

AGENDA

CITY OF OXFORD CIVIL RIGHTS COMMISSION

**THURSDAY, NOVEMBER 8, 2018
4:00 P.M.**

MUNICIPAL BUILDING SECOND FLOOR CONFERENCE ROOM

MEMBERS

Dan Umbstead
Brian Revalee
Ian Vanness

Kathy McMahon-Klosterman
Erin Von Bergen

STAFF

Doug Elliott, City Manager

Kim Newton, Recording Secretary

1. Call to Order.
2. Approval of Minutes.
 - A. Minutes of the October 11, 2018 Civil Rights Commission Regular Meeting.
3. New Business.
 - A. Guest Speaker from the Ohio Civil Rights Commission.
4. Old Business.
5. Other Business.
6. Adjournment.

OXFORD CIVIL RIGHTS COMMISSION
October 11, 2018

ITEM 1
CALL TO ORDER

The Oxford Civil Rights Commission Meeting of October 11, 2018 was called to order at 4:00 p.m. by Doug Elliott, Director. Those members present were: Brian Revalee, Kathy McMahon-Klosterman, Ian Vanness and Erin Von Bergen

Dan Umbstead was excused.

Steve McHugh, Law Director and Kim Newton, Recording Secretary were in attendance for the City.

ITEM 2
APPROVAL OF MINUTES

Minutes of the May 10, 2018 Civil Rights Commission Meeting.

Mr. Revalee moved to approve the May 10, 2018 meeting minutes. Mr. Vanness seconded. The motion passed unanimously.

ITEM 3
NEW BUSINESS

- A. Discussion of a formal discrimination complaint received against a student at the Talawanda Middle School for bullying.

Mr. Elliott advised the Law Director was in attendance to advise the Commission on the legality of the Commission's role in this discrimination complaint against a student at the Middle School. Ms. McMahon-Klosterman inquired about the draft letter requesting someone from the School District to attend a future meeting to discuss how they deal with bullying incidents. Ms. Von Bergen also inquired if the letter should even be sent based on the legal opinion of the School District not being under the CRC's purview. Ms. McMahon-Klosterman advised other groups have been invited to speak to the Commission on how they do things and expressed her feelings the letter is a reasonable request to ask the School District to address the Commission on how they deal with those procedures so when a complaint comes to the Commission's attention, we would know how their procedures work and what to do. Mr. McHugh advised the Commission they could invite the School District to come and speak to them about their process, but noted by State Statute the School District is required by law to create a policy and advised you will find a whole presentation, including their policy, on the Talawanda School District's website. Mr. McHugh also advised based upon the complaint, the School District addressed the issue and suspended the student for a week, which is strictly within

their purview. Mr. McHugh advised the Commission to keep in mind, that if there are future complaints against a student in the School District, it falls under the School District's jurisdiction and not the Commission's, as per State Statute. Mr. Elliott advised he would draft a letter to Ms. Esquivel stating her complaint was received and reviewed and would note this particular complaint is not under the Commission's jurisdiction. Mr. Elliott also advised he would let Ms. Esquivel know the Commission plans on inviting someone from the School District to a future meeting to talk about their policy. The Commission also noted the CRC's complaint form needs to be changed to reflect that a charge of discrimination is also in regards to employment, housing or a place of public accommodation so the complainant understands what falls under the Commission's purview. Mr. McHugh advised he would send an updated form to the Commission to review.

General discussion ensued and the Commission agreed to invite Amy Macechko who is on the School District's Climate Committee, to their December meeting to discuss how the District deals with discrimination and bullying.

Mr. Elliott advised he spoke with a representative of the Ohio Civil Rights Commission and noted he has invited a representative to the next meeting to discuss what they do and how we can improve the Commission's efforts.

B. Discussion of a formal discrimination complaint received against the Hampton Inn.

Mr. Elliott advised he received a written complaint as well as several emails noting discrimination at the Hampton Inn regarding a "service" dog. Mr. Elliott advised he sent an email to the complainant requesting what type of service the dog provides and noted he has not heard back from her. Mr. Elliott noted based on the written complaint and after discussing the incident with the hotel manager, he feels this was a misunderstanding between both parties and advised the hotel staff apologized and offered to reimburse the complainant for the misunderstanding. Mr. Elliott advised he would draft a letter to the complainant for the Commission to review stating his findings.

C. Items to Discuss as Per Kathy McMahon-Klosterman

1. Response given to the student reporters' questions
2. How many complaints have been received over the past five years?
3. Who investigated those complaints?
4. Who determined if a complaint should be investigated?
5. What was the outcome of any former complaints?
6. Does the Commission see ALL complaints that are submitted?
7. Is the Commission an advisory group only or does the Commission have any authority? If so, what is its authority?

Mr. Elliott advised he had received an email from a student reporter regarding the discrimination complaint received against the student at the Talawanda Middle School and noted he included the Commission in his email reply. Mr. Elliott also advised he spoke to another reporter who was doing an article for the Oxford Observer regarding the same complaint and shared the article with the Commission.

Mr. Elliott advised he had received five (5) written complaints since 2008 and reviewed each complaint and the outcome of the investigations with the Commission. Mr. Elliott noted when he receives a written complaint, he investigates the complaint and shares his findings with the Commission. Mr. Elliott also advised the Commission may initiate additional action as per Chapter 143 (Civil Rights; Community Relations Commission), Section 143.011(c) of the Oxford Codified Ordinances.

ITEM 4
OLD BUSINESS

- A. None.

ITEM 5
OTHER BUSINESS

- A. Future meeting dates and locations.

The next regular meeting will be held on Thursday, November 8, 2019 at 4:00 p.m. in the second floor conference room at the Municipal Building.

- B. Ms. McMahon-Klosterman advised she received a written complaint from Ms. Kolbas regarding bicycles on the sidewalks and noted Ms. Kolbas stated she was discriminated against due to her being legally blind and a cyclist almost hitting her on the sidewalk and shouting “can’t you see”. Mr. Elliott advised he had replied to an email he received from Ms. Kolbas regarding this event and noted Ms. Kolbas requested City Council not allow bicycles on any sidewalk in Oxford. Mr. Elliott noted he advised Ms. Kolbas that he was sorry to hear of her encounter and agreed that more public education is required regarding bicycle laws in Oxford and would ask staff to place an article on the City’s website reminding cyclists of existing laws. Mr. Elliott also noted he advised Ms. Kolbas that while bicycles are not allowed on the sidewalks along High Street, it would be difficult to prohibit bicycles on all public sidewalks in all neighborhoods since most do not have designated bike paths and many children should probably use the sidewalk rather than the roadway.
- C. Ms. McMahon-Klosterman advised it was brought to her attention by a person with a physical disability that the handicapped parking space next to Quarter Barrel on East Church Street is constantly being blocked by Rumpke garbage cans from the

apartment building next door. Mr. Elliott advised he would look into having the handicapped parking moved another nearby location.

ADJOURN

Ms. McMahon-Klosterman moved and Mr. Vanness seconded to adjourn at 5:12 p.m. The motion passed unanimously.