

ARIZONA CIVIL RIGHTS ADVISORY BOARD

Minutes of Public Meeting
Monday, November 14, 2011

Board Members Present

Jeff Lavender, Chairperson
Jesus Cordova
Laura Mims, Vice-Chair Person
Wendy Freeman
Beverly Dupree

Board Members Absent

Daisy Flores
Kenneth Moore

Staff Members Present

Sandra R. Kane, Executive Director
Jennifer Larson, Legal Counsel
Brian Kolosick, Administrative Assistant

I. Call to Order.

Chairperson Jeff Lavender called the meeting to order at 4:06 p.m. with the following Board members present by telephone: Jeff Lavender, Jesus Cordova, Laura Mims, Wendy Freeman, and Beverly Dupree. Staff members and members of the public were able to participate in the meeting by speaker phone at the Attorney General's Office Lobby Conference Room at 1275 W. Washington, Phoenix, Arizona 85007.

II. Approval of Minutes.

Jesus Cordova moved to approve the minutes of the October 3, 2011 public meeting and Wendy Freeman seconded the motion. Sandra Kane informed the Board that the date of the minutes on the Agenda was inaccurate and should be amended to reflect the actual meeting date of October 6, 2011. Per the recommendation of Sandra Kane, Jesus Cordova moved to approve the Board meeting minutes from the October 6, 2011 public meeting and Wendy Freeman seconded the motion. The Board voted unanimously to approve the minutes of the October 6, 2011 Board meeting.

III. Old Business.

(1) Continued discussion on actions following public forum on school bullying solutions, including proposed letters from the Board.

Jeff Lavender informed the Board that three (3) letters were drafted to be sent to the following people: The Governor, Superintendent Huppenthal at the State Board of Education, and Senator Steve Pierce. No amendments or suggestions were offered to change the content of the letters. Jesus Cordova moved to approve the letters for signature by Jeff Lavender, and Wendy Freeman seconded the motion. Sandra Kane advised that she would have the letters placed on Arizona Civil Rights Advisory Board Letterhead and sent to Jeff Lavender for signature via email. Beverly Dupree moved that the letters be forwarded to each school district in the state of Arizona via the State Board of Education, Superintendent Huppenthal, and the Arizona School Board Association, and Jesus Cordova seconded the motion. The Board unanimously approved the motion to request that the letters be forwarded to each school district in the state of Arizona.

(2) Federal Safe Schools Improvements Act

Jennifer Larson was introduced as the new Legal Counsel for the Board and Assistant Attorney General in the Civil Rights Division. Jennifer Larson reported that the last action on the Federal Safe Schools Improvement Act was on June 4, 2009 and that the Bill was inactive. However, in March of 2011, the Anti-Bullying and Harassment Act (Bill 975) was introduced in the House, which proposes to amend the Safe and Drug-Free Schools and Communities Act to include school bullying and harassment prevention programs. The new bill provides an expanded definition of bullying and includes a provision on cyber bullying. Jennifer Larson informed that she will email the text of the bill to the Board. Sandra Kane suggested that the Board watch this bill as it progresses through Congress.

IV. Call to Public

No additional speaker wished to address the Board.

V. Division Report

Sandra Kane informed the Board of two (2) recent Consent Decrees. The first Consent Decree was against the Pima County Sheriff's Department and Pima County involving employment discrimination based on disability. An employee of the Sheriff's Department was not permitted to have a service dog assist her at work based on her disability, and she was retaliated against in the form of termination. The defendants settled for a monetary sum, provision of an alternative position, reinstatement with full benefits, policy changes, training, and monitoring for the next two (2) years in six (6) month increments. The case was litigated by Sandra Kane. The second Consent Decree was against Harkins Theatres. As a result of the lawsuit, Harkins will equip virtually all screens in Arizona with close captioning and video description technology for its customers who are blind or visually impaired in conjunction with its conversion to an all digital format, which is expected to reach completion in 2012. In addition, Harkins Theatres will provide training to its staff to assist visually impaired patrons on the use of the new technology. The case was litigated by Rose Daly-Rooney.

The Civil Rights Division has five hundred twelve (512) cases currently in investigation. The Civil Rights Division continues to receive positive performance reviews from the Equal Employment Opportunity Commission (EEOC).

The Division has proposed to amend the Administrative Rules regarding the Arizonans with Disabilities Act to mirror the changes in the Americans with Disabilities Act. The public comment period for the proposed changes closed on November 1, 2011. Sandra Kane indicated that she expects that the final amended rules will be completed by January 15, 2011 with the view toward having the amended rules be in effect by March of 2012. Sandra Kane also reported that the Civil Rights Division has hired a new attorney in Phoenix, Leslie Ross.

VI. Planning for Next Meeting

The Board will have a telephonic meeting on Monday, January 23, 2011 at 4:00 p.m.

VII. Announcements and Current Events

No announcements or current events.

VIII. Adjournment

Upon motion by Jesus Cordova, which was seconded by Beverly Dupree, the Board unanimously voted to adjourn the meeting at 4:52 p.m.