

**South Carolina Human Affairs Commission
Board Meeting**

November 20, 2025

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

BOARD MEMBERS PRESENT

Chairman Steve Hall
Vice Chair Sharon Sellers
Commissioner Mary Amonitti
Commissioner Patrick Palmer
Commissioner James Wilson
Commissioner Leon Winn

STAFF PRESENT

Interim Commissioner Marvin Caldwell, Jr.
Clark Leslie
Tarnya Whitmire
Lawrence Smalls
Trey McLeod
Deborah Thomas
Janeen Sanders

GUEST

Thomas Kaminer – SCHAC Budget Director
ADMIN Shared Services

I. CALL TO ORDER:

Meeting called to order at 10:01 AM by Chairman Hall.

II. APPROVAL OF MINUTES:

Motion made and seconded to approve minutes from previous meeting. Motion passed unanimously.

III. OLD BUSINESS:

1. Bylaws and Virtual Attendance (General Counsel McLeod)

- o No changes needed to Bylaws for virtual meeting attendance
- o FOIA already allows remote participation via teleconference/online portal
- o Counts toward quorum and voting
- o Board agreed to leave Bylaws as written

2. IAOHRA Conference Report (Alaska, October 2025)

- o Seven SCHAC staff attended
- o Well attended despite HUD funding restrictions announced week before conference
- o Dr. Warren continues as IAOHRA President
- o EEO Enforcement Director Tarnya Whitmire received Individual Achievement Award
- o New Orleans, Louisiana proposed as next year's location (2026)

IV. NEW BUSINESS: None

V. BOARD REPORTS:

A. Administration Update (Commissioner Amonitti/Deputy Commissioner Leslie):

New Building Progress:

- o Pre-construction meeting scheduled December 2
- o Construction start: December 8
- o 90 days to substantial completion, 30 days for punch list
- o Target move-in: End of June 2026 (potentially earlier)

- Grace Construction awarded contract
- Project manager from Dept. of Administration praised for excellent service
- **Employee Appreciation Day** (November 18):
 - Staff toured new facility
 - 90% positive response to new space
 - Highlighted: windows, parking, natural light, location
- B. **Legal Update** (Commissioner Palmer/ General Counsel McLeod):
 - Staffing:**
 - Previously departed for LLR Office of Disciplinary Counsel
 - Angela Cothorn joined as new legal assistant
 - Housing attorney position: candidate declined offer week before start date; will repost
 - Caseload (August-September):**
 - Case reviews: 95 [Note: numbers to be corrected and resent]
 - Mediations: 63 total, 37 successful (59% success rate)
 - Approximately \$500,000 in settlements during contract year
 - 1 pending housing case before Board
 - 1 pending employment case before Board
 - 3 pending cases in circuit court (1 recently settled)
 - Current Projects:**
 - Developing MOU with Dept. of Employment & Workforce for data sharing portal
 - Reviewing legal determinations and fair housing affiliations
 - Standardizing subpoena procedures (2 applications filed with ALC for non-compliance)
 - Creating/updating SOPs, forms, and policy guidance
 - Implementing SharePoint site for policy/form access
 - Working with DTO on Adobe eSign capabilities and secure portal (Box.com)
- C. **Legislative Update** (Vice Chair Sellers/Interim Commissioner Caldwell):
 - Legislative session begins January 2026
 - **Senate Legislative Oversight Review:**
 - Information submitted October 8, 2025 (USB drive October 3)
 - 8-year review cycle (last review 2017)
 - Previous recommendation: strengthening Community Relations Division with measurable outcomes (**completed**)
 - Awaiting further contact from committee
- D. **Personnel Update** (Commissioner Winn/Mr. Smalls):
 - **Current Staffing:**
 - 64 FTEs as of November 20th
 - 3 vacancies: (3) EEO Investigator Positions, Housing Intake, (2) Attorney Positions
 - Positions close December 8th; interviews to follow
 - Goal: 100% staffed when new commissioner arrives
 - **Recent Activity:**
 - 2 resignations
 - 5 new hires: IT Consultant, Community Relations Consultant, (2) Technical Service Positions (Training Coordinator begins Dec. 17th, Paralegal)
 - **Remote Work Policy:**
 - Proposal approved after initial rejection and refinement
 - Most staff: 2 days/week remote
 - Exceptions granted: Training Coordinators and Chief Mediator (3 days/week)
 - 90% employee satisfaction with new space/policy

E. Finance Update (Mr. Kaminer):

- **FY26 Budget Status (through October):**
 - 33% of year elapsed, 35% spent (including extra pay period in October)
 - On track with projections
 - Projected \$260,000 surplus
 - Projected ending cash: \$4.41 million
- **FY27 Projection:**
 - Break-even anticipated (assumes full staffing)
 - 14% state appropriation increase (FY24-25)
 - 7% increase (FY25-26)
 - No increase requested for FY27 yet
 - Expected small increase for health insurance costs (~\$2,000)

VI. Commission Reports

A. Administration (Interim Commissioner Caldwell):

- **Federal Partners Status:**
 - Back in office after shutdown
 - Coordinators maintained despite significant cuts
- **Contract Funding:**
 - HUD and EEOC contracts completed but funds have not yet been received (usually in October)
 - Not critical; agency can function until received
- **Staffing Reductions at Federal Level:**
 - EEOC: reduced from 7 to 3 investigators in regional office
 - HUD: 50-70% decrease in fair housing staff
- **Impact:**
 - Increased case referrals expected from EEOC and HUD
 - Will accept additional cases within capacity
- **Policy Changes:**
 - **HUD 100-Day Investigation Benchmark:**
 - Previously 50% of cases in 100 days
 - Proposed increase to 75% (pending confirmation after leadership changes)
 - **Substantial Equivalency Concern:**
 - HUD threatened decertification if state investigates sexual orientation/gender identity cases
 - Conflicts with state law protections
 - Could result in loss of all federal funding
 - Agency will investigate under state law while monitoring federal position
 - Leadership changes at HUD; awaiting updated guidance

B. Consultative Services Update (Deputy Commissioner Leslie):

i. Technical Services:

- Fully staffed (2 new positions filled)
- Multiple positive agency feedback on customer service

Training Services:

- New trainer starting
- Training conducted (August-October): 712 individuals
 - August: 171
 - September: 460
 - October: 81

- Below typical quarterly average (900-1,000) due to smaller manager-focused groups
- Primary topics: ADA, pregnancy accommodation, lactation support, preventing harassment
- Significant interest from hospitality sector
- ii. **Community Relations:**
 - Fully staffed
 - Coverage by 10 Regional Councils of Government established
 - **New Advisory Council: Serve & Connect (Columbia) - September 2025**
 - Working with COGs on additional advisory councils
 - Goal: 10 active advisory councils this year (currently 7)
 - Streamlined MOU process developed

Outreach (August-October):

- 46 community events/vendor activities
- 14 agency briefings/presentations (including COGs, Hospital Association, NAACP Conference)
- Upcoming: Chamber events, Harvest Hope volunteer days (December, January)

Public Accommodations/90(e) (August-October):

- 9 cases received
- 4 entered mediation (44% rate)
- 35 cases received fiscal year to date

iii. **Intake:**

- Initial contacts: August 224, September 405, October 515 (total 1,144)
- Increasing trend each month

C. Compliance programs

i. **EEO Enforcement Division Update (Director Whitmire):**

- **FY24 Achievement:** 480 cases closed (exceeded goal)
- **FY25 Cases (through October):**
- Protected Classes breakdown:
 - Disability: 178
 - Age: 59
 - Sex: [number provided]
 - Race: [standalone cases]
 - National Origin: 5
 - Religion: 7
 - Multiple bases: [combination Title VII cases]

Religion Cases: Primarily accommodation requests (schedule changes, garments, prayer time)

Current Contract:

- October 1, 2025 - September 30, 2026
- Goal: 530 cases
- Average needed: 44 cases/month
- Proposed increase to 600 cases for next contract (considered conservative and achievable)

Staffing: 8 investigators (most with less than 1 years' experience)

Quality Improvements:

- Weekly case closure sessions implemented
- Strong investigator training and performance
- Excellent working relationship with Legal Division

Current Inventory: 517 open cases, 126 inquiries in intake

ii. **Fair Housing Enforcement** (Director Thomas):

- **Staffing:**
 - 9 team members (down 1 - intake position vacant due to health reasons)
 - Position posted; interviews likely January 2026
- **Activity (July-October FY26):**
 - 498 inquiries received (lower due to moratorium and shutdown)
 - 255 other contacts (primarily landlord-tenant/non-jurisdictional referrals)
- **Investigations:**
 - Cases closed: 33 [numbers to be verified]
 - Protected class breakdown:
 - Familial Status: 5 investigated
 - Disability: 31 investigated (16 with cause)
 - Race: 62 (8 with cause)
 - Religion: 1
 - Retaliation
- **Top Counties:** Richland, Orangeburg, Lexington (population-based)
- **Process Improvements:**
 - Standard Operating Procedures development
 - New conciliation agreement template
 - New notification letter (works with subpoena process)
 - Case review process with Legal
 - **Weekly case closure sessions** (complex cases with investigators, Interim Commissioner Caldwell, General Counsel invited)
 - May reduce to bi-weekly if numbers improve
- **Federal Shutdown Impact:**
 - Reduced case referrals during shutdown
 - Anticipated influx of cases now that HUD back in operation
 - Some complainants went directly to SCHAC during shutdown
 - Federal processing time: 5+ months vs. SCHAC 48-hour contact time

VII. **PUBLIC COMMENT:** None

VIII. **BOARD MEMBER COMMENTS:**

- Recognition of Interim Commissioner Caldwell's leadership over past 3 years
- Appreciation for staff retention and hiring quality employees during challenging periods
- Agency presented Interim Commissioner Caldwell with award in recognition of service
- Chairman Hall noted new Commissioner Dr. Warren's enthusiasm; hoped for earlier start date than announced. Meeting ended for General Session

IX. **EXECUTIVE SESSION:** Motion made and approved to enter executive session. Discussions were had surrounding personnel matters and any attorney-client matters

X. **NEXT BOARD MEETING:** The next Board meeting is scheduled for 10:00am on February 19, 2026, location TBD

XI. **ADJOURNMENT:** Meeting adjourned.

Minutes respectfully submitted by Janeen D. Sanders, SCHAC Executive Assistant.



Marvin Caldwell, Jr., Interim Commissioner



Steve Hall, Chairman

2-19-26

Date