

ARIZONA CIVIL RIGHTS ADVISORY BOARD

Minutes of Public Meeting

Telephonic

Wednesday, October 27, 2010

Board Members Present

Jeffrey Lavender
Laura Mims
Daisy Flores
Kenneth Moore
Jesus Cordova

Board Members Absent

Beverly Dupree

Staff Member Present

Melanie V. Pate, Executive Director
Sandra R. Kane, Legal Counsel
Kathy Grant, Legal Secretary

I. Call to Order

The meeting was called to order at 4:00 p.m. by Chairman Jeff Lavender and was held telephonically in the Lobby Conference Room of the Attorney General Law Building at 1275 W. Washington, Phoenix, AZ 85017. In attendance via telephone were Laura Mims, Daisy Flores and Kenneth Moore in addition to Jeff Lavender.

II. Approval of Minutes of October 6, 2010 Meeting

Moved to future meeting.

III. Encouraging Municipalities to Adopt Ordinances Prohibiting Sexual Orientation and/or Gender Identity Discrimination.

Ms. Pate reported regarding the results of the survey that the Arizona Civil Rights Advisory Board sent to Arizona cities and towns. The survey was to determine whether the Arizona cities and towns had policies or ordinances prohibiting discrimination against employees based on sexual orientation and/or gender identity. There were 25 responses received from the 87 surveys sent out. 19 of the 25 responses stated that they have policies or ordinances in place prohibiting this type of discrimination and they sent us a copy of their policies and/or ordinances. In addition, 6 of those surveyed responded that they do not have such policies or ordinances. Other municipalities reported having a mixture of what they prohibit in their policies or ordinances. A review of the ordinances received from the 19 municipalities who indicated that they had such prohibitions revealed that there were prohibitions against sex discrimination but their ordinances made no mention of sexual orientation or gender identity discrimination. Board Member Jesus Cordova arrived at the meeting.

The Board requested that Sandra Kane and Melanie Pate draft a letter for the Board's approval at the next meeting. The letter would be addressed to Arizona municipalities and would suggest that they adopt an ordinance prohibiting sexual orientation and/or gender identity discrimination. The Tucson ordinance can be used for reference.

IV. Consideration of Support of The Dream Act

All board members stated that they reviewed the proposed Board letter addressed to Senators McCain and Kyl in support of The Dream Act. Beverly Dupree, who was unable to attend the meeting, sent in her comments with Sandra Kane. She suggested a few edits. Jeff Lavender made those corrections during the meeting. Kenneth Moore moved to approve the letter for consideration of support of The Dream Act with the suggested changes and grammatical corrections. Jesus Cordova seconded the motion, and the Board members in attendance unanimously approved the motion.

V. Discussion of Strategies to Deal with School Bullying

Ms. Kane stated that school bullying was becoming a significant civil rights issue in that kids are being bullied in school buses based on their protected classifications, disabilities, sexual orientation or perceived sexual orientation, national origin as well as other things. This type of bullying is having a serious impact on students who are committing suicide as a result of this. Most recently, President Obama and the U.S. Department of Education have been trying to take action from a civil rights standpoint. In a news report, the Department of Education sent a letter to school districts around the country providing advice about preventing bullying. Mr. Lavender added that the current state law requires that schools inform students that they can report bullying and that all student-reported bullying has to be investigated and reported to the superintendent. Ms. Kane noted that investigating and reporting doesn't stop the bullying and asked Mr. Lavender if there was any protocol for schools to stop the bullying. Mr. Lavender responded that there is no law that says the school is required to stop the bullying; there is only the assumption that the schools will take appropriate action. Mr. Lavender suggested the Board make a recommendation to set a standard in all schools across the Board to the Arizona Board of Education or Legislature. Ken Moore discussed how his experience with school bullying sixty years ago still affects him, and stated that action is needed to stop the bullying. Mr. Lavender suggested holding a forum to discuss this topic and invite some Legislators.

VI. Call to Public

No members of the public attended the meeting.

VII. Planning

The Board tentatively set a School Bullying Community Forum on January 27, 2010 from 6-8 pm at a location in the Phoenix area to be determined. In addition, the Board will hold a telephonic meeting on Wednesday, December 1, 2010 at 4:00 pm.

VIII. Announcements and Current Events

Ms. Kane reported that there will be a disability seminar at the Disability Empowerment Center on Wednesday, December 1, 2010.

IX. Division Report

Ms. Pate reported that the Division is in the process of hiring Litigation Attorneys.

X. Adjournment

Upon motion by Kenneth Moore to adjourn, seconded by Laura Mims, the Board unanimously voted to adjourn the meeting at 4:55 p.m.

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