

<b>AGENCY NAME:</b>	South Carolina Human Affairs Commission		
<b>AGENCY CODE:</b>	L360	<b>SECTION:</b>	70

## Fiscal Year 2016-17 Accountability Report

### SUBMISSION FORM

<b>AGENCY MISSION</b>	<p>The mission of the South Carolina Human Affairs Commission (SCHAC) is to eliminate and prevent unlawful discrimination in:</p> <ul style="list-style-type: none"> <li>• Employment on the basis of race, color, national origin, religion, sex, age or disability;</li> <li>• Housing on the basis of race, color, national origin, religion, sex, familial status, and disability;</li> <li>• Public accommodations on the basis of race, color, national origin, or religion.</li> </ul> <p>We also seek to promote harmony, understanding, and mutual respect among all the residents of South Carolina.</p>
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<b>AGENCY VISION</b>	<p>The Vision of the South Carolina Human Affairs Commission is to be well-known with a positive image that is understood and accepted by the public. SCHAC is a fully resourced, customer-friendly Agency with a diverse, well trained, and efficient team working together effectively in a safe and supportive environment to prevent unlawful discrimination for the citizens of South Carolina.</p>
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Please state yes or no if the agency has any major or minor (internal or external) recommendations that would allow the agency to operate more effectively and efficiently.

<b>RESTRUCTURING RECOMMENDATIONS:</b>	No
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Please identify your agency's preferred contacts for this year's accountability report.

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I have reviewed and approved the enclosed FY 2016-17 Accountability Report, which is complete and accurate to the extent of my knowledge.

<b>AGENCY DIRECTOR (SIGN AND DATE):</b>	 9/8/2017
<b>(TYPE/PRINT NAME):</b>	

<b>BOARD/CMSN CHAIR (SIGN AND DATE):</b>	 9/6/2017 John A. Oakland
<b>(TYPE/PRINT NAME):</b>	

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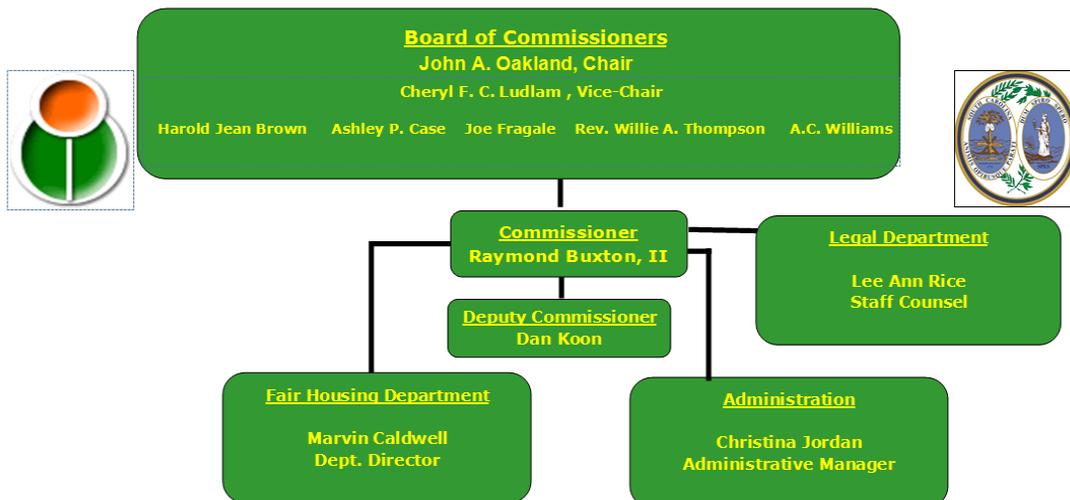
## AGENCY'S DISCUSSION AND ANALYSIS

The Human Affairs Commission was created in response to the Civil Rights movement of the 1960s. During that time there were a number of demonstrations by South Carolinians who demanded equal opportunity and fair treatment. Some of these demonstrations led to violent clashes. During the early 1970s as a result of the demonstrations and conflict, State leaders decided that, in order for South Carolina to progress socially and economically, the time had come to eliminate discrimination and to promote fairness for all of its citizens. Thus, the South Carolina Human Affairs Commission was created in 1972 with the mission to eliminate and prevent discrimination and to foster harmony and respect for the betterment of all South Carolinians. The Agency strives to meet this mission objective through: **A) enforcing the State laws administered by the Commission and B) using preventive methods which the law prescribes.**

The **laws enforced** by the Commission are: 1) the **South Carolina Human Affairs Law** (dealing with employment discrimination), 2) the **SC Fair Housing Law**, and 3) the **SC Public Accommodations Law**. The primary methods used by the Commission to **prevent discrimination** are: 1) to **monitor each State agency's Affirmative Action Plan** and provide an Annual Report to the General Assembly, 2) to **provide training** to educate the private and public sector, and 3) to create and sustain **Community Relations Councils** in each county to promote harmony and respect among a diverse people and to bring communities together to resolve issues of division when those problems occur at the local level.

To fulfil the Mission and Vision of the Agency, the Commission emphasizes the **Values** of: **Accountability, Customer Service, Fairness, Integrity, Loyalty, Professionalism, and Teamwork.**

The management team that ensures the Agency's Mission, Vision and Values are achieved are listed in the following Organizational Chart:



### Major Achievements

Major Achievements in the area of **laws enforced by the Commission**:

- A) Compliance Division:** Most financial resources within the Commission are used to enforce the South Carolina Human Affairs Law (**Employment Discrimination**) and the South Carolina Fair Housing Law (**Housing Discrimination**), and for good reason. In order for the citizens of this State to have the resources

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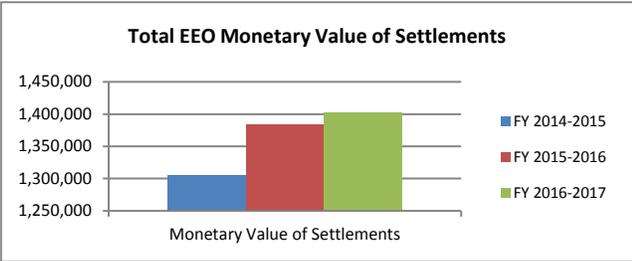
to live a productive life without government dependence, to make a contribution to society, and to have the right to “Life, Liberty and the pursuit of Happiness”, all South Carolinians must have fair access to employment, as well as housing. For a majority of the State’s history, many people in South Carolina did not have fair access to jobs, but with the employment law enforced by this Agency, citizens are now protected from employment discrimination. Citizens cannot be treated unfairly during the hiring process, nor can they be treated unfairly on the job based on their race, color, sex, national origin, religion, age, or disability. Similarly, citizens cannot be treated unfairly in their search for housing based on their race, color, sex, national origin, religion, familial status, or disability.

The Compliance Division enforces the laws prohibiting employment discrimination, and is comprised of four departments: 1) Intake, 2) EEO Investigations, 3) Mediation, and 4) Housing Investigations.

**1) Intake Department:** During fiscal year 2016-2017 the **Intake Department** (the department where all inquiries related to filing discrimination complaints is processed) within the Compliance Division received approximately 3,666 contacts. As a result of these contacts the following occurred: A) 1,920 questionnaires were sent to citizens desiring to file a discrimination charge; B) 1,110 questionnaires were returned; C) 704 formal charges of discrimination were filed as a result of the returned questionnaires; D) 573 charges of discrimination were retained by the Agency for investigation; E) 131 charges were waived to other agencies for investigation.

**2) EEO Investigation Department:** During fiscal year 2016-2017 there were a total of 1,280 employment discrimination complaints received for investigation from either the Intake Department or transferred to the Human Affairs Commission, from the US Equal Employment Opportunity Commission, resulting in 1012 final actions taken by the Agency. Of those final actions: 242 were based on race; 105 were based on sex; 177 were based on disability; 74 were based on age; 6 were based on religion; 9 were based on national origin; and 24 were based on retaliation. One (1) was based upon color, but 374 were based on multiple bases (e.g. race, sex and retaliation, or religion and national origin). The number of final actions or closures from the previous year increased by 9 final actions.

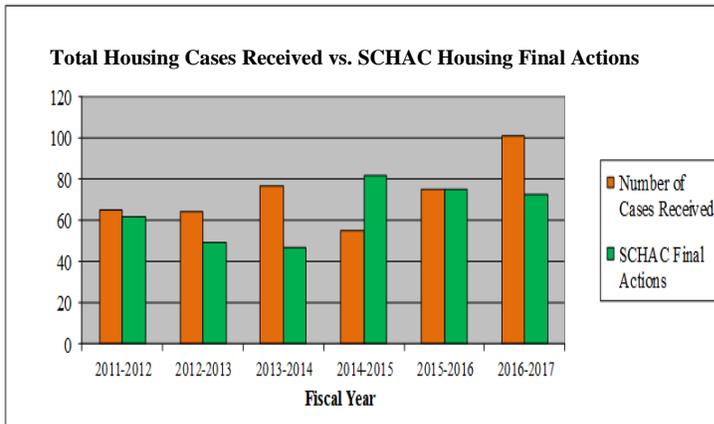
The resulting types of final actions or closures issued by the Commission during 2016-2017 are as follows: Administrative Closures-138 (19 of which were Potential Cause Determinations forwarded to the EEOC for additional processing), No Cause Determinations-712, Conciliations or Settlements-162. The total monetary value of settlements was \$1,402,442.



During the last Federal fiscal year ending September 30, 2016, the Commission successfully completed a contract with the United States Equal Employment Opportunity Commission (EEOC) conducting the investigation of 903 cases. In addition four new EEO Investigator positions were filled to assist investigations. Also, the universal review date for employee performance reviews was instituted, with investigators being held accountable to a standard of investigating the majority of their cases within 180 days of their assignment.

**3) Mediation Department:** During State fiscal year 2016-2017 there were 140 Mediations that resulted in 83 complaints being successfully mediated for a total monetary value of \$586,780. The total successful mediations increased from 98 cases the previous year, and there was a \$132,051 monetary decrease from the previous year. Mediations are important, because they give the charging party and the respondent an opportunity to meet and sort out their issues in order to come to mutually agreed terms for settling the matter.

**4) Fair Housing Department:** The **Fair Housing Department** enforces the laws that prevent discrimination on the basis of race, color, sex, religion, national origin, disability, and familial status. The Fair Housing Department works to prevent discrimination through education and outreach to communities around the State. The Department also has an investigative component that investigates complaints of housing discrimination. To resolve these complaints the Fair Housing Department may mediate or conciliate cases on behalf of the complainant and the respondent. In the event that the Fair Housing Department makes a determination that the respondent has violated the Fair Housing Law, the Legal Department of the Human Affairs Commission can litigate a case in court or hold an administrative hearing on behalf of the aggrieved complainant. Due to the Agency’s increased financial stability, the Commission during the fiscal year of 2016-2017 was able to hire a third attorney. This is important, because it allows the Agency to pursue legal remedies within the court system. Having the ability to take cases to court is part of what the General Assembly intended when it instituted the Human Affairs and Fair Housing Laws of South Carolina. The Commission is not only in the position at this time to take cases to court, but also able to have administrative hearings. In fact, this year for the first time in over 28 years, the Agency was able to hold an administrative hearing, and this was under the SC Fair Housing Law. The Fair Housing Department has a working relationship with the United States Housing & Urban Development (HUD). HUD has developed a Memorandum of Understanding with the Agency. This fiscal year (2016-2017) the Fair Housing Department completed 73 cases after completing 75, 82, and 47 cases respectively in the past three fiscal years. Investigation revenue is \$304,370, after receiving \$289,550, \$336,225, and \$133,282 during the previous fiscal years respectively. Average case processing time is at 96 days per case with 59% of the cases being closed within 100 days.



Fiscal Year	Number of Cases Received	SCHAC Final Actions
2011-2012	65	62
2012-2013	64	49
2013-2014	77	47
2014-2015	55	82
2015-2016	75	75
2016-2017	101	73
<b>Average</b>	<b>73</b>	<b>65</b>
***Averages are rounded to the nearest whole number***		

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**B) Major Achievements in the Area of Prevention or Consultative Services:**

The Departments for Technical Services & Training, and Community Relations accomplished the following:

- 1) **Technical Services Department:** The Department successfully monitored the hiring and promotions of employees in 90 State agencies and thereby produced on February 1, 2017, the “Annual Report to the General Assembly on the Status of Equal Employment Opportunity in South Carolina State Government”. The results of the report show that, while it appears that State government is making progress in the area of affirmative action where women and minorities have increased their employment representation in State employment, there continues to be under-representation of African Americans and women in the highest three pay bands of government. In order to accurately update affirmative-action reporting for all State agencies the Commission utilizes the Computerized Affirmative Action Management System (CAAMS). CAAMS allows the Agency to operate more efficiently and to gather statistics and data, which will assist agencies in their recruitment of minorities and will allow agencies to obtain their affirmative action goals more accurately

Another significant goal obtained within Technical Services this year was again due to the advantage of having a third full-time staff person serving as an EEO Officer. With sufficient staffing the Agency re-established holding the Annual EEO Forum. The Forum, the first one held in over seven years, brings agency heads and their EEO officers together for learning, motivation, and recognition opportunities where State agencies, initiating the best practices of Affirmative Action, are recognized for their achievements. Ten State agencies were recognized for their advancement of achieving their goals.

- 2) **Community Relations Department:** An important aspect of State government’s efforts to prevent discrimination in South Carolina is to create and sustain Community Relations Councils (CRCs). Since its re-establishment in 2012 the Community Relations Department has maintained a working relationship with the seven existing Community Relations Councils in SC and is in the process of establishing or revitalizing other CRCs to eventually reach the goal of maintaining a CRC in each of the State’s 46 counties. A CRC in each county will provide a system of local entities within the State to help prevent and resolve issues of division at a local level. A functioning CRC can prevent civil unrest with racial undertones, such as the events that occurred in Ferguson, Missouri; Baltimore, Maryland; and other cities across our United States.

During the 2016-2017 fiscal year the department sustained Community Relations Councils in 17 counties to include the following: Aiken, Allendale, Anderson, Berkeley, Beaufort, Georgetown, Greenville, Greenwood (neighborhood association), Hampton, Horry (Myrtle Beach), Jasper, Lancaster, Laurens, Lee (Enhance the Quality of Life Committee), McCormick, Richland (Greater Columbia Community Relations Council), York (Rock Hill).

In the past couple of years, the Community Relations Department has seen a need to revamp and update the process of forming a Community Relations Council, training its members and initiating constructive dialogue between citizens to resolve issues. Thus, the Commission entered into a contract with the College of Charleston to develop this procedure that will enhance the quality of community life. This new method, designed to produce constructive dialogue between citizens so that conversations can be conducted in a civil manner, was completed near the end of this fiscal year. Two Community Relations Consultants will be using an issues-management process as the central working

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service delivery model for creating a council. In addition to initiating this new development process, the staff works to partner with local and State organizations in hopes to include a yearly conference of Community Relations Councils and community partners.

In addition to creating and sustaining Community Relations Councils, the Community Relations Department works in other areas to prevent and eliminate discrimination through various outreach initiatives. Some of these outreach initiatives are updating the agencies WEB page, creating monthly and quarterly newsletters, and promoting the Agency at various community and Statewide events including: A) End Racism Day, B) Mother Emanuel 9 Remembrance Day and C) Dialogue on Race Relations.

Also, the Community Relations Department is responsible for administering the **South Carolina Public Accommodations Law**. This third law administered by the Human Affairs Commission prevents discrimination in the area of citizens having access to public facilities such as restaurants, hotels, recreational parks, and others facilities. The law protects citizens on the basis of race, color, national origin, and religion. Twenty Statute 1-13-90 (e) and Public Accommodations cases were filed during the last fiscal year. Twenty-four 90 (e) cases and Public Accommodations cases were closed during FY 2016-2017.

- 3) **EEO Training:** Another important way to prevent and eliminate discrimination is through providing training. During the course of this past year there were 34 separate EEO training classes conducted for 13 State agencies by the Technical Services Department. The training primarily focused on prevention through educating supervisors and Human Resource personnel about EEO Laws, diversity training, and issues in employment. Approximately 721 State employees were trained in these areas during the past fiscal year.

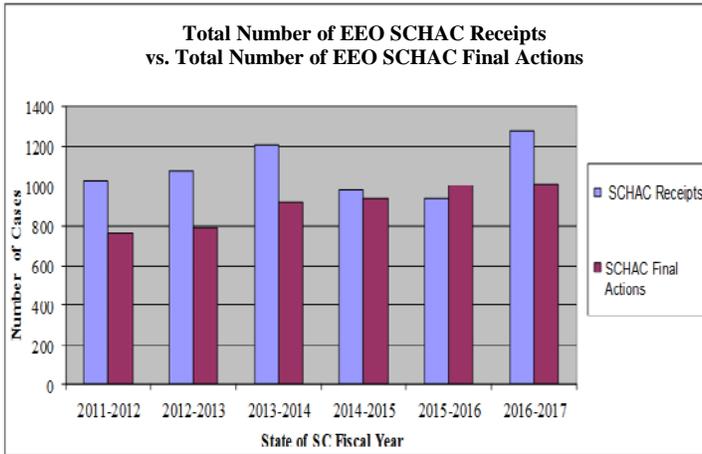
Also, Agency personnel participated in staff development and training within the Agency on 19 occasions this past year. Training was conducted in the areas of employment and housing law.

**C) Major Achievements in Administration:**

In addition to the previously mentioned reporting achievements made in EEO Enforcement, Fair Housing, Community Relations, and Technical Services & Training, additional goals, strategies, and objectives obtained through the efforts of administration this past year included: 1) the consistent use of the EPMS on an annual universal date, 2) facilitation of team-building events to involve all departments, 3) monthly management meetings, where there was a review of expectations and standards, 4) increased customer awareness through media advertisements, 5) partnered with three Federal agencies in terms of carrying out the Agency’s mission, and 6) administered the following: A) managed the budget, B) facilitated cooperation with audits, and C) determined priorities for the expenditure of funds to achieve Agency goals.

**Internal and External Factors Affecting the Agency’s Performance:** With foresight and vision for the future, the General Assembly and Governor understand that a State which historically sanctioned discrimination must maintain a functioning State agency whose primary mission is to prevent and eliminate discrimination. State leadership also recognized that the citizens and businesses of this State would prefer for issues of discrimination to be investigated at the State level as opposed to the Federal level. Thus, State government leadership began restoring funding to the Agency in the 2011-2012 fiscal-year. At this time the Agency has appropriate staffing in the Technical Services, Employment, and Housing Departments.

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State of SC Fiscal Year	SCHAC Receipts	SCHAC Final Actions
2011-2012	1028	765
2012-2013	1078	796
2013-2014	1206	914
2014-2015	977	938
2015-2016	938	1003
2016-2017	1280	1012
<b>Average</b>	<b>1085</b>	<b>905</b>
*** Averages are rounded to the nearest whole number***		

**Risk Assessment and Mitigation Strategies:** While each of the Agency’s goals are extremely important to the mission of the Agency, if goal number (1) Preventing and Eliminating Employment Discrimination were not delivered efficiently or effectively, there would be a severe negative impact to the State of South Carolina. First, if people do not feel that they have access to employment on a fair basis due to their own human uniqueness, this perspective can cause social unrest within society. Social unrest can lead to economic and social instability, to include demonstrations and violence, resulting in more work and negatively impacting social service and law enforcement agencies. Second, the largest part of the Commission’s budget other than through State government funding is received from the US Equal Employment Opportunity Commission. Should this funding ever be significantly cut, layoffs within the Agency would cause the Agency to work ineffectively and inefficiently. Again this effect could lead to long-range turmoil, evolving into creating social and economic issues within the general public. In addition, if employment discrimination laws enforced by the SC Human Affairs Commission were not operating effectively, the SC Courts system could have many more cases filed in court that were not resolved at the Agency’s administrative level.

There are no other State agencies or private entities that investigate employment discrimination in South Carolina. While there is a Federal agency that does enforce employment discrimination laws, without the support of the Human Affairs Commission, the work of the EEOC would be less effective thereby, again, negatively impacting our State citizens. Also, many citizens, the General Assembly, and many political and business leaders in South Carolina prefer not to have Federal intrusion into State government affairs. Without the anti-employment discrimination work of the Human Affairs Commission, businesses and the State citizens would be working with Federal authorities.

Other than additional funding being provided to the Human Affairs Commission, some ways that the General Assembly could address this public need should this deliverable be reduced or eliminated are: A) Amend the Human Affairs Law to require that State agencies attempt to mediate every charge filed with SCHAC prior to an investigation by the Commission; B) Amend the Human Affairs Law so that the damages and relief afforded to aggrieved parties are broadened to be better aligned with other States’ employment discrimination laws, as well as Federal laws administered by the EEOC.

**Continued Discussion on Internal and External Factors Affecting the Agency’s Performance:** Other internal factors based on external issues that the Commission encounters related to the effectiveness of Agency operations is retention of employees due to inadequate pay and improvements needed to building facilities. New employees have been efficiently trained to be given new job skills that are also transferable to perform other

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careers within the workforce. As a result of consistent training and above-average performance, good employees are able to find higher paying positions, especially within larger State agencies. Thus, the need for additional State funds to increase employee salaries is essential. Also, the building facilities for the Agency is inadequate in terms of enough space for the number of employees needed to perform the legal mandates to fulfil the agencies mission effectively. It is estimated that 80% of the staff works in spaces less than the State requirement of 210 square feet. While the old building structure was renovated in 2013 to move Agency employees from a private facility to a State-owned facility, the building lacks basic and adequate insulation, is susceptible to a number of water leaks and needs structural remodeling in several places to provide necessary security and safety for employees.

Although there are various internal and external factors that have some minor adverse impacts on Agency operations, during this past fiscal year the dedicated Agency staff was able to successfully complete: 1) an Equal Employment Opportunity contract, 2) a Housing and Urban Development contract, 3) monitor each State agency’s hiring and promotion practices, and 4) provide training to a significant number of people regarding how to prevent and eliminate discrimination. While the Agency has accomplished various successes, the Agency also must better prepare to deal with situations within the State where social and civil unrest could erupt at any given moment.

Unfortunately, the State of South Carolina is not immune to tragic incidents of racism or other forms of discrimination.

The killing of nine African Americans during a Bible study by an individual whose reported motive was to incite racial conflict brought our State to an extremely difficult moment in its history. However, with forgiving families of the victims and strong leadership from local and State leaders to promote healing, South Carolina averted a very precarious situation. As a result of State and national incidents involving social unrest, the Commission is currently implementing a new community relations process called the “Quality of Life Initiative”. Through this process the Commission plans to institute an approach to train leaders in each of the State’s 46 counties to enhance dialogue so that respect and civility will become a primary focus of communication in South Carolina. This new community relations initiative will identify community issues and will provide civil conversation on how to resolve concerns that will help prevent civil unrest and discrimination in our State.

This spirit to promote healing, harmony, and respect among all South Carolinians is exactly what the Governor and General Assembly were hoping to accomplish through the establishment of the South Carolina Human Affairs Commission in 1972. The mission and the work of the Human Affairs Commission have helped South Carolina to make great progress in terms of social and economic growth for many of its citizens. In fact, the economic/social transformation which the State as a whole has achieved in modern times will only continue to be successful if State government consistently prioritizes the principles on which the Human Affairs Commission was founded: the belief that all citizens, no matter how complex or different they have been created, will have the free right to employment, housing, and public accommodations, so that the American dream of “Life, Liberty and the pursuit of Happiness” may be fulfilled and people may live in harmony and with respect for one another.

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Strategic Planning Template

Type	Goal	Item # Strat	Object	Associated Enterprise Objective	Description
<b>G</b>	<b>1</b>			<b>Government and Citizens</b>	<b>Prevent and Eliminate Housing Discrimination</b>
<b>S</b>		<b>1.1</b>			<b>Implement a process of hiring and training employment investigators</b>
<i>O</i>			<i>1.1.1</i>		<i>Provide monthly training sessions related to Employment Law for 15 employment investigators in 2017-2018</i>
<i>O</i>			<i>1.1.2</i>		<i>Continue a workplace mentoring program for investigators/employees during FY 2017-2018</i>
<b>S</b>		<b>1.2</b>			<b>Maintain a reliable and measurable tracking system for the time it takes to process and investigate an employment discrimination complaint</b>
<i>O</i>			<i>1.2.1</i>		<i>Decrease the average amount of case processing time of 189 days to investigate a charge of discrimination from the date of filing to 180 days by June 30, 2018</i>
<b>G</b>	<b>2</b>			<b>Government and Citizens</b>	<b>Prevent and Eliminate Employment Discrimination</b>
<b>S</b>		<b>2.1</b>			<b>Enhance the awareness of the Housing Division to include the awareness of the Agency in underserved counties.</b>
<i>O</i>			<i>2.1.1</i>		<i>Implement the Fair Housing Outreach Plan by January 31, 2018</i>
<b>S</b>		<b>2.2</b>			<b>Implement an efficient processing system for Housing discrimination complaints</b>
<i>O</i>			<i>2.2.1</i>		<i>Process 50% of all Housing cases within 100 days during FY 2017-2018</i>
<i>O</i>			<i>2.2.2</i>		<i>Conduct onsite investigations for all cases identified as problematic cases during FY 2017-2018</i>
<b>G</b>	<b>3</b>			<b>Government and Citizens</b>	<b>Educate citizens about the use of legal remedies to achieve justice and fairness</b>
<b>S</b>		<b>3.1</b>			<b>Empower the Legal and Mediation Departments with authority as provided by law</b>
<i>O</i>			<i>3.1.1</i>		<i>Litigate probable cause cases that cannot be conciliated in the Fair Housing Division during FY 2017-2018</i>
<i>O</i>			<i>3.1.2</i>		<i>Hold an administrative hearing for an employment or housing case by June 30, 2018</i>
<i>O</i>			<i>3.1.3</i>		<i>Mediate cases at the level of 15% during FY 2017-2018</i>
<b>S</b>		<b>3.2</b>			<b>Promote legislation to update and standardize the laws and regulations of the Commission</b>
<i>O</i>			<i>3.2.1</i>		<i>Continue to engage and educate members of the General Assembly in proposed changes to existing laws during FY 2017-2018</i>

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Type	Goal	Item # Strat	Object	Associated Enterprise Objective	Description
<b>G</b>	<b>4</b>			<b>Public Infrastructure and Economic Development</b>	<b>Foster Culturally Sensitive and Socially Inclusive Communities Statewide</b>
<b>S</b>		<b>4.1</b>			<b>Create and sustain existing Community Relations Councils in 46 counties</b>
<i>O</i>			4.1.1		<i>Increase the number of counties with Community Relations Councils from 17 to 22 during FY 2017-2018</i>
<i>O</i>			4.1.2		<i>Sustain the current leadership in existing Community Relations Councils per minimum requirement during FY 2017-2018</i>
<b>S</b>		<b>4.2</b>			<b>Implement technology platform and external communication campaign to expand the network of Community Relations Councils</b>
<i>O</i>			4.2.1		<i>Distribute an electronic newsletter devoted to Community Relations Councils on a monthly basis during FY 2017-2018</i>
<i>O</i>			4.2.2		<i>Develop the Agency web page to communicate periodic updated information to all Community Relations Councils during FY 2017-2018</i>
<b>S</b>		<b>4.3</b>			<b>Promote the Quality of Life Initiative in all Community Relations Councils</b>
<i>O</i>			4.3.1		<i>Conduct Quality of Life Initiative meetings with 5 Community Relations Councils during FY 2017-2018</i>
<b>G</b>	<b>5</b>			<b>Education, Training, and Human Development</b>	<b>Advocate the compliance of Agency Affirmative Action Policies within all State agencies</b>
<b>S</b>		<b>5.1</b>			<b>Partner with all State agencies to better monitor agency Affirmative Action policies</b>
<i>O</i>			5.1.1		<i>Conduct a computer analysis of each agency's hiring and promotion practices during FY 2017-2018</i>
<i>O</i>			5.1.2		<i>Review all State agency Affirmative Action reports and provide necessary recommendations to State agencies in developing and implementing non-discriminatory employment systems during FY 2017-2018</i>

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Type	Goal	Item # Strat	Object	Associated Enterprise Objective	Description
S		5.2			<b>Provide Affirmative Action and Employment Law training to all State agencies</b>
O			5.2.1		<i>Provide 12 EEO Employment Law training sessions for supervisors of State agencies requesting assistance during FY 2017-2018</i>
O			5.2.2		<i>Organize one Statewide Affirmative Action Forum for all State agencies during FY 2017-1208</i>

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Performance Measurement Template

Item	Performance Measure	Last Value	Current Target Value	Current Value	Future Target Value	Time Applicable	Data Source and Availability	Calculation Method	Associated Objective(s)	Meaningful Use of Measure
1	Intake Calls and Initial Inquiries	6,177	6,485	3,666	3,739	July 1, 2016 - June 30, 2017	Internal Records	Monthly Report	1.1.1	Provides data for potential employment cases to be formalized into charges
2	Intake Calls Formalized into charges	672	900	704	718	July 1, 2016 - June 30, 2017	IMS	Monthly Report	1.1.1	Provides data for potential employment cases to be filed
3	Employment Cases Received	938	1200	1280	1305	July 1, 2016 - June 30, 2017	IMS	Monthly Report	1.1.1, 1.1.2, 1.2.1	Provides data for potential employment cases to be closed
4	Employment Cases Closed	1003	1100	1012	1000	July 1, 2016 - June 30, 2017	IMS	Monthly Report	1.1.1, 1.1.2, 1.2.1	Provides data for EEOC contract
5	Employment Cases Successfully Mediated	63	80	83	80	July 1, 2016 - June 30, 2017	IMS	Monthly Report	1.2.1, 3.1.3	Provides data for number of cases mediated
6	Funds Collected at Mediation	718,831	755,000	586,780	755,000	July 1, 2016 - June 30, 2017	IMS	Monthly Report	1.2.1, 3.1.3	Provides data for successful mediation related to monetary value
7	Employment: Monetary Value of Settlements	1,383,000	1,400,000	1,402,442	1,400,000	July 1, 2016 - June 30, 2017	IMS	Monthly Report	1.1.1, 1.1.2, 1.2.1	Provides data for successful resolution rates for employment cases as it relates to monetary value
8	Housing Cases Received	75	85	101	85	July 1, 2016 - June 30, 2017	HEMS	Monthly Report	2.1.1	Provides data for potential housing cases to be received
9	Housing Cases Closed	75	85	73	85	July 1, 2016 - June 30, 2017	HEMS	Monthly Report	2.2.1, 2.2.2	Provides data for potential housing cases to be closed
10	Housing Cases Conciliated	26	30	38	30	July 1, 2016 - June 30, 2017	HEMS	Monthly Report	2.2.1, 3.1.3	Provides data for potential housing cases to be conciliated
11	Public Accommodations / 90 e Cases Investigated	15	20	24	20	July 1, 2016 - June 30, 2017	Internal Records	Monthly Report	3.1.3	Provides data for the number of cases filed & investigated under the Public Accommodations Law
12	Community Relations Councils / Sustained & Created	17	22	17	20	July 1, 2016 - June 30, 2017	Internal Records	Monthly Report	4.1.1, 4.1.2, 4.2.1, 4.2.2	Provides data to show Agency goal under Human Affairs Law, ensuring every county in SC has a CRC
13	State Agency AA Plans Monitored	85	85	90	90	July 1, 2016 - June 30, 2017	CAAMS	Monthly Report	5.1.1, 5.1.2	Provides data number of State agencies mentored by Agency as required by Human Affairs Law
14	Training - External	31	24	34	24	July 1, 2016 - June 30, 2017	Internal Records	Monthly Report	5.1.2	Provides data to show that various entities are being trained to prevent unlawful discrimination
15	Training - Internal	18	15	19	12	July 1, 2016 - June 30, 2017	Internal Records	Monthly Report	1.1.1	Provides data to show employees are being properly trained in the area of law, which they enforce

Agency Name: SC Human Affairs Commission

Fiscal Year 2016-2017  
Accountability Report

Agency Code: L360 Section: 070

Program Template

Program/Title	Purpose	FY 2016-17 Expenditures (Actual)				FY 2017-18 Expenditures (Projected)				Associated Objective(s)
		General	Other	Federal	TOTAL	General	Other	Federal	TOTAL	
I. Administration	To provide administrative direction, control, and support for the Agency	\$ 726,448	\$ -	\$ -	\$ 726,448	\$ 784,369	\$ -	\$ -	\$ 784,369	3.1.1, 3.1.2, 3.1.3, 3.2.1
					\$ -				\$ -	
					\$ -				\$ -	
II. Consultative Services	To provide technical services, training, and equal opportunity, community relations, and consulting services	\$ 233,103	\$ -	\$ -	\$ 233,103	\$ 281,880	\$ -	\$ -	\$ 281,880	4.1.1, 4.1.2, 4.2.1, 4.2.2, 4.3.1, 5.1.1, 5.1.2, 5.2.1, 5.2.2
					\$ -				\$ -	
					\$ -				\$ -	
III. Compliance Programs	To enforce State laws prohibiting employment, housing, and public accommodations discrimination	\$ 844,962	\$ 447,985	\$ 251,108	\$ 1,544,055	\$ 783,419	\$ 443,580	\$ 296,437	\$ 1,523,436	1.1.1, 1.1.2, 1.2.1, 2.1.1, 2.2.1, 2.2.2
					\$ -				\$ -	
					\$ -				\$ -	
IV. Employer Contributions		\$ 457,352	\$ 113,773	\$ 50,493	\$ 621,617	\$ 476,279	\$ 113,718	\$ 67,589	\$ 657,586	

Agency Name: SC Human Affairs Commission

Fiscal Year 2016-2017  
Accountability Report

Agency Code: L360 Section: 070

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who (customer) the agency must or may serve? (Y/N)	Does the law specify a deliverable (product or service) the agency must or may provide? (Y/N)
1	1-13-20. Declaration of policy.	State	Statute	Establishes that discrimination is unlawful and declares that the Agency was created by the General Assembly to promote harmony, and eliminate and prevent discrimination on the basis of race, religion, color, sex, age, national origin, or disability.	No	No
2	1-13-30. Definitions.	State	Statute	Provides definitions for terms within the Human Affairs Law, which help to establish the jurisdiction of and guidance to the Agency.	No	No
3	1 - 13 - 40. Creation of South Carolina Commission on Human Affairs.	State	Statute	Establishes the Commission (Board) and provides guidance on members who may be selected for the Board, and the appropriate methods of voting.	Yes	Yes
4	1-13-50. Commissioner and personnel.	State	Statute	Guides the Commission Board on selection of an Agency Head and additional staff.	No	No
5	1-13-60. Duties of chairman and vice-chairman.	State	Statute	Commands the Chairman to act as the presiding officer at meetings of the Commission and states that he shall promote the orderly transaction of its business.	No	No
6	1-13-70. Powers of Commission.	State	Statute	Explains the Commission's powers, including (1) the ability to maintain an office or offices; (2) the ability to adopt bylaws; (3) the authority to promulgate regulations related to the chapter; (4) the authority to formulate policies to effectuate the purposes of this chapter and to make recommendations to appropriate parties in furtherance of such policies; (5) the ability to obtain and utilize upon request the services of all governmental departments and agencies; (6) the ability to create or recognize community councils to promote the Agency's mission; (7) the ability to work with the EEOC and accept reimbursement from it; (8) the ability to investigate charges of discrimination; (9) the ability to hold hearings following an investigation; and (10) the ability to petition for an order of a court of competent jurisdiction requiring compliance with an order issued by the Commission pursuant to the procedure set forth in item (16) of subsection (c) of Section 1-13-90; (11) the ability to accept grants, bequests, or donations; (12) and the ability to institute proceedings in a court of competent jurisdiction, for cause shown, to prevent or restrain any person from violating any provision of the chapter.	Yes	Yes
7	1-13-80. Unlawful employment practices; exceptions.	State	Statute	Establishes various unlawful employment practices, which the Commission has the power to investigate, and exceptions thereto.	No	No
8	1-13-85. Medical examinations and inquiries.	State	Statute	Establishes various unlawful employment practices related to medical inquiries and examinations which the Commission has the power to investigate.	No	No

9	1-13-90. Complaints, Investigations, Hearings and Orders.	State	Statute	Establishes the means by which the Commission may accept charges of discrimination and investigate the same. This section establishes the subpoena power of the Agency regarding any complaint filed against a State agency or any other jurisdictional employer, labor organization, or employment agency. Empowers the Agency to conciliate a charge of discrimination. Provides processes and timelines for when parties shall respond to requests for information from the Agency. Establishes the procedures for holding hearings following the investigation process in employment matters filed against a State agency when a reasonable cause determination is issued. Requires that the Chairman designate a panel to hear the matter pursuant to the unlawful practices in Section 1-13-80 or 1-13-85, and based on the practices found in the Administrative Procedures Act of South Carolina. An Order must be issued from the Panel following the conclusion of the hearing, either finding in favor of the complaining party and awarding damages or injunctive relief, or dismissing the matter pending against the respondent state agency. This section further establishes the Commission's right to bring an action in circuit court for discriminatory employment practices. The law also provides recourse for a complainant who is issued a notice of right to sue following the dismissal of a charge.	Yes	Yes
10	1-13-100. Construction and Application of Chapter.	State	Statute	Limits the construction and application of the Human Affairs Law to those things which violate the law per section S.C. Code Ann. § 1-13-90; that violate Title VII of the Civil Rights Act of 1964, as amended, 42 U. S. C. Section 2000e et seq.; that violate the Age Discrimination in Employment Act of 1967, as amended, 29 U. S. C. Section 621 et seq.; or that violate the Americans with Disabilities Act of 1990, as amended, Public Law 101-336.	No	No
11	1-13-110. Affirmative Action Plans by State Agencies; Approval by Commission; Action by General Assembly.	State	Statute	Requires that each State agency shall develop an Affirmative Action Plan to assure equitable employment for members of minorities and shall present the plans to the Agency on or by February 1 of each year. The Commission reports to the Department of Administration if a State agency has not satisfactorily complied with meeting its Affirmative Action goals.	Yes	Yes
12	65-1 Definitions.	State	Regulation	Provides definitions for terms within the Human Affairs Law regulations, which help to establish the jurisdiction of and guidance to the Agency.	No	No
13	65-2 Complaint.	State	Regulation	Governs the requirements for the Agency's acceptance and retention of formal complaints of discrimination under the Human Affairs Law. Provides for circumstances in which a complaint may be amended and further guides the Agency on when a complaint should be dismissed.	Yes	Yes
14	65-3. Investigation and Production of Evidence	State	Regulation	Provides structure to the investigation process and identifies responsibilities of the investigator, Commission members, and other staff. Explains the steps required prior to Agency enforcement of a subpoena. Provides clarity on the Administrative Hearing process. Explains the confidential nature of the file and gives guidance to the Agency regarding the production of file contents when requested by parties to the investigation or others.	Yes	Yes

15	65-4 Preliminary or Temporary Relief.	State	Regulation	Grants the Agency authority to apply to a court of competent jurisdiction, seeking injunctive relief regarding a pending complaint with the Agency, pursuant to 1-13-70(s).	No	Yes
16	65-5 Conference, Conciliation and Persuasion.	State	Regulation	Explains the processes related to conciliation and settlement during the investigation, or after. Requires that those attempts at conciliation be kept confidential by the Agency.	Yes	Yes
17	65-6 Reasonable Cause Determination: Procedure and Authority.	State	Regulation	Requires that the Agency submit a reasonable cause determination and notify the parties of the same, if based on evidence obtained by the Commission, the Agency believes that an unlawful employment practice has occurred or is occurring, and provided conciliation efforts have failed.	Yes	Yes
18	65-7 Reconsideration of Order of Dismissal or Order to Initiate Suit.	State	Regulation	Establishes the Commission's duty to provide an opportunity of reconsideration of a matter where applicable.	Yes	Yes
19	65-8 Procedure for Hearing as Provided by Section 1-13-90(c) of the Act.	State	Regulation	Establishes the procedures for holding an Administrative Hearing, and issuing an Order, in any case where a reasonable cause determination has been issued against a State agency for violation of the Human Affairs Law.	Yes	Yes
20	65-9 Procedure for the Institution of Civil Actions as Provided in Section 1-13-90(d) of the Act.	State	Regulation	Establishes the procedures for the Agency to institute a civil action in any case where a reasonable cause determination has been issued against an employer that is not a State agency for violating the Human Affairs Law. Alternatively, authorizes the Complaining Party to file civil action following the Agency's issuance of a notice of right to sue.	Yes	Yes
21	65-10 Certification.	State	Regulation	Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission.	No	No
22	65-11 Availability of Rules.	State	Regulation	Establishes that the Agency should have the rules and regulations available to the public at its office.	Yes	Yes
23	65-12 Construction of Rules and Pleadings.	State	Regulation	Explains that the regulations shall be constructed liberally to effectuate the purposes of the Human Affairs Law of South Carolina.	No	No
24	65-13 General Investigations.	State	Regulation	Establishes that the Agency may, in its discretion, conduct general investigations of discrimination.	No	No
25	65-20 Submission of Equal Employment Opportunity Reports.	State	Regulation	Requires that all State agencies submit Equal Employment Opportunity Reports to the Agency. Requires supplements to each report on a regular basis and when specifically requested by the Human Affairs Commission.	No	No
26	65-21 Equal Employment Officer to be Designated.	State	Regulation	Requires that every State agency head designate an Equal Employment Officer for preparing reports and communicating with the Human Affairs Commission regarding the Equal Employment Opportunity Report.	No	No
27	65-23 Preservation of Records in Event of Charge of Discrimination.	State	Regulation	Requires that a State agency preserve all personnel records relevant to a pending charge or action under the Human Affairs Law until final disposition of the charge or the action.	No	No
28	65-24 Notices to be Posted.	State	Regulation	Requires that State agencies post notices in their buildings for the benefit of their employees, and the notices will be prepared by the Human Affairs Commission setting forth excerpts from and summaries of pertinent provisions of the Human Affairs Law, and information pertinent to the filing of a complaint.	Yes	Yes
29	65-30 Guidelines Established.	State	Regulation	Expounds upon the types of unlawful treatment in S.C. Code Ann. § 1-13-80(a) based on an employee's pregnancy, maternity leave, childbirth, or temporary disability.	No	No

30	65-40 Minimum Requirements.	State	Regulation	Sets for parameters that community groups must meet before being recognized as a Community Relations Council by the Agency.	No	No
31	Civil Rights Act of 1964 [Title VII , 42 USC §2000 et seq]	Federal	Statute	Prohibits discrimination in employment based on race, color, religion, sex, or national origin; prohibits discrimination against an employee/applicant for opposing an unlawful employment practice, making a charge, or assisting in an investigation, proceeding, or hearing against an employer in regard to an unlawful employment practice.	No	No
32	Title I of the Americans with Disabilities Act of 1990 (ADA)	Federal	Statute	Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. Title II requires that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities, including employment. The Human Affairs Law is substantially equivalent to Title I.	No	No
33	The Age Discrimination in Employment Act of 1967 (ADEA) [29 USC §621]	Federal	Statute	Prohibits an employer from refusing to hire, discharge or from otherwise discriminating against any individual age 40 or older, solely on the basis of age.	No	No
34	Ledbetter Fair Pay Act of 2009 [Public Law 111-2, 123]	Federal	Statute	Amends Civil Rights Act of 1964 to state that the 180-day statute of limitations for filing an equal pay suit resets with each new discriminatory paycheck.	No	No
35	Equal Pay Act of 1967 [29 USC §206(d)]	Federal	Statute	Prohibits paying wages to employees at a rate less than the rate at which the employer pays wages to employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.	No	No
36	Genetic Information Nondiscrimination Act (GINA) [Public Law 110-223]	Federal	Statute	Prohibits discrimination based on genetic information in both health insurance (Title I) and employment (Title II).	No	No
37	Pregnancy Discrimination Act [42 U.S.C. § 2000(e) et seq.]	Federal	Statute	Prohibits discrimination against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit	No	No
38	31-21-20. State policy.	State	Statute	Establishes the State policy to provide fair housing throughout the State.	No	No
39	31-21-30. Definitions.	State	Statute	Provides definitions for terms within the Fair Housing Law, which help to establish the jurisdiction of the Agency, and guidance to the Agency and citizens of South Carolina.	No	No
40	31-21-40. Discrimination in relation to sale or rental of property.	State	Statute	Establishes the prohibited discriminatory housing practices that the Commission has the power to investigate based on discrimination regarding sales or rentals of jurisdictional property.	No	No
41	31-21-50. Discrimination in relation to membership or participation in multiple listing service, real estate brokers' organization, or related service, organization, or facility.	State	Statute	Establishes that it is unlawful to deny any person access to, or membership or participation in, any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings or to discriminate against him in the terms or conditions of the access, membership, or participation on account of their membership in a protected class (due to race, color, national origin, religion, gender, disability, or familial status).	No	No

42	31-21-60. Discrimination in relation to residential real estate-related transactions.	State	Statute	Defines the term "residential real estate-related transaction" and establishes that it is unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of the transaction, because of race, color, religion, sex, handicap, familial status, or national origin.	No	No
43	31-21-70. Application and exceptions.	State	Statute	Further explains jurisdiction and clarifies the law by restricting the Fair Housing Law's application to certain housing providers. Expands unlawful discrimination related to a disability or handicap to include issues such as a housing provider's failure to accommodate, a failure to permit a modification, or non-compliance with ANSI requirements for accessible design.	No	No
44	31-21-80. Interference with the exercise of any right under this chapter.	State	Statute	Makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise of, or on account of his having aided or encouraged any other person in the exercise of, any right granted under the Fair Housing Law.	No	No
45	31-21-90. Administration of chapter.	State	Statute	Provides that the Human Affairs Commissioners shall administer the Fair Housing Law, but may delegate responsibilities to Commission staff, such as investigating, conciliating, hearing, determining, ordering, certifying, reporting.	Yes	Yes
46	31-21-100. Powers of the Commission.	State	Statute	Explains the Commission's powers regarding the South Carolina Fair Housing Law, including (1) the ability to make regulations necessary to enforce the Fair Housing Law; (2) to make studies with respect to the nature and extent discriminatory fair housing practices; (3) the ability to work with the U.S. Department of Housing and Urban Development or another organizations and accept reimbursement from it; (4) the ability to accept gifts or bequests; and (5) the ability to institute proceedings in a court of competent jurisdiction, for cause shown, to seek appropriate temporary or preliminary injunctive relief pending final administrative disposition of a complaint.	Yes	Yes
47	31-21-110. Investigations by commission; subpoenas.	State	Statute	Establishes the Commission's investigatory power and the power to issue subpoenas.	Yes	Yes
48	31-21-120. Complaints; process and handling; conciliation; effect of local laws; civil action.	State	Statute	Explains the process by which a complaint of discrimination may be accepted for investigation at the Agency. Establishes the Commission's ability to conciliate matters through mutual agreements. Limits an investigation to 100 days unless there is a reason for an extension or delay. States that an investigation will end if a court action is filed regarding the matter.	Yes	Yes
49	31-21-130. Investigator's report and recommendation; dismissal of or hearing on complaint; civil action; amending of complaint; subpoenas; hearing by commission; opinion and order; review; court appeals; enforcement orders.	State	Statute	Explains the procedures for completing an investigation and either dismisses the matter for lack of cause or recommends that the matter be heard in an administrative hearing before a panel of the Board of Commissioners because the complainant has met their burden of proof under Fair Housing Law. Establishes the right of either party to elect that a civil action be filed instead of an administrative hearing. Explains the hearing process if an administrative hearing is to be held.	Yes	Yes

50	31-21-140. Civil action; damages.	State	Statute	Provides that a civil action shall be commenced within one year of the alleged discriminatory housing practice, though that period may be tolled during portions of the investigation. Explains that a complainant does not need to exhaust an administrative remedy through the Human Affairs Commission prior to filing a lawsuit in civil court. States that relief in a matter brought under the Fair Housing Law may include any permanent or temporary injunction, temporary restraining order, or other order, and may award the plaintiff actual damages, and punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing party.	Yes	Yes
51	31-21-150. Coordination regarding complaint filed with multiple agencies.	State	Statute	States that the Agency will determine if a complainant has filed a similar complaint with the Federal Home Loan Bank Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation of the Federal Reserve System, the United States Department of Housing and Urban Development, or any other agency with authority to investigate and resolve complaints alleging a violation of this chapter in order to prevent duplicate complaints.	Yes	Yes
52	65-210 General.	State	Regulation	Provides further clarification related to jurisdiction of the law for certain housing providers. Incorporates definitions from the Law for purposes of the regulations and provide additional definitions.	No	No
53	65-211 Discriminatory Housing Practices.	State	Regulation	Interprets certain prohibitions of unlawful conduct in the context of real estate practices; advertisements, statements and notices; representations on the availability of dwellings; blockbusting; and the provision of brokerage services.	No	No
54	65-213 Discrimination in Residential Real Estate Related Transactions.	State	Regulation	Interprets certain prohibitions of unlawful conduct in the context of residential real estate related transactions; the making of loans and in the provision of other financial assistance; the purchasing of loans; the terms and conditions for making available loans or other financial assistance; and in the selling, brokering, or appraising of residential real property.	No	No
55	65-215 Prohibition Against Discrimination Because of Handicap.	State	Regulation	Interprets certain prohibitions of unlawful conduct in the context of the protected class of disability by listing general prohibitions against discrimination because of handicap and by providing additional definitions.	No	No
56	65-217 Housing for Older Persons.	State	Regulation	Explains certain jurisdiction limitations for State and federal elderly housing programs, and fifty-five or over housing.	No	No
57	65-219 Interference, Coercion or Intimidation.	State	Regulation	Interprets unlawful conduct under 31-21-80, considered to be retaliatory or found to be an attempt to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of that person having exercised or enjoyed, or on account of that person having aided or encouraged enjoyment of, any right granted or protected by this section.	No	No
58	65-220 Complaints.	State	Regulation	Provides guidance related to the acceptance of complaints of discrimination by the Agency. Further explains when an amendment would be appropriate and how the complaint will be served by the Agency. Allows a respondent to answer the complaint.	Yes	Yes
59	65-221 Referral of Complaints to State and Local Agencies.	State	Regulation	Explains the proper procedure for handling dually filed or duplicative complaints among local, state, and other agencies.	Yes	Yes

60	65-223 Investigation Procedures.	State	Regulation	Provides the burden of proof in a housing investigation (reasonable cause) and gives the investigator guidance on how to process and investigate file. States the need for the investigator to disclose final conclusions in a report to be made available to the parties.	Yes	Yes
61	65-225 Conciliation Procedures.	State	Regulation	Requires the Commission to attempt conciliation with each complaint filed. Provides guidance on the type of relief that may be contemplated in a conciliation agreement. States specific times when conciliation efforts may be terminated. Makes conciliation efforts confidential, but provides that an agreement reached is public.	Yes	Yes
62	65-227 Issuance of Complaint.	State	Regulation	Explains how a reasonable cause determination should be issued and how an administrative pleading should be created to be served on the parties following a reasonable cause determination. Allows a party to elect to have the matter heard in a civil action in Common Pleas rather than through the administrative hearing before a panel of the Board of Commissioners.	Yes	Yes
63	65-229 Other Action.	State	Regulation	Directs the Commission to notify agencies about a hearing if it has an interest in the enforcement of the respondent's obligation. Requires other agencies to cooperate with the Commissioner in furthering the purposes of Fair Housing.	Yes	Yes
64	65-230 General Information.	State	Regulation	Contains the rules of practice and procedure established by the Commission for administrative proceeds, to include reasonably accommodating persons with disabilities and maintaining filed documents.	Yes	Yes
65	65-231 Hearing Panel.	State	Regulation	Grants authority to the Chief Hearing Office of the administrative hearing panel, such as conducting the hearing, issuing subpoenas, ruling on evidence, and handling motions. Provides that a Commissioner may be disqualified and, may either withdraw himself, or may be withdrawn upon motion of party. Forbids ex parte communications.	Yes	Yes
66	65-232 Parties.	State	Regulation	Permits the parties to a complaint to be present at the hearing, as well as intervenors to the matter if they are aggrieved. States that there may be legal representatives for the parties, and the Commission. Requires that parties and others at the proceedings act with integrity and in an ethical manner.	Yes	Yes
67	65-233 Pleadings, Motions and Discoveries.	State	Regulation	Indicates the types of pleadings necessary to an administrative hearing, and those which are permitted. Provides certain deadlines related to filing of pleadings and for discovery. Allows the Chief Hearing Officer to permit supplemental pleadings or amendments to pleadings, and gives him the right to require oral arguments on motions, and to issue subpoenas among other powers.	Yes	Yes
68	65-234 Dismissal and Decisions.	State	Regulation	Requires that an administrative proceeding be dismissed if a separate suit is filed as a civil action.	Yes	Yes
69	65-235 Hearing Procedures (Review and Enforcement).	State	Regulation	Provides guidance on the date and place that a hearing should be held and further provides who may be present to represent the parties. Explains the conduct of the hearing, to include the exclusion of certain evidence. States that the hearing shall be recorded and requires that an Order be issued and filed following the hearing's conclusion. Allows parties to request a reconsideration of an Order, and states that the hearing transcript will be made available after the hearing's conclusion. Explains the process by which a party may appeal the Order and states the way the Commission can seek enforcement of its Order.	Yes	Yes

70	65-236 Certification.	State	Regulation	Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission.	No	No
71	65-237 Availability and Construction of Rules.	State	Regulation	Establishes that the Agency should have the rules and regulations available to the public at its office.	Yes	Yes
72	65-240 Purpose.	State	Regulation	States that the purpose of the regulation is to assist advertising media and agencies.	No	No
73	65-242 Scope.	State	Regulation	Provides the scope of the rule and states that persons who fail to use the appropriate criteria will be subject to reasonable cause determinations when necessary.	No	No
74	65-244 Use of Words, Phrases, Symbols, and Visual Aids.	State	Regulation	Provides certain words, phrases, symbols, and forms that may be considered discriminatory by the Commission when investigating an allegation of discrimination in housing advertisements.	No	No
75	65-246 Selective Use of Advertising Media or Content.	State	Regulation	Explains that content in and use of housing advertising may be considered discriminatory by the Agency if such advertising appears to have a discriminatory impact by being targeted for a particular protected class.	No	No
76	42 U.S.C. §§ 3601 - 3619*	Federal	Statute	The Federal Fair Housing Act defines the discriminatory fair housing practices and the enforcement procedure for Fair Housing violations. The South Carolina Fair Housing Law is substantially equivalent to the Federal Fair Housing Act.	No	No
77	ANSI A117.1	State	Regulation	The American National Standard for Buildings and Facilities Providing Accessibility and Usability for Physically Handicapped People requirements have been incorporated by reference into 31-21-70(H) and provide a "safe harbor" for housing providers to remain in compliance with Fair Housing Law requirements.	No	No
78	45-9-10. All persons entitled to equal enjoyment of and privileges to public accommodations; places of public accommodation; "supported by state action" defined.	State	Statute	Provides that all persons should be entitled to the full and equal enjoyment of the services and accommodations of any place of public accommodation, regardless of their race, color, religion, or national origin. Defines those locations that are considered places of public accommodation under the law. Defines "supported by state action."	No	No
79	45-9-20. Exception for private establishments.	State	Statute	Provides that the chapter does not apply to a private club or other establishment not in fact open to the general public.	No	No
80	45-9-30. Deprivation of right to equal enjoyment of and privileges to public accommodations prohibited.	State	Statute	Prohibits persons from depriving or attempting to deprive others from the rights of equal enjoyment in places of public accommodations.	No	No
81	45-9-40. Processing of complaints; review by State Human Affairs Commission; complaint by Attorney General.	State	Statute	Provides that after receipt of the investigation into complaints by Attorney General (AG) and SLED, Agency shall conduct an investigation to determine whether there is reasonable cause that Article I rights to public accommodations were violated. If reasonable cause is found, Agency Chairman informs AG. After the AG brings an action, Agency panel will conduct a hearing on the matter on the allegations presented. If a license revocation proceeding is initiated, a separate Commission panel will conduct the hearing.	Yes	Yes
82	45-9-50. Hearing on complaint by Attorney General; notice of hearing.	State	Statute	Provides that a panel of Agency members, designated by Chairman must hold a hearing within 60 days of the AG complaint and provide notice of the hearing.	Yes	Yes

83	45-9-60. State Human Affairs Commission may establish rules of procedure for hearings; subpoenas; rights of persons charged; rules of evidence scope of hearing; deliberations of panel; remedies for violation.	State	Statute	Provides that the Agency may establish rules of procedure for hearings related to allegations of discrimination in a place of public accommodation. Provides that Commission shall grant relief for Article I violations and may order reimbursement for costs incurred in conducting hearings.	Yes	Yes
84	45-9-65. Liability of employer for acts of employee; conditions under which revocation of license not required for pattern or practice of discriminatory conduct.	State	Statute	Provides conditions where Agency may find discrimination but not require revocation of license. Provides that Agency may find employers are not liable for acts of employee unless it was reasonably known to the licensee, permittee, or managing agent.	No	No
85	45-9-70. Right to intervene in action.	State	Statute	Provides that panel shall consider whether intervention will unduly delay or prejudice adjudication of rights of the original parties.	Yes	No
86	45-9-75. Final decision of panel; appeals.	State	Statute	Provides that the final Agency decision shall be in writing and list licenses or permits to be revoked.	Yes	Yes
87	45-9-80. Attorney General to notify permitting, regulatory, or licensing authority of violations; immediate revocation of license or permit; enforcement of panel's decision; violators not to obtain license or permit for three years.	State	Statute	Authority not granted to Agency. The statute states that if the Agency determines a violation occurred, then the Attorney General must notify the licensing, permitting, or regulatory entity of the violation in order to revoke the same.	No	No
88	45-9-85. Penalty for violating confidentiality provisions.	State	Statute	Violators of confidentiality provisions in 42-9-60 subject to fine or imprisonment.	No	No
89	45-9-90. Penalty for violating provisions of Article 1.	State	Statute	Violators of Article I subject to misdemeanor conviction along with fine and/or imprisonment.	No	No
90	45-9-100. Action for damages by aggrieved party; minimum damages for violation.	State	Statute	Provides that party may file a suit in circuit court for recovery of damages subject to 45-9-110 limitations.	No	No
91	45-9-110. Prerequisites to action for damages; conciliation.	State	Statute	Establishes the process by which a charge of unlawful discrimination or segregation may be conciliated by the Agency, and requires that a complaining party seek conciliation through the Agency before filing a lawsuit.	No	No
92	45-9-120. Prerequisites to action for damages not to limit right to pursue license revocation or criminal penalties.	State	Statute	Establishes 45-9-110 limitations do not apply to pursuit of license revocation and criminal penalties.	No	No
93	70.1 (HAC: Human Affairs Forum Carry Forward)	State	Proviso	States that revenue from donations and registration fees from Forums shall be retained and carried forward for general operations.	No	No
94	70.2 (HAC: Training Revenue)	State	Proviso	States that revenue from fees from training and technical assistance shall be retained and carried forward for general operations.	No	No
95	70.3 (HAC: Revenue from Copying Fees)	State	Proviso	States that revenue derived from copies of Commission files, opinions, and Orders shall be retained and carried forward for general operations.	No	No

96	117.13(GP: Discrimination Policy)	State	Proviso	Reaffirms the State's discrimination policy and describes the details required to be included in the Commission's report on State Agency Affirmative Action Plans and Programs.	Yes	Yes
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Customer Template

Divisions or Major Programs	Description	Service/Product Provided to Customers	Customer Segments	<i>Specify only for the following Segments: (1) Industry; Name; (2) Professional Organization; Name; (3) Public; Demographics.</i>
Compliance - EEO Enforcement and Fair Housing	Complainant or Individual filing a complaint of discrimination	Provides timely and professional assistance and processes the charge of discrimination to a successful resolution.	General Public	All Citizens employed or seeking employment. All Citizens living in rental homes, neighborhoods or purchasing homes or seeking rentals.
Compliance - EEO Enforcement and Fair Housing	Respondent or business to which the complaint is filed against	Provides timely and professional assistance and processes the charge of discrimination to a successful resolution.	Industry	All private Industry or Businesses. All private Rental Businesses and Realtors.
Compliance - EEO Enforcement and Fair Housing	Attorneys representing the Complainant or Respondent	Provides timely and professional assistance and processes the charge of discrimination to a successful resolution.	Professional Organization	Law Firms
Consultative Services - Technical Services	State Agencies, organizations and individuals receiving training services and/or affirmative action program assistance	Provides knowledge and assistance which will enhance their capacity to carry out the responsibilities to contribute to the prevention and elimination of unlawful discrimination.	Executive Branch/State Agencies	All citizens employed by state government Private industry seeking EEO training
Consultative Services - Community Relations	Local Community Relations Councils which receive assistance in developing local issue resolution capabilities	Provides assistance to enable local communities to enhance their capacity to address local issues related to diversity thereby serving their citizens, promoting harmony, and improving the quality of life in local communities.	Local Govts.	All citizens seeking to promote harmony related to matters of human diversity
Compliance - EEO Enforcement	US Equal Employment Opportunity Commission (EEOC)	Processes complaints where contractual obligations and responsibilities are successfully fulfilled.		Federal Government
Compliance - Fair Housing	US Department of Housing and Urban Development (HUD)	Processes complaints where contractual obligations and responsibilities are successfully fulfilled.		Federal Government

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Partner Template

Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Objective(s)
Citizens of SC	Individual	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	1.1.1, 1.1.2, 1.2.1, 2.1.1, 2.2.1, 2.2.2, 3.1.1, 3.1.2, 3.1.3, 3.2.1, 4.1.1, 4.2.2, 4.3.1, 5.1.1
Business/Companies	Private Business Organization	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	1.1.1, 1.1.2, 1.2.1, 2.1.1, 2.2.1, 2.2.2, 3.1.1, 3.1.2, 3.1.3, 3.2.1, 4.1.1, 4.2.2, 4.3.1, 5.1.1
Governor	State Government	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. Request funds to efficiently and effectively carry out the mission of the agency and train Board Members appointed by Governor about the agency's mission and operations.	3.2.1, 4.1.1, 4.3.1, 5.1.1, 5.1.2
State Legislature	State Government	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. Request funds to efficiently and effectively carry out the mission of the agency and train Board Members appointed by the Governor with the advice and consent of the Senate about the agency's mission and operations.	3.2.1, 4.1.1, 5.1.1, 4.3.1, 5.1.2
State Agencies	State Government	Monitor State Agency Affirmative Action Plans including hiring and promotion practices and train managers on methods to prevent and eliminate discrimination.	1.1.1, 1.2.1, 3.1.2, 3.1.3, 5.1.1, 5.1.2
US Equal Employment Opportunity Commission (EEOC)	Federal Government	Enforce Employment laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	1.1.1, 1.1.2, 1.2.1, 3.1.2, 3.1.3, 5.1.1, 5.1.2
US Department of Housing and Urban Development (HUD)	Federal Government	Enforce Housing laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	2.1.1, 2.2.1, 2.2.2, 3.1.1, 3.1.2, 3.1.3

Community Relations Councils - Local Government - Counties/Municipalities	Local Government		To help prevent discrimination through constructive dialogue thereby promoting harmony among a diverse group of people.		4.1.1, 4.1.2, 4.2.1, 4.2.2, 4.3.1
US Department of Justice			Share information and coordinate activities related to preventing discrimination in local communities and within the entire State.		4.1.1, 4.1.2, 4.2.1, 4.2.2

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Report Template

Item	Report Name	Name of Entity Requesting the Report	Type of Entity	Reporting Frequency	Submission Date (MM/DD/YYYY)	Summary of Information Requested in the Report	Method to Access the Report
1	Annual House Restructuring Report	House Legislative Oversight Committee	State	Annually	September 15, 2016	Overview of agency's mission and vision. Review of agency's strategic plan, legal standards, structure, budget, partners and goals	<a href="http://www.scstatehouse.gov/reports/reports.php">http://www.scstatehouse.gov/reports/reports.php</a>
2	Accountability Report	Executive Budget Office	State	Annually	September 15, 2016	Overview of agency's mission and vision. Review of agency's strategic plan, legal standards, structure, budget, partners and goals	<a href="http://www.scstatehouse.gov/reports/reports.php">http://www.scstatehouse.gov/reports/reports.php</a>
3	Agency Contract Performance Report (322)	US Equal Employment Opportunity Commission	Federal	Monthly	5th of each Month	Agency Complaint Closures	Internal - Report on EEOC IMS Software
4	Annual Report to the General Assembly	General Assembly	State	Annually	February 1, 2017	Status of Equal Employment Opportunity in State Government	<a href="http://www.scstatehouse.gov/reports/reports.php">http://www.scstatehouse.gov/reports/reports.php</a>
5	Onsite Monitoring Questionnaire	US Department of Housing and Urban Development	Federal	Annually	June 30, 2016	Performance standards, reporting, recordkeeping, budget and finance and data support system requirements	Internal Records
6	SC State Agencies and Colleges/Universities Recycling and Buying Recycled Annual Report	SC Department of Health and Environmental Control	State	Annually	September 15, 2016	Amount of material agency recycled and products purchased from recycled material.	<a href="http://www.scdhec.gov/Library/OR-1339.pdf">http://www.scdhec.gov/Library/OR-1339.pdf</a>

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External Review Template

Item	Name of Entity Conducted External Review	Type of Entity	External Review Timeline (MM/DD/YYYY to MM/DD/YYYY)	Method to Access the External Review Report
1	State Auditors Office	State	07/1/2016 - 06/30/2017	<a href="http://osa.sc.gov">http://osa.sc.gov</a>
2	OHR - HR Audit	State	07/1/2016 - 06/30/2017	Internal - Agency HR Director
3	Fair Housing Assistance Program; Performance Assessment US Department of Housing and Urban Development (HUD)	Federal	07/1/2016 - 06/30/2017	Internal
4	US Equal Employment Opportunity Commission (EEOC) (Reviews a minimum of 10% of Employment Case Closures to monitor quality of work)	Federal	10/1/2016 - 09/30/2017	Internal - EEOC only