to be discussed.

**V. NEW BUSINESS**

There was no new business to be discussed.

**VI. BOARD REPORTS**

**A. Administration**

Commissioner Amonitti gave way to Deputy Commissioner Koon to give the report. Deputy Koon delivered the following highlights:

- Construction of Cubicles in the former large conference room was completed by the end of February and all Technical Services and Training and Community Relations staff are now located in that area. Currently there are 7 employees in the new cubicle area, and this includes the SCHAC Security Guard. The move went well, and staff appear to be pleased.
- Also, in February the EEO Administrative Assistant cubicle outside the work area of the EEO Coordinator was completed and employee was moved into the new cubicle. This arrangement, again, is working well.
- Security cameras and monitors were installed in the building during the month of January by Convergent Technology, and the system is meeting our agency needs. There have been some kinks to work out with the new technology, but presently, all is functioning properly.
- Convergent Technologies installed a masked sound system in the cubicle area in March that helps to block out distracting noise.
- While the addition of cubicles will allow the agency to employ more employees, the agency's growth with additional employees to administer the Human Affairs Law will require a move of the agency to a larger facility in the future. Thus, the cubicles, the masked sound system and security cameras will be able to be moved and utilized at a future agency facility.
- Interim Commissioner Caldwell has reached out to the Department of Administration and received papers for a request for additional office space. This is the beginning of the process to move the agency.
- Also, the agency is working to obtain a functional APP that can be placed on a phone where Customers of SCHAC can check on the status of the case filed with the agency. Danielle Lindley is coordinating this project with the SCHAC management team. We are working with NIC SC which is on contract with the SC Dept. of Administration to see if this APP project will fit our agency needs.
- Mr. Harold Reese, SCHAC assigned Security Officer, moved from Columbia and Security Management Services assigned a new replacement, Mr. Kevin Earle.

**B. Legal Update**

General Counsel Caroline Scrantom discussed the Legal Division activities from February 2023 – May 2023 as follows:



**HUMAN AFFAIRS COMMISSION  
LEGAL ACTIVITIES LOG**

General Counsel Caroline Scrantom  
EEO Staff Counsel Jamie N. Smith  
FH Staff Counsel Samantha M. Luck  
**Legal Assistant Rena Johnson**  
Mediator Larry McBride  
**Summer Law Clerk Jc Gaylor**

Non-Litigation Activities: February 2023 through May 2023		SCHAC Litigation by the Numbers	
Cause Case Reviews + Write-Ups	9	Cases Pending before the Board	1-2
Requests for Revision or More Investigation	31	Cases Pending before the Circuit Court	2-3
No-Cause Case Reviews (Housing + EEO + 90E)	142	Cases Pending before the Court of Appeals	1
Housing Conciliation Agreement Reviews	8	Recent Case Settlements	1-2
Total Case Review Return Rate	21%	SCHAC Mediation by the Numbers EEO Contract Year (Oct. 1, 2022 – Sept. 30, 2023)	
Intake Reviews	356	Total Mediations	58
Guidance Meetings with Investigators	94	Successful Mediations	28
Guidance Meetings with Non-Investigative Staff	119	Percent Successful	48%
FOIA Responses Finalized	29	Aggregate Settlement Amount	\$267,507.00

General Counsel Scrantom then advised the Board that due to Article XI of our statute; the Board Bylaws are to be reviewed every two years. The last time they were reviewed was in August of 2021. This means they should review the bylaws and determine if there are any changes or amendments they would like made. The next board meeting is being held on August 10<sup>th</sup> and if there are no changes, the Board Chair will sign off on them.

The next order of business by General Counsel Scrantom was the discussion surrounding her relationship building with certain members of the Legislative Board.

**C. Legislative Update**

Interim Commissioner Caldwell discussed the below chart. He mentioned in previous meetings where Commissioner Davis discussed the six budget requests that were presented on behalf of the agency. The information below shows the request made in the priority order in which they were requested.

Interim Commissioner Caldwell shared that he and Deputy Commissioner Koon have attended legislative meetings related to the budget. In Interim Commissioner Caldwell’s opinion, all meetings went very favorably. Since those meetings, there have been calls for requests concerning information on the rent increase and relocation request. State government seems to be giving out retention funding to all who may have requested it because they are having issues with retaining staff. The legislative assessment is that people are leaving going to private sector employment where they are being paid higher salaries. Additional information was also being requested regarding the Community Relations position and the Technical Services Coordinator. The reasons for those budget requests were due to the number of requests the agency had been receiving about doing trainings across the state. Unfortunately, the agency only has one person dedicated to doing those now. Interim Commissioner Caldwell was hopeful to have an answer to these requests before the legislative session ends.

General Counsel Scrantom then discussed the yellow section of the below chart. This bill is a third submission from the agency for new legislation. The agency has contacted Senator John Scott’s office to reintroduce. The bill contains five specific updates to the law that we administer. The intent is to update the law by removing something that might be duplicative to what is already being done and to clarify that the remedies the agency offers should be comparative to what the federal agencies offer or the same types of investigations.

After the Legislative update there was a brief break which began at 11:04am.

The meeting was called back to order at 11:14am and turned over to Commissioner Winn for the personnel update.

**D. Personnel Update**

Commissioner Winn gave way to Interim Commissioner Caldwell to give the report as follows:

As of 6/29 there were 53 FTE's; 48 are full time employed and there were 7 vacancies listed below.

- Administrative Manager I – Administration (No Funds)
- Accountant/Fiscal Analyst II- Administration (No Funds)
- IT Consultant (NEW FTE) – Administration – (Pending New hire 07/17/23)
- Program Coordinator I – Technical Services (Pending Interviews)
- Program Coordinator I – EEO Investigator (Pending Interviews)
- Program Coordinator I - EEO Bilingual Investigator (Pending Interviews)
- Program Coordinator I- Fair Housing Investigator (Pending Interviews)

**E. Financial Update**

Commissioner Steve Hall, chair of the Finance Standing Committee of the Board, turned the meeting over to Thomas Kaminer to explain the financial report to the Board.

Tom mentioned there wasn't much change in the report from the last meeting. He says that the agency is in pretty good shape for the projections provided for the remainder of FY23 and FY24. The year to date numbers, with being 58% through the year, the agency has only spent 56% of the estimated expenditures.

**VII. COMMISSION REPORTS**

**A. Administration**

- i. Interim Commissioner Caldwell began by discussing a letter he sent to HUD requesting to replace the former Commissioner, in the online system, to Chairman McLawhorn, so that the voucher given to us by them can be pulled down into our system. Unfortunately, with him being the Interim Commissioner, he was unable to use himself. There was \$40k still left to be vouchered for. Once the board chair has been granted access, this issue should be resolved.

The discussion continued regarding another letter that was sent to the EEOC. This letter was sent because in November 2022 the agency was vouchered \$505k for the contracts. A recertification should have taken place at that time. Although the voucher had been signed, the electronic draw down never happened. It was not brought to Interim Commissioner's attention until mid-January. Ultimately, the letter is to try and place someone in the system so the agency can be recertified, and the funds be resent.

Based on the report Tom presented, the agency had 88% of all finances. The outstanding 12% is still pending due to the non-receipt of the HUD and EEOC voucher funds.

- ii. Lastly, as previous discussed, the study as to whether SCHAC and CMA (Commission for Minority Affairs) should merge was completed and delivered to legislation on December 1<sup>st</sup>.

**B. Consultative Services Programs**

**i. Technical Services**

Deputy Commissioner Dan Koon started his report by reminding the board that Consultative Services Division represents the "prevention" side of the agency's functions. They are responsible for monitoring hiring in state government and conducting employment training for public and private sector employers.

Deputy Commissioner Koon reported that Ravon Hargrove had been named as the new Director over the Division in February 2023. That had opened a vacant Technical Services Consultant position in technical services and the job vacancy would be posted soon.

Deputy Commissioner Koon brought to the attention of the board the annual report that was produced to the General Assembly on February 1<sup>st</sup>. Some of the data in the report includes over 68k employees in South Carolina state government and 94 different agencies. The only agency's that don't get reported on have 15 employees or less.

He applauded the great work of the team. They were in the middle of a transition in leadership from the former Director, Stephani Frese resigning just after she had hired two new employees in the Division. Ravon was one of those newly hired. To aid the two new employees in their training and development to learn the CAAMS System, former Director Frese, Shannon Smith, a consultant, and former Director Stephanie Price assisted in making sure the report was completed at the caliber that the agency was used to putting out.

Deputy Commissioner Koon advised that in past years, the agency had a Forum which recognized the top ten agencies that met their affirmative action goals. The Forum usually consists of one to two speakers who come and give a motivational talk. The audience in attendance is usually the EEO Officers from the 94 state agencies as well as their agency heads. This event will take place on April 26, 2023. This Forum has not been held since 2019. He invited the board to come out if their schedule permitted.

ii. **Community Relations**

Deputy Commissioner Koon highlighted the Community Relations FY22 Annual Report. It gave a brief synopsis of the great work that had been done by the Director, Robert Snipes and the two consultants in that division, Ayana Crawford and Danielle Lindley. The report was developed as a way of letting legislators know what work is being done out in the community. As previously discussed, the community relations division was in the rebuilding mode. It was one of the priorities former Commissioner Davis was actively focused on.

iii. **Public Accommodations/90(e)**

Another task that the team performs, mainly, Director Robert Snipes, is the processing of 90e/Public Accommodations complaints. Although the agency doesn't have the authority to investigate these complaints like EEO and Housing charges are investigated, the agency is to work to resolve the complaints. With the help of legal and the SCHAC mediator, Robert works towards resolutions. The below chart shows the numbers:

iv. **Intake Processing**

Deputy Koon acknowledged the staff and the hard work of the Intake Division. They will be receiving a new employee on March 3<sup>rd</sup>. The activities for the division from November 21 – January 22 are below.

C. **Compliance Programs**

i. **EEO Enforcement**

Director Taryna Whitmire presented to the board on the following information:

- FY23 EEOC Contract runs from October 1, 2022, thru September 30, 2023
- October 2022 thru January 2023 there were 150 cases closed
- 450 cases are needed to meet a 600 case contract by September 30, 2023
- Need an average of 57 cases per month to meet the contract

Director Whitmire mentioned that typically the first quarter is a bit slower and that is due to the holiday season.

She discussed the staff breakdown for the EEO Division as follows:

- EEO Enforcement Director
- Three (3) EEO Enforcement Supervisors
- Eight (8) Investigators
  - Four (4) experienced Investigators
  - Two (2) Intermediate Investigators
  - Two (2) New Investigators
  - Two (2) Part-Time Temporary Investigators (Both are resigning in March)
- One new investigator is scheduled to begin on February 17, 2023
- The division was in the process of conducting interviews for three (3) vacant investigator positions

Director Whitmire went on to explain that due to the inexperience of some of the investigators and due to an increasing number of cases to close, a stand down process was implemented. A Stand Down is where Investigators brief their supervisors and the EEO Director on their cases. During the process, Investigators go over the particulars of a case, and all members give viewpoints and ask questions. A determination is made as to whether additional information is needed or if there is enough to write up the case. If the decision is made to write up the case, it is written up right then with input from all members. This typically takes about an hour per case and can typically reduce the review process by 2-3 days.

With closing 125 cases in the 1<sup>st</sup> quarter, the below slide is a breakdown of the county and the type of protected class under which the case was filed. The highest number of cases were filed in Richland, Greenville, Charleston, Horry and Lexington counties.

ii. **HUD Enforcement**

Director Deborah Thomas reported for the Fair Housing Division and began with the breakdown of her staff as follows:

- 1 Administrative Coordinator
- 1 Senior Consultant
- 3 Investigators
  - Two Senior Investigators
  - One Investigator had been with the agency over a year
- 1 Intake Investigator
- 1 Intake Investigator (Just Hired) – very happy to have this person. There was a total of 690 inquires last year so this person will be a huge help

Director Thomas advised on the top counties that the division had received the most complaints from as follows:

- 11 – Richland
- 10 – Greenville
- 7 – Charleston
- 6 – Lexington
- 5 – Horry
- 4 – Orangeburg

There were approximately 12 other counties that came in with one or two complaints and there are about 27 other counties where there had been no activity.

As the slide changed to the Outreach and Training slide, Commissioner Amonitti asked if there was a way the Association of Realtors Group that she is a part of could receive training within her association. With the number of changes being made, her ask was about ongoing training. Commissioner Amonitti specifically asked about the real Estate School for Success listed below.

Director Thomas mentioned that training was conducted by two of team members, Alyssa Barker and Don Frierson. Gregg Hinson attended as well and is learning to train. The team can absolutely conduct the training. With being in the business of Fair Housing, SCHAC Fair

Housing Division receive all new Federal regulations and updates. As part of the HUD contract, it is their duty to do training and conduct outreach. They are willing to travel to do such if requested.

**VIII. PUBLIC COMMENT PERIOD**

Chairman McLawhorn acknowledged that the agency did not receive any request for public comments prior to the beginning of the meeting.

**IX. BOARD MEMBER COMMENTS**

Commissioner Winn expressed how the work being done is very impressive and to continue the good work.

Vice Chair Sellers expressed how great of a job Interim Commissioner Caldwell has done thus far and to keep up the great work.

The public section of the board meeting was adjourned at 12:30pm.

**X. EXECUTIVE SESSION**

Chairman McLawhorn called for a motion to be made to enter Executive Session. Commissioner Amonitti made a motion to enter Executive Session. Commissioner Winn seconded. Executive Session began at 12:31pm.

Chairman McLawhorn called for a motion to exit Executive Session. Commissioner Winn made the motion to exit, and Commissioner Hall seconded. After unanimous consent, Executive Session ended at 12:55pm.

Chairman McLawhorn called for a motion to adjourn. Commissioner Amonitti made the motion to adjourn, and Commissioner Winn seconded. After unanimous consent, the meeting was adjourned at 12:56pm.

The next Board meeting is scheduled for August 10, 2023, with a location to be determined.

Respectfully submitted by Janeen D. Sanders, SCHAC Executive Assistant.

  
Marvin Caldwell, Jr., Interim Commissioner

  
James T. McLawhorn, Jr., Chairman

  
Date