Indiana Civil Rights Commission

Public Meeting

September 21, 2018

1:00p.m.-3:00p.m.
ICRC Conference Room
100 North Senate Avenue, Room N300
Indiana Government Center North
Indianapolis, IN 46204

Agenda

I. **Meeting convened and *quorum* established**

II. **Announcement of Agenda**

III. **Approval of previous meeting minutes**

IV. **ICRC Directors' Report**

V. **Old Business**

   i. **Commissioners Appointed to Appeals Report Determinations:**
   Appointments are noted in the August 17, 2018 Appointment Log

   1. *Carolyn King v. Maple Creek Village Apartments, Hora18030118,* **Commissioner Long**
   Appeal Date: 6/15/2018

   2. *Karina Wilson v. M/I Homes of Indiana, HOra18050294,* **Commissioner Long**
   Appeal Date: 7/27/2018

   3. *Natalie Smart v. Valparaiso Community Schools, EMha17071183 ,* **Commissioner Blackburn**
   Appeal Date: 6/1/2018

   4. *Antoinette Green v. Oakwood Properties-Bob Mcginnis, HOsh18040165 ,* **Commissioner Blackburn**
   Appeal Date: 7/12/2018

   5. *Erica Tate v. Yorktown Farms Associates, HOha18020079 ,* **Commissioner Edwards**
   Appeal Date: 7/20/2018

   6. *Vicki Linder v. Tempo Properties, HOha18040208 ,* **Commissioner Edwards**
   Appeal Date: 6/29/2018

VI. New Business

i. Appointment of Commissioners to Complainants' Appeals of Director's Findings
"The Chair shall appoint a Commissioner to review and rule on each appeal." 910 IAC 1-3-2(h)
1. <u>Mark Zak v. Lowes,</u> *470-2016-00626*
Appeal Date: 8/16/2018

ii. *ALJ Orders to be Reviewed*
"The Administrative Law Judge's Order Disposing of the proceeding becomes a final order when affirmed under [IC 4-21.5-3-29]." IC 4-21.5-3-27(a).

1. <u>ICRC(Jillian Phillips) v. DePauw University, (HOha18020054)</u>
Administrative Law Judge Burkhardt issued an initial order denying Respondent's Notice of Election for failure to properly serve the Aggrieved Party with a copy of the notice as required by law. In response, the Complainant and Respondent entered into a stipulation, an agreement, concerning the service of the Notice of Election. The Parties agreed to move forward in the case as if the Notice of Election had been properly provided to all parties because the Aggrieved Person received notice, by way of the Commission's Staff Attorney, Caroline Ryker, and was not injured by the minor delay in notification. The Parties ask that the Commission modify the Administrative Law Judge's decision and grant the Notice of Election, as was done in a similar case, ICRC v. Terre Haute Housing Authority.

2. <u>ICRC(Jillian Phillips) v. DePauw University, (HOha18020054)</u>
Administrative Law Judge Burkhardt issued an order finding that the stipulation entered into by the Parties concerning

the Notice of Election was set aside because the subject matter was improper for a stipulation. The Complainant and Respondent entered a Joint Motion to Reconsider, explaining why the subject matter is appropriate for a Notice of Election. The Parties ask that the Commission take notice of the stipulation concerning the Notice of Election and revise the Administrative Law Judge's decision to deny the Respondent's Notice of Election.

3. **Ky'Alla Williams v. School City of Mishawaka (EDra10040160)**

   ALJ dismissed the case after a hearing. No objections have been filed.

4. **Lawrence Key v. Campagna Academy, Inc. (EMra16061232)**

   ALJ dismissed the case after a hearing. Complainant filed objections, and Complainant requested a deadline for submitting briefs and for oral arguments. Respondent filed a response to Complainant's objections.

5. **Lynne Farmer v. Evansville Vanderburgh School Corporation (EMra16061244)**

   ALJ dismissed the case after a hearing. Complainant filed objections, and Complainant requested a deadline for submitting briefs and for oral arguments.

   iii. **Motions presented**

1. ICRC (Emily Torres) v. Creative Approach Realty, LLC. (HOha17061143): Motion for Summary Judgement (Reply due 9/30/2018)

VII. **Announcements**

   i. **Meeting Dates for 2018**

- Friday, October 19, 2018
- Friday, November 16, 2018
- Friday, December 21, 2018

VIII.   Public Comment

 IX.   Adjournment