

**Charlottesville Commission on Human Rights, Diversity,  
and Race Relations**

**A Proposal to Charlottesville City Council**

PREPARED BY:  
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**EXECUTIVE SUMMARY OF PROPOSAL FOR  
CHARLOTTESVILLE COMMISSION ON HUMAN RIGHTS, DIVERSITY AND RACE  
RELATIONS**

This proposal for a Commission on Human Rights, Diversity and Race Relations comes forward from one of the Dialogue on Race action groups. The City Council identified addressing race relations as a priority in 2009. Charlottesville's sordid history of race discrimination from slavery, to massive resistance with the closing of white city schools, and removal of Black families and businesses from Vinegar Hill results in lingering and unresolved race problems in Charlottesville. The Spring 2010 Action Plan for the Dialogue on Race identified needs to create an entity to process and resolve racial discrimination complaints and to create an "Equity Board" to educate residents about racial issues, promote positive community relations and to produce an annual report card.

Charlottesville in 2009 ranked as the fourth best city to live in across the United States by Kiplinger's magazine. A distinguishing factor for each of the top three cities-- Huntsville, AL., Albuquerque, NM, and Washington D.C.-- is that each has a permanent commission to address diversity and inclusion. Charlottesville does not have such a Commission, despite our history. However other Virginia municipalities such as Fairfax County, The City of Alexandria, the City of Newport News, Prince Williams County, and the City of Virginia Beach do have such commissions or offices with anti-discrimination enforcement powers.

In forming this proposal, we consulted with several Charlottesville community groups and are persuaded that unresolved complaints of race discrimination in employment and housing occur in the hundreds each year in Charlottesville. Thus, we propose that the City form a Commission with enforcement and educational powers to address these issues.

We propose that the Charlottesville Commission on Human Rights, Diversity, & Race Relations be established and structured to enforce human rights protections, to educate the community about their rights, and to take actions to prevent discrimination.

1. **Enforcement.** To engage in anti-discrimination enforcement activities including the investigation and resolution of claims of discrimination in private employment and housing as defined by a new City Ordinance. The Commission would have the power to hold hearings, conduct investigations, issue reports, impose fines and remedies. We recommend that the Commission should be structured to be eligible for designation as a Fair Employment Practices Agency (FEPA) in a contract with the U.S. Equal Employment Opportunity Commission

(EEOC). That means it would receive and process complaints of discrimination in private employment from residents of Charlottesville.

We also recommend that it be structured to become a Fair Housing Assistance Program (FHAP) with authority to receive and process complaints of housing discrimination through a contract with the U.S. Department of Housing and Urban Development (HUD). Thus, the Commission would have authority to enforce state and local anti-discrimination laws in the employment and housing areas.

The advantage of these affiliations is that Charlottesville residents would not have to give up their federal rights for equal treatment in order to use the services of the Commission. If our Ordinance substantially mirrors the non-discrimination requirements of those two federal agencies, then our contracting with them could produce some income to offset the costs.

**2. Education and prevention.** To engage in prevention, education, and training activities including outreach to inform citizens about anti-discrimination laws, participation in public events and private discussions to reduce tensions among groups and may include long-term campaigns to eradicate bias and prejudice in our community. In addition, it would promote trust, equality, understanding, and respect among the people of Charlottesville and between the people and government agencies by engaging every segment of the Charlottesville community in an honest, ongoing discussion of race, racism, and diversity. It would propose concrete solutions and paths to action for racial reconciliation, economic justice, and equity.

Enabling a commission will require the development of a City Ordinance to empower the agency. Our aspiration is for Charlottesville to become a national model distinguished for its diversity, positive race relations, equity, and inclusiveness. If Charlottesville is to remain competitive as one of the best places to live in the nation, we must make significant progress in addressing the problems associated with the City's history of race relations.

### **Suggested Commission Structure and Composition**

- The Commission will consist of 7 members, appointed by City Council, representative of the diversity of the Charlottesville community. Appointments would be for a term of three years, with removals and vacancy appointments made by City Council. The Commission will elect a chair and have a quorum consisting of 4 members.

- The Commission will be directed by an Executive Director, appointed by the City Council.

- The Commission staff will report to the City Manager and be housed in that

office. It will report at least semi-annually to the City Council.

- Funds for the Commission would be a permanent part of the City budget in the same manner as similar existing City Commissions are funded with an annual budget allocation.

- The Commission will further the mission and responsibilities initiated by the Dialogue on Race. It will absorb its practices of heightening community awareness and promoting sensitivity to the diversity of the residents of Charlottesville by promoting and sponsoring events and activities that support the cause of diversity, inclusion, and human rights.

### **Resources Required**

- Ordinance

The City would have to create the Commission and an ordinance (similar to those established in Fairfax County and the City of Alexandria) establishing anti-discrimination laws to be enforced in Charlottesville.

- Budget for Commission

The Commission would receive an annual operating budget similar to the Charlottesville Planning Commission. The Planning Commission currently receives a budget of approximately \$160,000 to \$200,000 per year, but may be as high as \$400,000 in years of intense planning associated with processes like the redevelopment planning process.

It is estimated that the start-up year budget for the Commission would be \$300,000 for year one and approximately \$200,000 per annum thereafter.

- Commission Staff (Office of Human Rights, Diversity and Race Relations)
  - Director (\$90,000.00/year)
  - Investigator-Advocate (\$60,000)
  - Administrative Support (\$30,000)

### **Resources available:**

- Human Rights Commissions enforcing federal anti-discrimination laws in housing and employment, once established may receive limited funding from EEOC and HUD contracts.<sup>1</sup>

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<sup>1</sup> Funding levels not guaranteed.

If the Commission can become designated as a Fair Employment Practice Agency (FEPA), the Equal Employment Opportunity Commission would conduct a review for comparability between the Charlottesville employment discrimination ordinance and the EEOC's statutes. EEOC would estimate an initial caseload, funds of \$ 550.00 per case would be allocated to the local commission, and training for staff would be provided. Regarding housing discrimination, the City could apply for a competitive grant and may be eligible for funds to provide education about the new ordinance under the FHAP grant program. If Charlottesville's ordinance is certified to be "substantially equivalent" to HUD requirements and its agency becomes a Fair Housing Assistance Program, \$120,000 may be available in year 1 for capacity building. If approved after year 1, HUD reimburses the agency per complaint, based on the number and quality of complaints (up to \$2600 per complaint + \$1000 per charged complaint for post-litigation costs) plus administrative costs (\$2000 for 2-9 complaints and it goes up from there) and training funds.

Further details are provided in the following full proposal.