



BOARD/COMMISSION RECOMMENDATION

Human Rights Commission

Recommendation Number: 2016222-4c: Potential Cooperation Between the Equal Employment and Fair Housing Office of the City of Austin and the Clinical Program of the University of Texas School of Law

WHEREAS, the Austin Human Rights Commission (“Commission”) advocates on behalf of human rights for all people in the City of Austin (“City”); and

WHEREAS, the rights to freedom from discrimination in employment and housing are human rights; and

WHEREAS, the City of Austin maintains an Equal Employment and Fair Housing Office (“EEFHO”) which receives, investigates, and attempts to resolve complaints of discrimination in employment and housing arising under federal, state and City laws; and

WHEREAS, upon information and belief, the majority of persons who complain to the EEFHO about discrimination lack the assistance of legal counsel; and

WHEREAS, the University of Texas School of Law (“UTLaw”) maintains a clinical program in cooperation on with various nonprofit organizations, pro-bono projects at private law firms, government agencies, courts, and the state legislature whereby law students attending that school can participate in one of sixteen clinics, including a civil rights clinic, housing clinic, and human rights clinic; and

WHEREAS, UTLaw students participating in its clinical program, with faculty oversight, represent clients during the preparation, trial, and appeal of cases in litigation or in law-related transactions and projects; and

WHEREAS, if UTLaw were able to create a clinic in conjunction with the EEFHO whereby unrepresented persons complaining of discrimination before that agency were provided with legal representation by UTLaw students, such a program could benefit the City by helping to better insure equal protection of persons and groups against housing and/or employment discrimination, benefit City residents who are victims of discrimination by enhancing their preparation and negotiation of their legal claims, benefit City residents who are UTLaw students by permitting them to gain meaningful real world experience while still in school, as well as potentially inspire students to pursue careers in civil rights advocacy, and strengthen City relations with UTLaw, with the City’s legal community, and with communities of persons within the City who are especially vulnerable to discrimination in housing and employment; and

WHEREAS, City Ordinance authorizes to the Commission to, *inter-alia*: devise practices to promote equal opportunity in the City; serve in an advisory and consultative capacity to all city departments. . .and regulatory agencies to assure effective compliance with non-discrimination policies . . . recommend to the city manager measures to improve the ability of

various departments and agencies to insure equal protection of any and all persons and groups against discrimination; initiate and facilitate discussions and negotiations between individuals and groups to lessen tensions and improve understanding in the community; institute and conduct educational programs to promote equal treatment, opportunity and understanding, and sponsor meetings, institutes, forums, and courses of instruction to lead to a clearer understanding and solution of human relations problems; assist in training city employees to use methods of dealing with intergroup relations that result in respect for equal rights and equal treatment. . . ; provide services and information to the city manager and heads of all city departments and agencies to achieve the purposes of the chapter; and cooperate with all . . . governmental agencies, as well as . . . educational. . . and other groups, associations, societies, and individuals with constructive talents and resources helpful in achieving mutual appreciation of the privileges and the responsibilities of citizenship (City Ord. §2-1-148(A) at §§1-2, 5, 9-10, 12-13); and

WHEREAS, Commissioner Ashley Normand, after obtaining the approval of the Commission at its January 25, 2016 meeting, reached out to the Director of UTLaw's Civil Rights Clinic, Ranjana Natarajan, and learned that she and other UTLaw personnel would be interested in engaging in discussion with City personnel to explore whether and how law students may be able to participate in assisting unrepresented complainants before the EEFHO; and

WHEREAS, the City's Human Relations Department has advised Ms. Normand that City Counsel should grant approval before any further exploratory discussions take place;

NOW, THEREFORE, BE IT RESOLVED that the Austin Human Rights Commission recommends to the Austin City Council to pass a resolution directing the City Manager to undertake one or more meetings with potential stakeholders, including, but not limited to Ms. Natarajan, to determine whether feasible opportunity exists to create a UTLaw clinical program relating to representing persons complaining of discrimination before the City's EEFHO and thereafter report back its findings from said meeting(s) to the Commission.

Date of Approval: February 22, 2016

Record of the vote: Motion by Commissioner Buls, seconded by Vice Chair Caballero, adopted 7-0; Chair Davis, Commissioner Brown, Commissioner Miller, and Commissioner Yang absent.

Attest: _____


Jonathan Babiak, Human Rights Commission Liaison

City of Austin Human Resources Department