



Oregon

John A. Kitzhaber, Governor

Oregon Advocacy Commissions Office
"Advocating Equality and Diversity"
1819 SW 5th Ave., Portland, OR 97201
O 503.302.9725/F 503.473.8519
Email: oaco.mail@state.or.us
www.oregon.gov/OAC

NOTES

Joint Forum of Oregon Advocacy Commissions
Friday, December 7, 2012
1:00 PM – 4:00 PM
800 NE Oregon Street, Room 1D
Portland, OR 97232

Attendees:

Commissioners:

Andrea Cano, Rep. Lew Frederick, Jenny Greenleaf, Ping Khaw-Sutherland, Jennifer Kleskie, James Manning, Sen. Laurie Monnes Anderson (phone), Sen. Rod Monroe, Alberto Moreno, James Morris, Carlos Perez, Sunny Petit, Joseph Santos-Lyons, Mari Watanabe, Lorraine Wilson (phone), Stephen Ying

Guests:

Gloria M. Anderson (DHS), Eduardo Angulo (OAE), Commissioner Brad Avakian (BOLI), Ben Cannon (OEIB), Margaret Carter (DHS), Frank Garcia (Governor's Office), Josh Goldberg (SOS), Dante James (OEHR), Aaron Knott (DOJ), Dr. Doris McEwen (OEIB), Pegge McGuire (FHCO), Cheryl Myers (Governor's Office), Jessica Rodriguez-Montegna (OLAA), Scott Montegna (Upstream Public Health), Diane Schwartz Sykes (DOJ), Mickey Serice (DHS), Samaura Stone (Sen. Merkeley's Office), Clifford Walker (Community), Helen Ying (CACA Portland)

Staff:

Lucy Baker, Nancy Kramer

OR Commission on Asian and Pacific Islander Affairs

Stephen Ying, Chair
Mari Watanabe, Vice Chair
Legislative Liaisons:
Sen. Jackie Dingfelder
Rep. Gene Whisnant

OR Commission on Black Affairs

Isaac E. Dixon, Chair
James Morris, Vice Chair
Legislative Liaisons:
Sen. Rod Monroe
Rep. Lew Frederick

OR Commission on Hispanic Affairs

Andrea Cano, Chair
Gilbert P. Carrasco, Vice Chair
Legislative Liaisons:
Sen. Chip Shields
Rep. Chris Harker

OR Commission for Women

Stephanie Vardavas, Chair
Jeanne Burch, Vice Chair
Legislative Liaisons:
Sen. Monnes Anderson
Rep. Betty Komp

Staff

Lucy Baker, Administrator
Nancy Kramer, Executive Assistant

Introduction and welcome

Andrea Cano, Chair of Oregon Commission on Hispanic Affairs, facilitated the meeting, which began at 1:09PM. She welcomed the presenters, Commissioners and members of the community to the legislative joint forum of the Oregon Advocacy Commissions. She noted that the meeting is not a regular meeting of the Advocacy Commissions but will serve as a forum for the Commissioners to hear from invited State and Community partners regarding potential and proposed legislation in the Commissions' strategic areas for the 2013 session.

Frank Garcia, Senior Policy Advisor to the Oregon Advocacy Commissions, Governor's Office was introduced and provided opening remarks from the Governor's Office. He thanked the Advocacy Commissions for organizing the legislative forum. He discussed the importance of diversity and inclusion in the success of Oregon, its society and economy. Assuring that all Oregonians from every socio-economic class are participating in and benefitting from the economic recovery of Oregon and its opportunities are priorities for the Governor's Office. Mr. Garcia is working with the Governor and other policy staff to grow accountability at the state level for increasing diversity and inclusion in leadership, contracting, policy making and other key areas critical to our success. The Governor is focused on education reform, tuition equity, health care reform, and driver's license reform that builds success for all Oregonians and the next generation.

Bills to watch:

Mr. Garcia noted that while a number of these policy areas will be discussed at today's forum by departmental leaders, he wanted to highlight 2 bills of special interest by the Governor:

- Tuition equity
- Driver's license reform

Education/Careers (Facilitator: Mari Watanabe, Vice Chair, OCAPIA)

Presenters:

Ben Cannon, Education Policy Advisor to the Governor, Oregon Education Investment Board (OEIB) and former Oregon Commission on Hispanic Affairs Commissioner

Dr. Doris McEwen, Deputy Director of Curriculum and Instruction, OEIB

The Commissions welcomed Mr. Cannon and Dr. McEwen. They reported on the Governor's work to create the OEIB and redesign the state's education infrastructure with the goal of improving access, affordability and success for all students' education. The OEIB's current focus is the 40-40-20 plan for education attainment and maximizing resources available for education.

The OEIB budget breakout:

- A) Recruiting, retaining and supporting teacher work force that looks more like students it serves (\$120 million)
- B) Science, Technology, Engineering and Mathematics programs (\$10-15 million)
- C) Oregon Reads program (\$10-15 million)
- D) Connecting high school students with post-secondary education (\$10-15 million)

Bills to watch:

- Tuition Equity bill which is included in the Governor's Recommended Budget.
- *Bills on Early Learning system reforms, Youth Development Commission in ODE, OEIB strategic investments in education, establishing an educator network on quality teaching, establishing institutional boards for Public Universities.*

The Commissions thanked Mr. Cannon for his presentation and asked several questions on Education:

Q: The number of English as a Second Language (ESL) students continues to increase. Considering that ELL students have struggled with low achievement; how will the State ensure adequate funding and accountability so these students can succeed? How can the OEIB make sure the money targeted for ELL (English Language Learner) students will be used for ELL students?

A: The OEIB is exploring a dual immersion language program, and looking at what programs have been successful in other states and replicating those. Many Oregon school districts are underfunding ELL programs and using money earmarked for this purpose elsewhere. The Governor is looking at ways to increase incentives to school districts, so the earmarked funds will be used appropriately.

The OEIB will contact community partners concerned about this issue before redesigning the current formula for ELL funds. It was noted that the OEIB is very conscious of the needs for equity for ELL. A new Equity & Partnership Committee was established and the audience was urged to attend these meetings. There is also a new Best Practices subcommittee that welcomes feedback from the public.

Representative Lew Frederick noted that the amount of money allocated for an ESL student does not follow that student; rather, it is an average of the students in the school district. The school district then decides how to use the funds, depending on other factors. Parents must be willing to advocate on behalf of their children that the ESL funds support ESL programs at their local schools. The funds are based on the number of students at the district level, not at each school.

Q: Next year at this time what would be evidence of successful outcomes for these initiatives?

- Coordinated efforts
- Budgets
- The other three investment outcomes

Q: Have there been discussions regarding the importance of family engagement in reaching the 40/40/20 plan, especially among communities of color and non-English speaking families? If so, are there plans to incorporate culturally competent processes to increase family engagement among all Oregon families?

Eduardo Angulo, Oregon Association of Education Equity (OAEE), provided a statement on the importance of ELL.

Poverty/Employment (Facilitator: Joseph Santos-Lyons, OCAPIA)

Presenters:

Brad Avakian, Commissioner, Bureau of Labor and Industries (BOLI):

Cheryl Myers, Director of Economic and Business Equity, Governor's Office:

The Commission welcomed Cheryl Myers, who discussed the importance of small business in Oregon. Her Office is ensuring there are more opportunities for smaller firms to win contracts.

Bills to watch:

- HB 2212: Cheryl discussed a bill that will increase the amount of small state contracts that may be let without a formal bidding process from \$5,000 to \$10,000.

Representative Frederick noted he has been hearing from many contractors that there are issues of intimidation occurring regarding bid solicitations.

The Commissioners thanked Ms. Myers for her presentation.

The Commissioners welcomed BOLI Commissioner Brad Avakian. He thanked the Commissions for organizing this forum and presented BOLI's agenda for the 2013 Oregon State Legislature:

- Education: To ensure high schools are offering shop classes in skills needed by industries in Oregon, BOLI has an ongoing effort in place to return 20% of shop classes to high schools. BOLI partnered with the Oregon Department of Education and created a grant fund: schools were awarded funds after they showed strong community participation in the program, and developed a curriculum related to skills needed by industries in Oregon. In September 2012, 21 schools' shop classes were restored to 100%. Some traditional shop classes were restored and also classes in graphic design, computer technology, pre-med technology. BOLI asked for a \$20 million grant as the first step in the 10-year plan.
- Civil Rights: Revising a civil rights law regarding public accommodations law – Institutions and organizations other than commercial businesses cannot deny someone a service because they are a protected class. The old law says accommodations only needs to take place in commercial environment, and does not include government agencies. This creates inequities. Oregon needs to require equal access to services. Additionally, hate crime situations continue to occur. A hate crime is a criminal act, and can also be prosecuted under civil rights law, but this public accommodations law needs to be revised. BOLI can work with Diane Schwartz Sykes of the Oregon Department of Justice.

The Commissioners thanked Commissioner Avakian and asked questions on Employment including:

Q: Pacific Islanders have the highest poverty rate – what is being done about this?

A: The Oregon Commission on Civil Rights (OCCR) is focused on wage disparity issues and the OCCR plans to recommend legislation on this issue in 2013.

Health/Health access (Facilitator: James Morris, Vice Chair, OCBA)

Presenter:

Alberto Moreno, Executive Director, Oregon Latino Health Coalition (OLHC):

Mr. Moreno reported on the challenges to good health facing communities of color and undocumented individuals. He shared the legislative priority areas of the OLHC. These include:

- Healthy kids: access to health care for all kids in Oregon
- Safety net clinics: assuring that funding and support is extended to clinics serving those without health coverage or means to purchase care.

- Prenatal care for all Oregonians

Jenny Greenleaf, Commissioner, Oregon Commission for Women and member of Oregon Women’s Health and Wellness Alliance (OWHWA):

Ms. Greenleaf reported on the work of the OWHWA Coalition which works on issues of women’s health.

Bills to watch:

OWHWA/OCFW Legislative priorities:

- Confidential name change for survivors of Domestic Violence
- Funding regarding domestic violence issues
- That prenatal care is a right for all Oregonians, without exclusion (Pregnant female inmates do not receive prenatal care. Care begins when they deliver the baby).
- Prostitution and sex trafficking

Commissioner Santos-Lyons noted that communities of color are growing in Oregon and asked for support on legislation regarding cultural competency levels for physicians.

It was also noted that President Obama’s inclusive health insurance program (also known as “Obama Care”) will unintentionally exclude over 200,000 people because of their immigration status.

The newly created Oregon Health Equity Alliance (OHEA) was discussed. This organization was created by APANO, CAUSA and other key community organizations.

OHEA priorities include:

- Driver’s license restoration - Allowing undocumented workers to possess a driver’s license is a social determinant of health: it affects people’s ability to drive to medical help or to buy groceries.
- Tuition equity
- Diversifying the healthcare work force so the providers more accurately reflect the communities they are serving.
- Establishment of community health workers Commission within the Oregon Health Authority - it was noted that Mexico has a higher immunization rate than the United States because of community health workers.

The Commissioners thanked Commissioner Moreno, Commissioner Greenleaf and Commissioner Santos-Lyons for their presentations.

Stable families (Facilitator: Andrea Cano, Chair, OCHA)

Presenters:

Gloria M. Anderson, Director, Office of Equity & Multicultural Services

Michael Serice, Director, Legislative and Client Relations Office

Oregon Department of Human Services (DHS):

DHS is proposing legislation:

- LC 371: Aging and People with Disabilities/Long Term Care - Oregon is a national leader in providing services to seniors. Seniors can return to their homes instead of staying in long-term care facilities. If the bill passes, a workgroup will form to develop ideas.
- LC 372: Allowing Tribal Criminal Background Checks – there is limited clarity around tribal criminal background checks. This bill would allow Oregon tribes to run criminal background checks on prospective and existing foster parents and others who live in their homes.
- LC 376: Nursing Facility Capacity Reduction – the vacancy rate in Oregon’s 131 licensed nursing facilities is 64%. Under the current rate setting methodology this low rate threatens the financial solvency of all facilities.

And two placeholders:

- LC 374: TANF Placeholder – so necessary changes can be made to the TANF program to make it more sustainable in the 2013-2015 biennium.
- LC 375: TANF Placeholder – to address the changes necessary for the revision of the repeal of the suspension of HB 2469 from the 2009 Legislative session.

The Office of Equity & Multicultural Services is involved in all DHS programs, to ensure equity for all Oregonians. The demographics of Oregon are changing. The office is implementing a new tool to examine bias and assumptions. DHS understands the importance of building relationships with caseworkers as well as community outreach to improve health outcomes for communities of color. Caseworkers need to be culturally competent and contractors must be held to the same standards.

Q: How is an equity lens being applied in regard to the number of children in foster care?

A: Child welfare worker training now includes cultural considerations for placing foster children. There is a Knowing Who You Are video for social workers to help youth in care expand their awareness of racial and ethnic identity.

Pegge McGuire, Executive Director, Fair Housing Council of Oregon (FHCO):

The FHCO does not have its own legislative agenda, it supports other agencies. Federal funding is available to look at systemic discrimination. She hears from community partners about discrimination against communities that do not speak English as a first language. The FHCO can investigate allegations of discrimination. Ms. McGuire asked to be kept in mind for partnering on these issues.

The Commissioners thanked Ms. Anderson, Mr. Serice and Ms. McGuire for their presentations.

Justice/safety/policing (Facilitator: Carlos Perez, OCHA)

Presenters:

Aaron Knott, Legislative Liaison
Diane Sykes, Assistant Attorney General
Department of Justice (DOJ) Civil Rights Unit:

The DOJ is the largest legal agency in the state. It represents state agencies and its largest division is Child Support.

The Governor's public safety commission convened a special commission to look at prisons, the point of prisons, and how prisoners can leave the custodial situation with some resources. State government is looking at saving money by modifying prison sentences, and treating mental health conditions and addiction issues.

The DOJ is proposing legislation in key areas including:

- ORS 456.265: Section 8 Discrimination – Oregon is the only state that has enacted legislation to validate Section 8 discrimination.
- ORS 197.309: Exclusionary Zoning – Exclusionary zoning refers to zoning that raises the price of residential access to one area, and thereby denies that access to members of low-income groups. Oregon law currently permits exclusionary zoning. The DOJ supports the repeal of this statute.
- Revised Uniform Law on Notarial Acts – the DOJ Civil Rights Unit's goal is to more effectively take enforcement action against notary publics who prey on immigrant populations for the unauthorized practice of law. This law would expand the list of prohibited notarial acts, expand the grounds for refusal to issue a commission or to revoke or suspend a commission, and authorize the Attorney General to enforce any violations of the act, including the practice of targeting immigrant populations to furnish goods and services that they are not authorized to perform.
- Legislative Concept 2135 (formerly Hate Crimes Bill SB 44) – This bill was introduced in the 2011 session but did not pass. This revised version of the bill would rename the criminal charge of "Intimidation" to a "Hate Crime"; include protected classes that are not currently recognized: national origin, ethnicity and gender; increase criminal sanctions where the crime was motivated by bias; allow an Attorney General right of action to pursue civil claims for injunctive relief and compensation for harm to the victim; hate crime reporting statistics would be maintained by the DOJ.
- Assistance Animals for the Deaf and Blind – due to an oversight, a sequence of outdated Oregon statutes that do not cover people who have service animals for mental health reasons was never repealed. This resulted in discrimination against tenants who have service animals for mental health reasons. Repeal of ORS 346.610-ORS 346.690 would eliminate substantial confusion about the scope of protections afforded to disabled persons in places of public accommodation and housing.

DOJ is working to improve the collection of restitution to crime victims. Oregon is not very effective at this. Someone needs to ask victims what did you lose? There is a need to be able to calculate the damages. The DOJ is also working on building relationships in the community so that victims will find the DOJ more approachable, thus making the DOJ's efforts more effective.

- A) There is a five county pilot project, to assess what resources perpetrators have that can be funneled back to the victim.
- B) Telemarketers can pocket donations rather than having funds go to the cause. DOJ determined that 30% is a reasonable amount of overhead allowable.

The Commissioners thanked Mr. Knott and Ms. Schwartz-Sykes for their presentation.

Civic engagement/isolation (Facilitator: Sunny Petit, OCFW)

Presenter:

Secretary of State: Josh Goldberg, SOS Policy Assistant

Mr. Goldberg discussed barriers to people voting in Oregon. Seventy-five percent of eligible voters are registered which means approximately 715,000 voters are not registered in Oregon. Online registration has been a success.

Q: Has there been any movement towards including anti-discrimination protections into voter rights act?

A: Anyone who has concerns about voting or associated unfair practices can call 503.986.1513 to speak with someone in the Secretary of State's office.

Legislative priorities: The Secretary of State's office submitted a proposal regarding campaign finance limits in Oregon. Oregon does not have campaign finance limits, but it supports transparency so anyone can "follow the money". Any money received by or given by candidates or Political Action Committees (PACs) is tracked. The legislation will focus specifically on the last two weeks of a campaign.

Mr. Goldberg spoke about voter initiatives the Secretary of State's office is supporting, such as the New Americans Voter Project and a national voter registration day.

The Commissioners thanked Mr. Goldberg for his presentation.

Wrap Up

The Commissioners thanked all the presenters who took time to provide excellent overviews of legislation that their Departments and Agencies consider important to communities of color and women. The list of the discussion items by category will inform the discussions of the Commissions as they choose their legislative priorities.

The Oregon Advocacy Commissions Office will provide legislative tracking updates regularly for the Commissions during the 2013 session. Most updates will include hotlinks to the proposed bill, who sponsored it, what committee will work on it and important deadlines for work sessions and submitting testimony.

OCHA Commissioner Perez thanked his colleagues on the Commissions for hosting the legislative forum and circulated handouts on behalf of Eduardo Angulo and the Oregon Alliance for Education Equity (OAEE). They are hoping for proposed legislation regarding the disparity in discipline for students of color. Often students of color are highlighted for their behaviors that may be different from the mainstream.

OCHA Chair, Andrea Cano reminded those participating that the OCHA, and other invitees, have been participating in a work-group on a proposed driver's license restoration legislation. Sponsors are needed to support this bill.

The OAC Legislative Forum adjourned at 4:08pm by common consent.