

**County of Kern
HUMAN RELATIONS COMMISSION-MINUTES**

**Regular Meeting
Monday May 21, 2012**

Commissioners Present: Linda Carrick(lc), Marisa Banks(mb), Tomeka Powell(tp), Carmen Bernal(cb), Kathy Stobert(ks), Marcus Mitchell (mm), Deborah Hess(dh)

Commissioners Absent: Ed Herrera, Andre Taylor, Jewelle Scales

Others Present: EEO Officer Michael Goulart (mg)

Meeting called to order at 5:30

1. **FLAG SALUTE 5:30**
2. Welcome Community members (no community members present)
3. (mb) read Human Relations Commission Mission Statement
4. **PUBLIC PRESENTATIONS:** None
5. **APPROVAL OF MINUTES**

November 21, 2011 regular meeting

Motion to approve with correction: Carrick, 2nd: Bernal, All Ayes

6. **NEW BUSINESS:**

- a) Election of Chair

Commissioner Carrick nominates Commissioner Mitchell. Commissioner Mitchell accepts nomination. Commissioner Powell nominates Commissioner Hess. Commissioner Hess declines. No other nominations.
Vote by ballot conducted. Commissioner Mitchell is elected Chair by a vote of 7-0.

- b) Discussion of Kern County expulsion rates (Commissioner Mitchell)

(mm) Everyone received a copy of the letter from Timothy McKinley from GBLA. There was some confusion as to who the writer of the letter was. Mr. McKinley was the writer. I would like to talk about the issue to determine if it is something the Commission would like to get involved in. There has been some recent media coverage about this issue. I'm not sure how everyone feels about statistics but they are what we have and what everyone is quoting. The statistics we have make Kern High School District's expulsion rate appear very out of balance with other districts', for example, Los Angeles. It appears that there is potentially an issue.

The letter uses the statistics and from his perspective he (McKinley) has represented some of the students that were wrongly expelled and had the suspensions overturned.

There was a recent article in the Californian about Senator Rubio taking this issue up. I printed the article for the Commissioners. His office is doing some fact finding and a meeting was held.

(dh) I saw some of the meeting on the news. From what I gleaned out of it was the way that we (KHSD) counts expulsions is not exactly the way that everyone else does. For example if a student is expelled and goes to a continuation school they don't count it as an expulsion but we do.

(mm) According to the article that accounted for about 600 expulsions. If you take those out of the mix Kern County is still outside of the norm for our expulsion rate. The school system in Kern County seems complex related to the number of districts and separation of K-8 and high school.

(cb) I have a question, are we saying that the definition of what an expulsion is is different here in Kern County compared to other counties? And also within districts?

(mm) I'm not sure if it that way within districts, in Kern High School District and that's what most of this discussion is about, they are counted differently. Kern said they count even kids that are transferred to other schools as expulsions. So the numbers are distorted. I think the Commission has to decide if we want to get involved in this issue to do additional research and start to look at the issue. I also looked at comments related to the article and most of the comments were defending the actions of the KHSD. If the HRC wants to look at the issue we need to determine what the next step is.

(cb) Before we make a decision I would like to know that we have good data. I am not able to make a decision because I don't know what the data is really saying.

(mm) This data is what the federal govt. is reporting. The school districts self report. What they're saying is the reporting is different.

(ks) Has the KHSD indicated that the numbers are off by 600?

(mg) This data is from the California Department of Education.

(cb) I am relying on this data (state) because it is apples to apples comparison.

(mm) KHSD is saying that 30% represent students moving from one campus to another in an attempt to separate students from potential problems.

(ks) If this is reflective of all school districts, not just high school, is it possible

that the other districts tabulate the expulsions differently and it would further skew the numbers? Would we need to go to each district and ask them how they tabulate and report the numbers?

(cb) Working with state numbers and the Department of Education through United Way, every district in some areas calculates things differently. If this represents all of Kern County there may be multiple formulas that have been used to calculate that number and we may need further investigation but it is still a significant number.

(mm) I still think, no matter what we do here today if we make a decision the decision should be whether the Commission is willing to look into it, not that we are making any kind of finding based on the data that we have.

(dh) Could we request the schools to come and give a presentation on how they count expulsions?

(mb) The letter written by McKinley gives the definition on the second page “the Kern High School District is on record as stating that the District expels so as to keep it students safe...However an analysis of the offenses listed for Kern County as a whole simply does not support that the expulsions are for serious violations.” Are the students being expelled? When you are expelled it means you cannot return to that district. If I get expelled from a district and sent to a community school I don’t have the right to come back. If I’m expelled for a non-violent crime I should never have the right to come back within the full year. I think this is something we need to look at.

(mm) When you look at these statistics its alarming because the letter also says there is no plan to integrate kids that go to a community school back into the normal school system. Sometimes the education that they get in the continuation school is substandard to what they would get in a regular school district. I am alarmed when I see that the numbers don’t represent safety violations. Some of these expulsions appear to be discretionary, not mandatory due to violence/drugs and that’s problematic for me. Someone is making those determinations and it makes me nervous when I see that level of expulsions for non-mandatory expulsion offenses.

(cb) I think we have a two step process here. Is this something we want to pursue and what would be the next step? I think this is an issue that would be interesting to pursue. Why are the numbers so high here in Kern County? I would move to invite and expert form the district to come and do a presentation to further educate us on how to interpret the data.

Motion: by Commissioner Bernal to get further information from a representative of the Kern High School District regarding expulsion statistics and process.

2nd: Commissioner Hess, **All Ayes, motion passes.**

*Commissioner Mitchell will draft a letter inviting district representative(s) to attend future HRC meeting and present information regarding expulsions.

*Commissioner Bernal will contact Christine Frazier at Kern County Superintendent of Schools regarding KCSS oversight of individual districts.

(mb) The attorney from GBLA will be at a meeting on May 30 at Compassion Christian Center, 1030 4th St. in Bakersfield to discuss the topic of Kern County expulsion rates. The meeting will be from 7 – 9 p.m. Commissioners are invited to attend.

(mg) Please be conscious of Brown Act restrictions if attended the meeting on May 30. Any Commissioner that is interested may attend. If there are enough Commissioners in attendance to constitute a quorum of the Human Relations Commission please refrain from having any discussions as a “body”. Also, do not do anything that would create an appearance of HRC action taking place.

7. **OLD BUSINESS**

a) Subcommittee Selection and Assignments

(dh) We were supposed to have an essay contest. Since the school year is almost over is it something that we want to do in the fall, October?

(lc) I thought about trying to do it this year.

(mg) Are you referring to this school year or calendar year?

(lc) Calendar year.

(mg) Historically, the essay contest is a 90 project. The HRC sends contest packets to schools with the expectation of giving the students about thirty days to turn in their essays. Once the filing deadline has passed the HRC reviews all entries and selects 5 winners (approx. 30 days). Winners are then notified and the banquet is held (approx. 30 days after winners are notified). The costs that are incurred are the banquet itself, plaques and savings bonds for winners.

(dh) Have we determined if we have a budget for the event?

(mg) We have had meetings regarding budget but since the largest cost is the meal we cannot use County funds to pay for it. Funds are raised for the event by selling tickets. We attempt to raise enough money to just cover the event.

(cb) What has been the cost of the event in the past?

(mg) The cost is based on the price of the meal. An average cost is about

\$20 for the meal.

(cb) What is the age of the students involved?

(mg) Middle school students.

(cb) If Marcus would like to write a letter to the United Way we may be able to align the contest with the education goals. I can help you with getting sponsors.

(cb) How about November 8? That is the second Thursday in November.

8. **COMMITTEE REPORTS**

- a) Community & Media Outreach – Hess, Chair
No report
- b) Education/Essay Contest – Herrera, Chair, Hess - No report
- c) Equal Employment Opportunity/Affirmative Action – No report
- d) Grants/Funding – No report
- e) Housing – Commissioner Carrick, Chair -
Another training session will be conducted by GBLA during the month of June. Commissioner Carrick will forward the information to HRC members.
- f) Judicial & Legislative Review – No report
- g) Law Enforcement - Herrera, Chair - No report
- h) Special Issues – No report
- i) Access and Functional Needs – No report
- j) Annual Report Ad-hoc Committee – Mitchell, Chair – are we writing an Annual Report for last year to include last year's activities?

(mg) We prepare a report for the calendar year.

- k) Training/Mentor program AdHoc Committee – Bernal, Mitchell – No report

9. **STAFF REPORT:**

(mg) No report.

10. **COMMISSION MEMBER PRESENTATIONS OR ANNOUNCEMENTS:**

(tp) I would like to thank Commissioner Mitchell for the presentation.

11. ADJOURNMENT

Motion to Adjourn: Powell, 2nd: Stobert, All Ayes, meeting adjourned at 6:20 p.m.