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U.S. COMMISSION ON CIVIL RIGHTS

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BUSINESS MEETING

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FRIDAY, JULY 12, 2024

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The Commission convened via
Video/Teleconference at 10:00 a.m. EDT, Rochelle
Garza, Chair, presiding.

PRESENT:

ROCHELLE GARZA, Chair

VICTORIA NOURSE, Vice Chair

MONDAIRE JONES, Commissioner

STEPHEN GILCHRIST, Commissioner

J. CHRISTIAN ADAMS, Commissioner

GAIL HERIOT, Commissioner

PETER N. KIRSANOW, Commissioner

GLENN MAGPANTAY, Commissioner

MAURO MORALES, Staff Director

DAVID GANZ, General Counsel & Parliamentarian

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STAFF PRESENT:

PAMELA DUNSTON, Chief, ASCD

JULIAN NELSON, ASCD

MICHELE YORKMAN-RAMEY, ASCD

COMMISSIONER ASSISTANTS PRESENT:

JOHN K. MASHBURN

CARISSA MULDER

THOMAS SIMUEL

IRENA VIDULOVIC

ALEXIS FRAGOSA

NATHALIE DEMIRDJAIN-RIVEST

YVESNER ZAMAR

STEPHANIE WONG

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P-R-O-C-E-E-D-I-N-G-S

(10:06 a.m.)

CHAIR GARZA: Good morning, everyone.
We're going to go ahead and get started.

This is the business meeting of the U.S.
Commission on Civil Rights. It comes to order at
10:06 a.m. Eastern Time, on Friday, July the 12th of
2024. This meeting is taking place via telephone
conference.

I'm the chair of the Commission Rochelle
Garza. And since we are all attending by phone I
would like to start with a roll call.

So, please confirm your presence when I
say your name.

Vice Chair Nourse?

VICE CHAIR NOURSE: Present.

CHAIR GARZA: Commissioner Adams?

COMMISSIONER ADAMS: Here.

CHAIR GARZA: Commissioner Gilchrist?

COMMISSIONER GILCHRIST: I'm here.

CHAIR GARZA: Commissioner Heriot?

COMMISSIONER HERIOT: I'm here.

CHAIR GARZA: Commissioner Jones?

COMMISSIONER JONES: Present.

CHAIR GARZA: Commissioner Kirsanow?

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1 COMMISSIONER KIRSANOW: Here.

2 CHAIR GARZA: Commissioner Magpantay?

3 COMMISSIONER MAGPANTAY: I=m here.

4 CHAIR GARZA: Okay, thank you, all.

5 Based on that roll call we have a quorum

6 of the commissioners present.

7 Is the court reporter present?

8 COURT REPORTER: I=m present. Thank you.

9 CHAIR GARZA: Thank you.

10 Is the staff director present?

11 MR. MORALES: I am present.

12 CHAIR GARZA: I=ve not heard an

13 affirmative.

14 Good morning.

15 Is the parliamentarian present?

16 MR. GANZ: I=m present. Thank you.

17 CHAIR GARZA: Good morning. Thank you.

18 I. APPROVAL OF AGENDA

19 CHAIR GARZA: All right. We=re going to

20 go ahead and proceed with today=s agenda as posted on

21 the Federal Register. Today we=re going to consider

22 the following items:

23 First, presentations by the Arkansas and

24 Nevada State Advisory Committee Chairs on Released

25 Reports and Memoranda.

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1 These presentations are going to be
2 followed by a discussion and vote on the 2025 USCCR
3 Business Meeting Calendar; a discussion and vote on
4 our 224 Statutory Enforcement Report entitled The
5 Civil Rights Implications of the Federal Use of
6 Facial Recognition Technology.

7 And, finally, we will conclude the a
8 Staff Director=s Report.

9 Are there any motions to amend the
10 current agenda?

11 COMMISSIONER JONES: Yes, Madam Chair.
12 This is Mondaire calling.

13 I would like to make a motion to amend
14 the agenda to have a vote on the report and the
15 findings and recommendations before the presentation.

16 CHAIR GARZA: Is there a second?

17 COMMISSIONER GILCHRIST: Gilchrist. I=ll
18 second.

19 CHAIR GARZA: Okay. Any, any discussion
20 on the issue?

21 (No response.)

22 CHAIR GARZA: Okay. All those in favor -
23 - well, why don=t we do a roll call vote on that,
24 actually.

25 Let=s see. Vice Chair Nourse?

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1 The motion is to, is to move the order of
2 the agenda items to have the findings and
3 recommendations for, well, to have the report and
4 findings and recommendations voted upon for the FRT
5 paper done first.

6 VICE CHAIR NOURSE: Apologies. I was in
7 technical difficulty.

8 My vote is yes.

9 CHAIR GARZA: Commissioner Adams?

10 COMMISSIONER ADAMS: Yes.

11 CHAIR GARZA: Commissioner Gilchrist?

12 COMMISSIONER GILCHRIST: Yes.

13 CHAIR GARZA: Commissioner Heriot?

14 COMMISSIONER HERIOT: Abstain.

15 CHAIR GARZA: Commissioner Jones?

16 COMMISSIONER JONES: Yes.

17 CHAIR GARZA: Commissioner Kirsanow?

18 COMMISSIONER KIRSANOW: Yes.

19 CHAIR GARZA: Commissioner Magpantay?

20 COMMISSIONER MAGPANTAY: I vote yes.

21 CHAIR GARZA: Okay. And I will go ahead
22 and vote yea. So, we have motion passes. We have
23 one abstention and the rest in favor.

24 So, we're going to go ahead and flip our
25 order and start with the, with the facial recognition

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1 technology.

2 Give me one second, you all.

3 II. BUSINESS MEETING

4 D. DISCUSSION AND VOTE ON 2024 STATUTORY

5 ENFORCEMENT REPORT: THE CIVIL RIGHTS IMPLICATIONS
6 OF THE FEDERAL USE OF FACIAL RECOGNITION TECHNOLOGY

7 CHAIR GARZA: So, this item, the item we
8 are discussing at this point is a discussion and vote
9 on the Commission's Report entitled The Civil Rights
10 Implications of the Federal Use of Facial Recognition
11 Technology.

12 As was already indicated, we are going to
13 have two votes. First, we're going to consider the
14 report itself. And second, we'll consider the
15 findings and recommendations.

16 I do want to make a few comments before
17 turning the floor over to Commissioner Jones to lead
18 on this report.

19 You know, we stand in a troubled time
20 where our actions will define the trajectory for
21 civil rights in the age of artificial intelligence,
22 including and especially facial recognition
23 technology. Facial recognition technology, or FRT,
24 is advancing at a very unprecedented pace, and it's
25 finding its way into policing, public housing,

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1 airports, and other public spheres.

2 And while this technology does offer
3 potential benefits, it also poses serious threats to
4 our fundamental rights. And this is why it's crucial
5 that we examine these issues with the lense of civil
6 rights at the forefront.

7 The rules and regulations governing the
8 use of FRT lags significantly behind technological
9 advancements. And this gap leaves citizens
10 vulnerable to abuses of power and privacy.

11 One of the most pressing concerns that
12 we've seen with FRT is its disproportionate impact on
13 marginalized groups: people of color, LGBTQ
14 individuals, women, and religious minorities, who are
15 often unfairly targeted by the technology. And it
16 is for this reason and a bevy of other reasons that
17 this commission undertook the responsibility to
18 analyze how FRT is developed, how it's being utilized
19 by federal agencies, and to find the necessary
20 safeguards the Federal Government is implementing to
21 mitigate potential civil rights violations.

22 So, this report has been incredibly
23 informative for our commission. I'd like to thank
24 Commissioner Jones for his leadership on this
25 project, and recognize the hard work that was put

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1 into this by so many others, including Dr. Marik
2 Xavier-Brier, Director of the Commission's Office of
3 Civil Rights Evaluation; Dr. Julie Grieco, the
4 principal researcher on this report; the Commission's
5 General Counsel David Ganz and his staff; Attorney
6 Advisor Sheryl Cozart and Pilar Velasquez-McLaughlin;
7 and legal intern Molly Hill; Commissioner Jones's
8 Special Assistant Irena Vidulovic and his Legal
9 Intern Audrey Miller.

10 And last but certainly not least, I want
11 to thank all of the other commissioners, all of us,
12 our special assistants, especially my special
13 assistant Yvesner Zamar, for working on this report
14 in a bipartisan fashion and getting us through to the
15 finish line.

16 So, I'm going to go ahead and turn it
17 over to Commissioner Jones.

18 The floor is yours.

19 COMMISSIONER JONES: Thank you, Madam
20 Chair. And I want to thank all my fellow
21 commissioners for their unanimous bipartisan vote
22 back in December of 2023 for the concept paper that
23 led to this report, which is titled The Civil Rights
24 Implications of the Federal Use of Facial Recognition
25 Technology.

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1 This is the first report that I've led
2 since being appointed to the Commission in 2023.
3 And I am so pleased that both the report, and findings
4 and recommendations will be voted on today. This
5 week in particular it is difficult to exaggerate the
6 gratitude that I feel towards my Republican
7 colleagues on this commission for their hard work and
8 their commitment to getting this report, and findings
9 and recommendations across the finish line.

10 I want to especially thank Commissioner
11 Gilchrist for his collaboration and his leadership on
12 this topic.

13 I proposed this report to review the use
14 of facial recognition technology by the Departments
15 of Justice, Homeland Security, and Housing and Urban
16 Development because FRT has come under scrutiny by
17 the civil rights advocates, legislative bodies, and
18 members of the public from across the ideological
19 spectrum.

20 I also proposed this report because it
21 has always been important to me to work in a
22 bipartisan fashion whenever possible, especially on
23 such an important matter as civil rights.

24 Facial recognition technology is not a
25 partisan issue. I did not approach this topic with

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1 preconceived notions but, rather, an intellectual
2 curiosity and a sense of urgency, given the
3 proliferation of artificial intelligence in all
4 aspects of our daily lives. My opinions on FRT, and
5 artificial intelligence more broadly, are still far
6 from fully formed opinions. And I'm still learning,
7 as I know is true for many of the commissioners based
8 on the conversations that I've had with many of you.

9 As the use of FRT grows, so does anxiety
10 about how it is developed and deployed, including
11 concerns about privacy, transparency, training,
12 discrimination, and access to justice.

13 This is a robust report intended to meet
14 the commission's statutory requirements. And its
15 evolution represents the fantastic work done by
16 commission staff, including my special assistant
17 Irena Vidulovic, and our wonderful interns Audrey
18 Miller and Max Mallard; Marik Xavier-Brier and Julie
19 Grieco in the Office of Civil Rights Evaluation;
20 Pamela Dunston and her team; as well as the Office of
21 the General Counsel.

22 During the course of preparing this
23 report the commission held a briefing on March 8th,
24 2024, during which time we heard from subject matter
25 experts such as government officials, academics,

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1 researchers, software developers, and legal experts.

2 On April 18th, 2024, a bipartisan
3 subcommittee of this commission conducted a site
4 visit to the Maryland test facility, including Chair
5 Garza, Commissioner Gilchrist, and myself, along with
6 staffs. During this visit we focused on how FRT is
7 tested for Federal Government use, including the
8 different types of testing scenarios.

9 During the robust review period of this
10 report, commissioners and special assistants had
11 ample opportunity to review multiple report drafts in
12 April and June 2024, and provide feedback that was
13 largely incorporated or otherwise addressed in the
14 final report that we're voting on today.

15 Thank you all again for your diligent and
16 thoughtful work, and for your consideration today of
17 the revised report that was sent out to all
18 commissioners at 1:27 p.m. Eastern Time, on
19 Wednesday, July 10th. I feel confident that, given
20 the high quality of this report, and the lack of
21 research that presently exists on this topic, that
22 this document will serve as a meaningful guide to
23 Congress, the President, and the public more broadly.
24 May we continue along this trajectory of
25 bipartisanship and effectiveness.

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1 Thank you, Madam Chair. And I yield back
2 to you.

3 CHAIR GARZA: Thank you, Commissioner
4 Jones.

5 So, I'm going to go ahead and make a
6 motion that we approve the version of the report as
7 circulated to all commissioners on Wednesday, March
8 10th, 2024, at 1:26 p.m. Eastern Time, by
9 Commissioner Jones= special assistant Irena
10 Vidulovic.

11 Is there a second?

12 COMMISSIONER JONES: I second the motion.

13 CHAIR GARZA: Okay.

14 COMMISSIONER ADAMS: Point of
15 parliamentary inquiry. This is Adams.

16 CHAIR GARZA: Yes, Commissioner Adams?

17 COMMISSIONER ADAMS: Just so I understand
18 the motion. You're making a motion to approve a
19 report as of March 10th, 2024? That I think is what
20 was said.

21 CHAIR GARZA: July 10th.

22 COMMISSIONER ADAMS: Okay. Well, I think
23 the transcript would read March.

24 CHAIR GARZA: So, Wednesday, Wed -- Okay.
25 Well, I can, I can correct that.

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1 Wednesday, July 10th, 2024, at 1:26 p.m.
2 Eastern Time, that was circulated by Commissioner
3 Jones= special assistant Irena Vidulovic.

4 Is there any discussion on the motion
5 that has been made and properly seconded?

6 COMMISSIONER GILCHRIST: Madam Chair,
7 this is Gilchrist.

8 CHAIR GARZA: Yes, Commissioner
9 Gilchrist?

10 COMMISSIONER GILCHRIST: Thank you. Let
11 me just take a moment to echo my colleagues comments
12 regarding this proposal regarding facial recognition.

13 Before I cast my vote I just certainly
14 want to thank my caucus and my fellow commissioners
15 for the work that they=ve done on helping us get to
16 this point. Commissioner Jones, thank you for your
17 leadership.

18 And I certainly would like to thank both
19 my special assistant Thomas and your special
20 assistant Irena for the great work that they=ve done
21 regarding this, and to all of the special assistants
22 that have been engaged in these conversations.

23 You know, the government and private
24 sector must be diligent about how we look at this
25 issue, particularly as it relates to facial

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1 recognition, to ensure that Americans= civil
2 liberties and civil rights are not violated.

3 In my interest in this I see facial
4 recognition as a tool, artificial intelligence as a
5 tool which is getting smarter and more accurate every
6 day. And my support for the report is about how do
7 we make sure and ensure that safety and security will
8 be balanced by reasonable policies.

9 And so, again, I just want to thank
10 everybody for their work on this. The timeliness of
11 this couldn't be any more accurate in terms of what
12 the Congress is also beginning to look at in a very
13 bipartisan way on the issue.

14 And, again, I want to commend this
15 commission for its timeliness in addressing this
16 issue.

17 And I yield back, Madam Chair.

18 CHAIR GARZA: Thank you, Commissioner
19 Gilchrist.

20 Is there any further discussion?

21 (No response.)

22 CHAIR GARZA: Okay. Hearing None, we are
23 now going to proceed to a roll call.

24 COMMISSIONER MAGPANTAY: Oh, wait, Chair
25 Garza.

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1 CHAIR GARZA: Yes. Commissioner
2 Magpantay?

3 COMMISSIONER MAGPANTAY: I think -- Never
4 mind. Sorry. We're voting on the report. Never
5 mind. Gosh.

6 CHAIR GARZA: Okay. I'm going to take us
7 to a vote then. So, we're going to proceed with the
8 roll call vote on the report.

9 Again, I will repeat the motion.

10 The motion is to approve the version of
11 the report circulated to the commissioners on
12 Wednesday, July 10th, 2024, at 1:26 p.m. Eastern
13 Time, by Commissioner Jones' special assistant Irena
14 Vidulovic.

15 Please response with a, with yes if
16 you're in favor, no if you're opposed, or present if
17 you are abstaining.

18 We're going to start with Vice Chair
19 Nourse.

20 VICE CHAIR NOURSE: An enthusiastic yes.

21 CHAIR GARZA: Commissioner Adams?

22 COMMISSIONER ADAMS: Yes.

23 CHAIR GARZA: Commissioner Gilchrist?

24 COMMISSIONER GILCHRIST: Yes.

25 CHAIR GARZA: Commissioner Heriot?

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1 COMMISSIONER HERIOT: I abstain.

2 CHAIR GARZA: Commissioner Jones?

3 COMMISSIONER JONES: Yes.

4 CHAIR GARZA: Commissioner Kirsanow?

5 COMMISSIONER KIRSANOW: Yes.

6 CHAIR GARZA: Commissioner Magpantay?

7 COMMISSIONER MAGPANTAY: I vote yes.

8 CHAIR GARZA: Okay. And I vote yes.

9 Thank you. The motion passes with six -

10 - sorry, seven votes in favor, one abstention.

11 Congratulations, Commissioner Jones and

12 all commissioners for this report.

13 We're going to now move on to consider

14 the findings and recommendations for the report that

15 were circulated to all commissioners on Thursday,

16 July 11th, 2024, at 3:43 p.m. Eastern, by

17 Commissioner Jones' special assistant Irena

18 Vidulovic.

19 Is there a second?

20 COMMISSIONER GILCHRIST: Gilchrist.

21 Second, Madam Chair.

22 CHAIR GARZA: Wonderful.

23 A motion has been made and properly

24 seconded.

25 Is there any discussion on the matter?

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1 COMMISSIONER JONES: Yes, Madam Chair.
2 This is Mondaire.

3 CHAIR GARZA: Go ahead, Commissioner
4 Jones.

5 COMMISSIONER JONES: Just quickly, I want
6 to thank every commissioner who provided feedback on
7 these findings and recommendations. The feedback was
8 thoughtful and reasonable. And the document that we
9 are going to vote on is better than the initial draft
10 as a result.

11 These findings and recommendations, like
12 the underlying report, are not partisan. They focus
13 on transparency, quality control, and training. And
14 they make clear that the Federal Government can and
15 must do better than the status quo.

16 I am particularly grateful for the
17 bipartisan nature of this document. At six pages
18 these findings and recommendations are robust and
19 substantive. And that should not be taken for
20 granted. Since this commission became evenly divided
21 it has often been difficult to reach agreement on
22 findings and recommendations. So, I'm particularly
23 proud of what we were able to accomplish working
24 together very closely and collaboratively.

25 Thank you all again for your thoughtful

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1 work and for your consideration today of these
2 revised findings and recommendations. That was sent
3 to all the commissioners at the time that the chair
4 just mentioned.

5 The commission's mission is to inform
6 Congress, the White House, and the public on the state
7 of civil rights. And what better way to fulfill our
8 mission than to adopt these findings and
9 recommendations, and meet this moment as the use of
10 FRT is proliferating and the Federal Government is
11 playing catchup.

12 Thank you so much.

13 CHAIR GARZA: Thank you, Commissioner
14 Jones.

15 Is there any further discussion?

16 (No response.)

17 CHAIR GARZA: Okay. Hearing None, we're
18 going to go ahead and proceed with --

19 COMMISSIONER MAGPANTAY: Okay. I do now
20 have one. Sorry.

21 CHAIR GARZA: Okay. Commissioner
22 Magpantay, go ahead.

23 COMMISSIONER MAGPANTAY: I apologize.

24 I just want to again thank my colleagues,
25 Commissioner Jones and Gilchrist and everyone for

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1 your work on this report. Technology is not my
2 product area, so I spent a lot of time in this report.

3 I was especially grateful to have
4 industry, the vendors who gave feedback for these
5 recommendations and insights. I don't think we can
6 do this work without the business community's
7 feedback and incorporation of their issues.

8 I was also struck and am delighted to
9 vote in support of the recommendations that were
10 circulated. And I was struck during our
11 investigation at the recommendation that while there
12 are problems in facial recognition technology but it
13 can have benefits. But there are challenges. But
14 there should be a minimum level of accuracy of 99
15 percent across all racial, ethnic, gender demographic
16 groups to eliminate any racial disparities in
17 implementation.

18 And when there are problems, as we heard
19 from witnesses, there should be systems of redress,
20 including administrative procedures when there are
21 bad matches, and a private right of action authorized
22 by the United States Congress.

23 Thank you very much. I yield my time.

24 CHAIR GARZA: Okay. Thank you so much,
25 Commissioner Magpantay.

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1 Is there any further discussion?

2 (No response.)

3 CHAIR GARZA: Okay. Hearing None, we=re
4 going to proceed to a roll call vote.

5 So, please respond with yes if you are in
6 favor, no if you are opposed, or present if you are
7 abstaining.

8 Again, the motion on the table that we
9 are voting on is consideration, is adopting the
10 findings and recommendations for the FRT report that
11 was circulated by all commissioners -- that was
12 circulated to all commissioners on Thursday, July
13 11th, 2024, at 3:43 p.m. Eastern, by Commissioner
14 Jones= special assistant Irena Vidulovic.

15 We=re going to start with Vice Chair
16 Nourse.

17 Vice Chair Nourse, how do you vote?

18 VICE CHAIR NOURSE: Yes.

19 CHAIR GARZA: Commissioner Adams?

20 COMMISSIONER ADAMS: Yes.

21 CHAIR GARZA: Commissioner Gilchrist?

22 COMMISSIONER GILCHRIST: Yes.

23 CHAIR GARZA: Commissioner Heriot?

24 COMMISSIONER HERIOT: I abstain.

25 CHAIR GARZA: Commissioner Jones?

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1 COMMISSIONER JONES: Yes.

2 CHAIR GARZA: Commissioner Kirsanow?

3 COMMISSIONER KIRSANOW: Abstain.

4 CHAIR GARZA: Commissioner Magpantay?

5 COMMISSIONER MAGPANTAY: I vote yes.

6 CHAIR GARZA: And the chair votes yes. I

7 vote yes.

8 So, that is the motion passes with six

9 votes in favor, two abstentions.

10 Congratulations. We have some findings

11 and recommendations.

12 COMMISSIONER MAGPANTAY: There are zero

13 opposed; correct?

14 CHAIR GARZA: Zero opposed. Yes.

15 COMMISSIONER MAGPANTAY: No, there are

16 zero, no opposed?

17 CHAIR GARZA: Yes. Zero opposed,

18 Commissioner Magpantay.

19 COMMISSIONER MAGPANTAY: Six to zero.

20 Thank you.

21 CHAIR GARZA: Yes.

22 COMMISSIONER MAGPANTAY: Thank you.

23 CHAIR GARZA: If that wasn't -- yes, if

24 that wasn't abundantly clear, yes, six in favor, two

25 abstentions, zero opposed.

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1 II. B. PRESENTATION BY NEVADA ADVISORY COMMITTEE
2 CHAIR ON RELEASED REPORTS AND MEMORANDUM ON TEACHER
3 AND PROFESSIONAL STAFF SHORTAGES AND EQUITY IN
4 EDUCATION IN NEVADA

5 CHAIR GARZA: We=re going to go ahead and
6 move on to our regular agenda on we have present today
7 the chairs of the Arkansas and Nevada State Advisory
8 Committees that are going to be providing us with a
9 presentation.

10 You know, Advisory Committees, as you, as
11 you all well know, serve as the eyes and ears on the
12 ground to identify and elevate civil rights concerns
13 from the local to the national level. And their
14 dedication to uncovering inequity and recommending
15 actionable solutions is crucial for promoting justice
16 and equality across our country.

17 So, we=re very grateful to have the
18 chairs of these committees as our guests to present
19 upon the texts of their reports that have been voted
20 upon by a majority of their committees.

21 And before we, we get to our guests today
22 and hear from them I=d like to set the stage for our
23 discussion.

24 The purpose of the presentation is to
25 hear from our advisory committees= representatives

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1 about what was voted upon and recommended as a
2 committee based on the testimony they gathered. We
3 appreciate their presence and their ability to
4 present their committees= findings and
5 recommendations.

6 And, additionally, I=d like to emphasize
7 that while some statements that we=ll hear today may
8 be controversial, it is crucial that all
9 commissioners, all of us respect our colleagues and
10 advisory committee chairs by refraining from defaming
11 or degrading any person. As chair, I reserve the
12 right to cut short any statements that defame,
13 degrade, or do not pertain to the issue at hand.

14 Again, we appreciate our advisory
15 committee chairs for being here today to share their
16 insight with us.

17 So, up first we=re going to hear from our
18 Arkansas Committee Chair Robert Steinbuch on the
19 committee=s report, IDEA Compliance and
20 Implementation in Arkansas Schools.

21 Thank you, Chair Steinbuch, for being
22 here today. The floor is yours.

23 MS. YORKMAN-RAMEY: I don=t believe he=s
24 here yet.

25 CHAIR GARZA: Okay. Well, in which case

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1 we'll go ahead and move on to the next individ -- the
2 next Advisory Committee. Do we have -- yes, we have
3 Chair Blaylock present.

4 We're going to hear from our Nevada
5 Advisory Committee Chair Wendell Blaylock on the
6 committee's report Teacher and Professional Staff
7 Shortages and Equity in Education in Nevada.

8 Thank you, Chair Blaylock, for joining us
9 today. We're going to go ahead and turn it over to
10 you to begin your presentation.

11 MR. BLAYLOCK: Good morning and thank you
12 for asking me to join today's meeting to discuss the
13 Nevada Advisory Committee's Report on Teacher and
14 Professional Shortages and Equity in Education.

15 Our report is dated January 2024.

16 This report draws on themes identified in
17 the committee's 2020-2021 study, The Impact of Remote
18 Learning on Education Equity in Nevada, which
19 examined education equity during the 20 -- the COVID
20 pandemic. That study revealed, among other findings,
21 that severe shortages of professionals offering
22 mental health and Special Education services put
23 Nevada school districts at risk of litigation due to
24 civil rights violations.

25 The research and the report were timely.

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1 And the 82nd Nevada Legislature addressed similar
2 concerns during their session.

3 Also, in 2022 the U.S. House of
4 Representatives= Appropriations Committee conducted
5 a similar hearing to address teacher shortages and
6 other subject areas. The committee heard testimony
7 via videoconference on 6 April, 13 April, and 26 May,
8 2023. Of interest was testimony by Dr. Jhone Ebert
9 on behalf of the Nevada Department of Education.

10 Dr. Ebert indicated there was a jump in
11 teacher vacancies during the 2021-2022 school year.
12 The highest concentration of teacher vacancy is in
13 urban schools with a high concentration of Black and
14 Latinx students. Similarly, there were challenges
15 in rural areas of the state with Native American
16 students disproportionately harmed.

17 There were shortages in Special Ed and
18 other professionals in the schools.

19 The committee also heard testimony from
20 Denise Padilla, the Department Chair and Elementary
21 Education Program Supervisor for Great Basin College,
22 and others, that Nevada=s current teacher pipeline
23 creates barriers for would-be teachers.

24 Because of our ineffective recruitment
25 system, schools must rely on long-term substitutes,

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1 especially in high-needs areas of the state. Our
2 study found that educators need more formal training.

3 The committee was surprised that this
4 lack of training also affects experienced teachers
5 and the relationship of teachers with ineffective,
6 out-of-field, and inexperienced teachers.

7 Experienced teachers will likely be
8 assigned to a mentoring relationship with the
9 inexperienced teachers. And in some schools
10 experienced teachers must manage multiple mentoring
11 relationships. Thus, in addition to overseeing their
12 classes, with possible high-needs students,
13 experienced teachers are helping multiple
14 inexperienced teachers manage their classrooms.

15 In addition, Title I and high minority
16 Title I schools have the highest percentage of
17 teachers who are inexperienced. The need for
18 teachers was so dire that the state activated a
19 special licensing law to hire anyone with a high
20 school diploma and a clear background check to work
21 as a substitute teacher.

22 Teachers in urban schools with
23 economically disadvantaged and minority students had
24 higher rates of attrition.

25 Dr. Kenneth Varner, the Associate Dean

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1 for Academic Programs and Initiatives at the
2 University of Nevada, Las Vegas, shared that with a
3 lack of consistency of education in the classroom
4 students may feel neglected and unwilling to learn.
5 Schools with the most teacher shortages have a higher
6 rate of chronic absenteeism by students.

7 As classroom behavioral problems have
8 grown after the pandemic, violence in schools has
9 become another reason experienced teachers cite for
10 exiting the profession. Between a rise in
11 inexperienced teachers and shortages of
12 professionals, some schools have become overwhelmed
13 by behavior-associated disruption. Under these
14 conditions, even the most experienced administrators
15 struggle to support the teachers, students, and
16 parents. And some students and teachers are impacted
17 by the bullying, violence, and physical harm from
18 disruptive classmates.

19 Consistent with our work, there were
20 hearings in the 82nd Nevada Legislature, and teacher
21 and professional shortages were discussed in the
22 media. Among the committee=s findings, over-reliance
23 on long-term substitute teachers can result in gaps
24 in students= learning. The shortage of in-school
25 behavioral professionals poses concern that school

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1 violence is increasing. And in urban school
2 districts, teacher vacancies are concentrated in
3 schools with high percentages of Black and Latinx
4 students.

5 Among our recommendations, the
6 commission should issue a recommendation to the U.S.
7 Secretary of Education to study whether every child
8 in Nevada is receiving the same education opportunity
9 and experiences.

10 The commission should issue a
11 recommendation to the Governor of Nevada to support
12 and fund professional development for long-term
13 substitute teachers and workforce development for new
14 educators and behavioral health professionals.

15 In addition, issue a recommendation to
16 the Nevada School Superintendent to work with
17 community partners to provide programs that can fill
18 the behavioral and mental health gap.

19 And issue a recommendation to the Nevada
20 Legislature to address long-term funding for
21 substitutes teachers to engage in professional
22 development opportunities.

23 Teacher and professional shortages are an
24 ongoing issue in the state. The Nevada Committee
25 followed up on the report by submitting an op ed to

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1 the *Nevada Independent* in Q2 of this year. In
2 addition, an op ed will be shared with the *Nevada*
3 *Current* publication this quarter.

4 Discussions between members of the
5 committee, professionals, and elected officials has
6 been ongoing since the publication of the report.
7 The discussion focuses on our finding and how to
8 retain current teachers, as we are losing them faster
9 than we can recruit them.

10 The vice chair also provided an interview
11 to the media to discuss the report. The Nevada
12 Committee was fully engaged throughout the process.
13 And we consistently reached consensus in preparation
14 of the report.

15 I would encourage the commission move
16 quickly to appoint new members for Nevada, as we are
17 energized, engaged, and dedicated to improving life
18 in the state.

19 What questions do you have?

20 CHAIR GARZA: Thank you so much, Chair
21 Blaylock, for your presentation.

22 I'm going to go ahead and open it up to
23 commissioners to, to ask questions since we have some
24 time. So, if anybody would like to be recognized to
25 ask a question of Chair Blaylock regarding his

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1 presentation?

2 COMMISSIONER GILCHRIST: Madam Chair,
3 this is Gilchrist.

4 CHAIR GARZA: Go ahead, Commissioner
5 Gilchrist.

6 COMMISSIONER GILCHRIST: Thank you, Madam
7 Chair.

8 Chair Blaylock, thank you so much for
9 this report. Certainly in light of what=s happening
10 across our country regarding teacher shortages, this
11 is certainly what I have a lot of interest in. And
12 thank you for bringing this to our attention.

13 You know, after reading your report and
14 hearing about the incidents, and rape, and broken
15 noses that teachers have suffered, you have to wonder
16 whether or not anybody would want to teach in our
17 schools in 2024.

18 Was there any consideration in your
19 report regarding hazardous pay for teachers that
20 teach in districts or schools that have high levels
21 of discipline and violence? Was that in any type of
22 consideration?

23 MR. BLAYLOCK: That is a great question.
24 And that was not part of the consideration for our
25 report.

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1 However, I will share with you that the
2 Nevada Legislature passed Assembly Bill 37, which is
3 behavioral workforce, behavioral health workforce
4 center in Nevada with the Nevada System of Higher
5 Education. It was funded with \$2 million to provide
6 additional training for behavioral health
7 professionals, as well as teachers on how to address
8 incidents of violence within the schools.

9 I hope that helps.

10 COMMISSIONER GILCHRIST: Okay. No, that
11 helps. And I certainly would love to take a review
12 of that particular piece of legislation.

13 A follow-up question, Madam Chair, if I
14 may.

15 One of the -- I'm in South Carolina, and
16 one of the things that we are beginning to determine
17 whether or not it should be are cameras in classrooms.
18 We know that there are cameras that in many cases
19 survey the perimeters of schools, and hallways, and
20 those kinds of things. But was there any
21 consideration or feedback when you guys did your
22 report about the need for having cameras in
23 classrooms that can protect both teachers and
24 students?

25 MR. BLAYLOCK: Thank you for your

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1 question.

2 I am aware that following our report
3 there was some discussion among elected officials of
4 having cameras placed in classrooms, again, as you
5 indicated, for the protection of teachers, as well as
6 students.

7 I'm not sure what the current status of
8 that is.

9 COMMISSIONER GILCHRIST: Okay, great.

10 All right. Well, listen, I certainly
11 appreciate your comments. And, again, thank you for
12 sharing your report with us today.

13 That's all I have at this point, Madam
14 Chair.

15 CHAIR GARZA: Thank you so much,
16 Commissioner Gilchrist.

17 I'll take a privilege here and ask a
18 question.

19 I am curious about your investigation
20 regarding kind of substitute, the reliance on
21 substitute teachers. Is there, when you were, when
22 you were putting this report together was there --
23 was it clear to you all if there was a pipeline issue
24 for educators with training, and especially around
25 behavioral health training.

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1 Is there a pipeline issue with getting
2 those folks into the schools? Or what is the cause
3 here? Like, why are we relying on substitute
4 teachers so much.

5 MR. BLAYLOCK: So, thank you for your
6 question.

7 So, yes, there was extensive discussion
8 about the pipeline for teachers. So, among things
9 that came to our attention, number one, -- and I don't
10 want to put this in order of priority -- number one
11 there was pay.

12 So, regular teachers earn approximately
13 58,000 per year. Substitutes earn 13,000 per year.
14 So, for -- I'm sorry, \$13 per hour.

15 So, there was a discussion about pay for
16 teachers.

17 In addition, there was discussion about
18 the pipeline. Nevada has two major metropolitan
19 areas of Greater Las Vegas as well as Greater Reno-
20 Sparks. The rest of the state is extremely rural.
21 And it is a challenge to recruit teachers for those
22 rural areas of the state, and especially for some of
23 the far northern Nevada districts that are heavily
24 Native American.

25 So, we are trying, it's my understanding

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1 we are trying to recruit from neighboring states.
2 And there is a plan to bring in teachers from
3 overseas. And Dr. Ebert discussed plans to try to
4 recruit teachers from the Philippines.

5 So, I hope that helps. Yes, there were
6 some -- there are challenges to recruiting teachers.

7 CHAIR GARZA: Yes.

8 MR. BLAYLOCK: And incidents of violence,
9 the pay, the remote access of parts of the state
10 outside of Las Vegas and Reno do make it particularly
11 challenging for us to recruit.

12 CHAIR GARZA: Well, thank you. Thank you
13 for your answer and kind of spelling that out.

14 I'm a Texan, and a lot of the state is
15 rural. We have our big city hubs. But I know
16 recruitment is a challenge for us as well, as well as
17 kind of working with children that are still impacted
18 by the pandemic and the changes in -- that they saw
19 in their education in those years, as well as their
20 communities.

21 So, so I appreciate your answer.

22 Are there other questions from other
23 commissioners?

24 COMMISSIONER ADAMS: Adams.

25 CHAIR GARZA: Yes, Commissioner Adams?

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1 COMMISSIONER ADAMS: Thank you for the
2 report.

3 In it you noted a number of instances of
4 violence as Commissioner Gilchrist asked about. Did
5 your SAC interview any of those teachers who were
6 victims of the violence?

7 MR. BLAYLOCK: Thank you for your
8 question.

9 We, we did not interview those teachers
10 that were victims of violence.

11 COMMISSIONER ADAMS: Do you know if they
12 still work as teachers?

13 MR. BLAYLOCK: I do not know the answer to
14 that.

15 COMMISSIONER ADAMS: Did anybody try to
16 find it?

17 MR. BLAYLOCK: That was outside of the
18 parameters of our report. So, we did not reach out
19 to victims of violence. We relied upon the
20 information that was provided by the Governor and by
21 the various entities that we discussed with
22 concerning incidents of violence. But we did not
23 reach to them in particular.

24 COMMISSIONER ADAMS: Last question.
25 Do you think it=s relevant whether or not

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1 they were in urban districts that you said have a
2 shortage of teachers, whether or not they're still
3 there?

4 MR. BLAYLOCK: We are finding that we are
5 losing teachers throughout the state faster than we
6 recruit them. So, it's an issue not only in our urban
7 areas, which would be Greater Las Vegas and Greater
8 Reno-Sparks, but also in the other areas of the state.

9 COMMISSIONER ADAMS: Thanks. That's all.

10 MR. BLAYLOCK: Thank you.

11 CHAIR GARZA: Thank you, Commissioner
12 Adams.

13 Are there any other questions from, from
14 other commissioners?

15 VICE CHAIR NOURSE: This is Vice Chair
16 Nourse.

17 CHAIR GARZA: Go ahead, Vice Chair Nourse.

18 VICE CHAIR NOURSE: Sir, thank you very
19 much for the comprehensive report. And it truly is
20 a sad state of affairs.

21 I'd like to ask you to just clarify the
22 time period that you studied and whether you have any
23 information from that time period up to today
24 concerning the violence at these schools?

25 MR. BLAYLOCK: So, thank you for your

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1 question.

2 And in our report we indicate that from
3 2019, which was prior to the pandemic, until the dates
4 that we did our report, that the Governor had
5 indicated that there was a 46 percent increase in
6 violence and sexual assaults since 2019.

7 VICE CHAIR NOURSE: And is that till
8 today, 2024?

9 MR. BLAYLOCK: That was up until, that was
10 up until the time we published our report.

11 And the Governor=s comments were during
12 the 2022-2023 legislative session.

13 VICE CHAIR NOURSE: Thank you.

14 MR. BLAYLOCK: Thank you.

15 CHAIR GARZA: Chair Blaylock, I=m going
16 to, I=m just going to ask the last question here on
17 the behavioral health.

18 COMMISSIONER MAGPANTAY: Oh wait, I had a
19 question.

20 CHAIR GARZA: Okay. Just a second, Glenn.

21 COMMISSIONER MAGPANTAY: Oh, of course.
22 I thought you said it was the last question. Please.

23 CHAIR GARZA: Okay. Well, thank you for
24 letting me know. So, I=ll ask my question, then I=ll
25 let you ask yours.

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1 I'm just more curious about the
2 behavioral health issue that was in the report. And
3 I was hoping you could kind of flesh out for us, you
4 know, the challenges and the problems of mental
5 health concerns, and the need to address that
6 particular issue when it -- as a, as a starting point
7 to curb kind of this violence that's happening in the
8 schools and sort of contributing to this exodus of
9 teachers and all of that.

10 MR. BLAYLOCK: So, thank you for your
11 question.

12 In our prior report, which was the Impact
13 of Remote Learning on Equity -- of Education Equity
14 in Nevada, that was one of the findings and one of
15 the themes from our prior research. And it carried
16 forward into this current report. Because we were
17 finding that individuals that had behavioral, mental,
18 emotional, physical, and social challenges did not
19 have access to the professionals that they needed,
20 especially during the pandemic when they were at
21 home, and oftentimes their only access to the
22 professionals was during their school day.

23 Currently, we have a shortage of those
24 professionals. And I have those statistics. So,
25 just one moment.

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1 (Pause.)

2 MR. BLAYLOCK: The recommendation is to
3 have one mental health professional for every 250
4 students. And we are not meeting that particular
5 guideline within the state.

6 CHAIR GARZA: Do you have an idea of how
7 many mental health professionals per students you do
8 currently have?

9 MR. BLAYLOCK: I do have that information.

10 CHAIR GARZA: Yes. If you have that
11 information.

12 MR. BLAYLOCK: Just one moment. Let me
13 see if I can put my hands on that.

14 (Pause.)

15 MR. BLAYLOCK: And I'm not readily seeing
16 that in my documentation here. But I can provide
17 that for you.

18 CHAIR GARZA: Okay. No problem. Thank
19 you. I was just curious.

20 Just because, you know, I appreciate you
21 following, you kind of fleshing out that issue and
22 explaining.

23 I'm going to give over the rest of my
24 time. I'm going to have Commissioner Magpantay ask
25 the last question and then we'll, we'll go ahead and

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1 move on.

2 But very much appreciate your time.

3 MR. BLAYLOCK: Thank you.

4 Commissioner Magpantay?

5 COMMISSIONER MAGPANTAY: Thank you very
6 much.

7 As you can see, our commission is very
8 excited on these issues of teacher shortages. It's
9 very important.

10 And the commission has an institutional
11 recollection and memory of the issues in Nevada since
12 Commissioner David Titus used to serve as an esteemed
13 member of this commission.

14 I saw that in your report you talked not
15 only about the ELA, English Language Arts, but I was
16 curious about ELL, English Language Learners.

17 I found that 12 percent of the population
18 in Nevada is limited English proficient. One in 10
19 Nevadans who speak Spanish are limited English
20 proficient. Three percent of Asian Americans,
21 Pacific Islanders live in Clark County. And I love
22 that you talked about recruiting teachers from the
23 Philippines since Tagalog is the language in Clark
24 County. And, obviously, and for the Native American
25 population, 4 percent of the Native American

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1 population is limited English proficient. Elko also
2 high rates within the Navajo community.

3 Did you look at ELL, teachers for ELL and
4 those with limited English proficiency?

5 MR. BLAYLOCK: And let me sure, let me be
6 sure I'm on the same page.

7 So, your question is did we look at
8 English language, English as a second language in our
9 report?

10 COMMISSIONER MAGPANTAY: Yes. Teachers
11 who teach the English language arts for limited
12 English proficient students.

13 MR. BLAYLOCK: Right. And, and, no, we
14 did not examine that in our report.

15 COMMISSIONER MAGPANTAY: All right.
16 Thank you.

17 MR. BLAYLOCK: Thank you.

18 CHAIR GARZA: Okay. Well, thank you so
19 much, Chair Blaylock. I really appreciate the
20 presentation that you've given us today and for
21 answering all of our questions, and especially for
22 your service and leadership on the Nevada Advisory
23 Committee.

24 So, thank you very much.

25 We're going to go ahead and move on. I

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1 believe we have our other presenter here today. I'm
2 trying to confirm that.

3 II. A. PRESENTATION BY ARKANSAS ADVISORY COMMITTEE
4 CHAIR ON RELEASED REPORTS AND MEMORANDUM ON IDEA
5 COMPLIANCE AND IMPLEMENTATION IN ARKANSAS SCHOOLS

6 MR. STEINBUCH: I'm here. This is Robert
7 Steinbuch.

8 CHAIR GARZA: Okay, wonderful. Welcome.

9 MR. STEINBUCH: Thank you.

10 CHAIR GARZA: We're going to go ahead and
11 move on to our Arkansas Advisory Committee Chair
12 Robert Steinbuch on the committee's report, IDEA
13 Compliance and Implementation in Arkansas Schools.

14 Thank you, again, Chair Steinbuch, for
15 being here today. The floor is yours.

16 MR. STEINBUCH: Thank you very much. And
17 thank you for having me. This is my last year on the
18 committee and as chair. So, I wanted to be able to
19 talk to you today.

20 As you mentioned, we talked, we
21 investigated IDEA. And for, you know, shorthand
22 we'll call it Special Education in Arkansas. And we
23 have a number of findings and recommendations that I
24 would like to go through with you quickly.

25 And I will say this, we have sort of

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1 fallen into two buckets. One, of course, is
2 resources. Resources are always important and always
3 strained. And so, we call for more resources, but
4 we understand that resources are always being called
5 on by everyone.

6 But the second recommendation bucket that
7 we have is about allocation of not resources, per se,
8 but indirectly, but allocation of workload to improve
9 our Special Education we=re providing. And so, we
10 think that can be accomplished even without a change
11 in resources, albeit of course, we recommend both.

12 So, to start with, first trying to deal
13 with the fact that there seems to be an information
14 vacuum or at least disparity regarding Special
15 Education for parents. And we find that many parents
16 are unaware of both indicators of a need for Special
17 Education as well as what resources may be available
18 for that.

19 We move on and we find that, perhaps
20 unsurprisingly, that in various schools the Special
21 Education services being provided relate to what
22 those schools happen to have in terms of assets and
23 they don=t necessarily correlate with all the needs,
24 or the needs, rather, of all the students.

25 We find in particular that, again perhaps

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1 unsurprisingly, that the greatest deficit in Arkansas
2 is for Special Education teachers relative to general
3 education teachers. So, investigated more about
4 that.

5 When we get to individual, individualized
6 education plans for each student we find that a
7 frequently reduced much of the time need for core
8 instruction, which can widen achievement gaps. And
9 they fail to address functional skill development
10 needs.

11 So, let me say more about that rather
12 content-rich finding.

13 First, and this was the point I raised in
14 my introduction, this is not a resource point what
15 I'm going to say, an allocation point, and that is we
16 find that too often Special Education is provided at
17 the expense of core instruction. And we define core
18 instruction as reading and mathematics.

19 And this derives from what we had heard
20 in testimony, somewhat of a disconnect. In other
21 words, two stovepipes: the core instruction, the
22 general education is one stovepipe; and the other
23 stovepipe is Special Education. And they are not
24 integrated often well enough so that one -- so that
25 Special Education doesn't disrupt the core education.

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1 So, as you'll hear later, one of our key
2 recommendations is to avoid that conflict.

3 Second, still within the same finding, we
4 find, we have heard testimony that these IEP often
5 are not updated. And so, we have testimony, indeed,
6 that one witness who said that she had worked with
7 17- and 18-year-olds with IEPs that remained
8 unchanged since kindergarten. And this is sort of
9 that institutional bureaucracy that we always have to
10 fight against in every organization that we're in,
11 this tendency of inertia that wherever we started is
12 where we continue.

13 And so, that will relate to our
14 recommendation that the IEPs be evaluated regularly.

15 Our next finding is that available
16 resources are often focused on these specific needs
17 in terms of Special Education, and that's good, but
18 do not sufficiently address behavioral needs which
19 also comes under the umbrella, of course, of Special
20 Education. There's a significant shortage of
21 counselors, of therapists, particularly board
22 certified behavioral analysts.

23 And we know that this leads to a problem
24 later on in education which is the criminalization of
25 bad behavior. But we wouldn't have to get there if

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1 we were able to address the sources of this bad
2 behavior early on, or at least some of it, to be fair.

3 Our next finding deals with placing -- we
4 found that often a burden is placed on parents to
5 advocate on behalf of their students with
6 disabilities rather than having the school take
7 ownership of the needs of these students.

8 And related to the penultimate point that
9 I just made, we found that there are only limited
10 protections against disparities in academic and
11 disciplinary processes for students with disability,
12 resulting in what I mentioned a moment ago, sometimes
13 bad criminalization of discipline that could have
14 been avoided.

15 And so, with these findings we made
16 recommendations to the Arkansas Legislature and the
17 Arkansas Department of Education. And for the
18 purposes of this discussion I'll group them together
19 because they largely overlap.

20 And that, the first one, the resource
21 allocation items that I had mentioned, which is that
22 we ensure that students receive all of their core
23 instruction in English language arts and mathematics,
24 can never be pulled out of this core instruction time.

25 Now, this does result in our second

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1 recommendation, which is the need -- and this is
2 resource-dependent -- to provide extra time during
3 the day for intervention and remediation. And so,
4 that would mean either earlier in the day outside the
5 normal class time, or after school, or during the
6 periods.

7 Another resource-dependent
8 recommendation is that we have highly skilled and
9 trained staff to provide academic support to students
10 struggling, as opposed to what we view was an over-
11 reliance on our professionals currently in Arkansas.

12 We also think it's important to emphasize
13 that general education teachers should be tasked with
14 exactly that: providing general education. Now, of
15 course, they, as a matter of job function but often,
16 typically, as a matter of personality as well, will
17 always look out for the interests of those with
18 Special Education.

19 But, we are concerned that somehow that,
20 indeed, the general education teachers are often de
21 facto or de jure tasked with handling the needs of
22 the Special Education students. And that's unfair to
23 the Special Education teacher, to the general
24 education teacher, and mostly to the students
25 themselves, both general and Special Education

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1 students.

2 The next recommendation relates to the
3 fact that, as I mentioned earlier, we find that
4 different schools have different strengths in terms
5 of their available resources for Special Education.
6 And that=s somewhat understandable. But the result
7 is that often those Special Education teachers with
8 specific skills are requested to provide all Special
9 Education and they=re not necessarily capable of
10 doing that.

11 And so, we want to ensure that sufficient
12 resources, and again this is a resource issue, are
13 provided so that schools can have access to those
14 Special Education teachers needed to address the
15 actual needs of their students.

16 And then, finally, we recommend, as I
17 mentioned earlier, expanding social, emotional, and
18 behavioral support for students to focus on
19 prevention and adding more expertise in schools, and
20 also partnering with outside agencies so that we can,
21 hopefully, avoid the criminalization of in-school
22 punishment by avoiding the behavioral -- behavioral --
23 one more time -- behavioral problems that resulted in
24 the need for discipline in the first place.

25 So, with that, that=s the end of my

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1 presentation. Of course I'm available for any
2 questions, should you have them.

3 CHAIR GARZA: Well, thank you so much,
4 Chair Steinbuch.

5 We do have time for questions, so we'll
6 go ahead and open it up to commissioners.

7 But I did just want to say that this is
8 particularly personal for me. I grew up with a
9 sibling with disabilities. My oldest brother Robbie
10 experienced a brain injury during childbirth, and so
11 he was, he was unable to walk or talk. He could hear
12 voices but required extensive services. And this was
13 in the >80s and early -- no, sorry, the >90s and early
14 2000s, and getting access to education and ensuring
15 that he had appropriate care in those settings was
16 very challenging for my family on a personal level.

17 And my parents were both, you know,
18 public school teachers when they initially met.

19 And so, I think that this report I found
20 very, very comprehensive in understanding that
21 Special Education is a spectrum, it's not just a
22 certain type of student. You have to provide
23 services that are tailored to students. I mean,
24 we're talking about children with ADHD, behavioral
25 issues, all the way to individuals like my brother

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1 Robbie that had those kinds of more serious
2 disabilities but are entitled to education.

3 And I just found this report very, very
4 interesting. And it's still concerning that this is
5 a challenge.

6 And so, I just want to say thank you for,
7 for the work that you all did on this, on this report.
8 I don't think I have a specific questions, but I did
9 want to just share that, that I found this very
10 comprehensive and I did like some of the
11 recommendations that you all made about ensuring
12 that, you know, that students get some flexibility in
13 their schedules in order to get the kind of treatment
14 that they actually do need, or support that they do
15 need.

16 But, with that, I will open it up to
17 others to ask questions.

18 MR. STEINBUCH: Let me just say thank you
19 for your very kind words, as well as sharing your
20 personal story because these stories matter. You
21 know, they put light to these issues.

22 CHAIR GARZA: I appreciate that very much.

23 And I did, I did appreciate the nuances
24 that you included in here as well. And it sounds
25 like you did hear testimony from impacted

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1 individuals.

2 I guess that is a question I have.

3 When you were doing this report did you
4 all bring in impacted individuals, their parents,
5 teachers?

6 MR. STEINBUCH: Yes.

7 CHAIR GARZA: Yes.

8 MR. STEINBUCH: Yes. All of the above.
9 And as well, of course, as administrators and
10 advocacy groups. Because we need to hear from all
11 to get a whole picture. Right?

12 Because everybody comes in with their
13 perspective that doesn't mean it's wrong, it means
14 they are viewing life from the lane that they are
15 given. But the overwhelming evidence is that we can
16 improve, and we can improve significantly.

17 CHAIR GARZA: Yeah. And it also sounds
18 like an issue of not having enough information out
19 there, especially if, you mentioned it in your
20 comments, about parents not necessarily knowing what
21 they don't know. And it lands on them to pursue, to
22 pursue the support that their child needs.

23 So, I that was very --

24 MR. STEINBUCH: Yes.

25 CHAIR GARZA: -- important to hear.

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1 MR. STEINBUCH: Thank you. I didn't mean
2 to cut you off.

3 CHAIR GARZA: No.

4 MR. STEINBUCH: My sister, my whole family
5 are teachers. I'm a teacher at college level. My
6 older sister is a teacher at the college level. My
7 father has passed, was a teacher at the college level.
8 And my twin sister is a teacher at the grade school
9 level.

10 And so, she deals mostly with this;
11 right? This obviously will affect her the most. And
12 she's one of those teachers that I implicitly
13 referenced who carries all of this on her shoulders.
14 Because she really believes in the well-being of
15 students.

16 And she has had some Special Education
17 training, and has done some of that but is mostly a
18 general education teacher. And fights every day for
19 her students to make parents aware of the students=
20 needs and to make sure that the school that she works
21 at provides resources when she thinks the school is
22 not necessarily always on top of things.

23 And, you know, sometimes those things
24 happen as a function of bureaucracy. But sometimes
25 they happen because there's a lack of commitment

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1 somewhere in that chain. And that=s a complicated
2 equation to discuss, but nonetheless.

3 So, I hear it firsthand on a regular
4 basis from my sister and the importance of this.
5 And, you know, this is really about ensuring that
6 everyone in starting gets a fair chance. This isn=t
7 about giving extra, this is about fair chance. And
8 this is what we must do.

9 CHAIR GARZA: Yeah. And leveling it out
10 for, you know, students that have particular needs
11 because it just doesn=t impact them, it impacts, you
12 know, the other students at their school and society
13 at large. So, I, I appreciate --

14 MR. STEINBUCH: Yes.

15 CHAIR GARZA: -- you making that point,
16 very much so.

17 MR. STEINBUCH: Thank you.

18 CHAIR GARZA: Well, I will open it up to
19 other commissioners. Thank you for that wonderful
20 conversation.

21 If other commissioners have questions,
22 please let me know that you want to be recognized.

23 COMMISSIONER MAGPANTAY: This is
24 Commissioner Magpantay.

25 Very quickly, listening to your

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1 presentation I wanted to ask in the finding of
2 disabilities could you, was it physical disability,
3 learning disability, or behavioral disability was the
4 focus?

5 I'm hearing it was learning, but just say
6 more, please.

7 MR. STEINBUCH: Well, it was certainly
8 learning and behavioral. As you might recall, I made
9 some mention of the latter.

10 Probably it's fair to say it was mostly
11 learning. But we realize in evaluating what's going
12 on in Arkansas regarding Special Education we realize
13 that there is an inevitable intersection between
14 learning disability and behavioral disability.

15 So, it was certainly both of those.

16 And I, I don't recall whether -- well
17 now, no, I do recall that we heard testimony from at
18 least one witness regarding the intersection of
19 physical disability with learning disability.
20 Again, because there's some -- there's often some
21 overlap, albeit those are still three separate
22 categories.

23 So, to sum up I would say we focus on
24 learning. We would enjoin it to behavioral from the
25 research and testimony that we garnered. And we had

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1 some but more limited discussion regarding physical
2 disability.

3 COMMISSIONER MAGPANTAY: Excellent.
4 Thank you so much.

5 Just I recognize that Arkansas State
6 Advisory Committee is expiring in a couple of weeks.

7 The Nevada Advisory who we just heard has
8 already expired.

9 I just want to show both factors that the
10 commissioners are working diligently and hard to make
11 sure that your schedule will be fulfilled and will be
12 able to continue this work. It doesn't all end --

13 MR. STEINBUCH: Yes.

14 COMMISSIONER MAGPANTAY: -- this year.

15 Thank you.

16 MR. STEINBUCH: Indeed. And it's a
17 pleasure, it has been a pleasure to serve, but equally
18 a pleasure to pass the torch to the new folks that
19 are coming on.

20 CHAIR GARZA: Well, thank you, Chair
21 Steinbuch. Thanks.

22 Is there, are there any other questions
23 from commissioners before, before we move on?

24 (No response.)

25 CHAIR GARZA: Okay. Well, thank you again

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1 so much, Chair Steinbuch, for your, for your service
2 and your leadership on the Arkansas Advisory
3 Committee. I know you said this is your last, your
4 last go at it. We appreciate all the work that you've
5 done up until this point and wish you the best of
6 luck in whatever you choose to do following this.

7 And very much appreciate the time that
8 you took to speak with us today.

9 If you have any remaining comments, I'll
10 turn the floor over to you before we, before we move
11 on.

12 MR. STEINBUCH: Just a thank you for all
13 you all do and for having me here today. Have a
14 great day.

15 Thank you very much.

16 CHAIR GARZA: Wonderful. Well, thank
17 you.

18 We have two more items on the agenda.
19 And I'll go ahead and move us along.

20 II. C. DISCUSSION AND VOTE

21 ON USCCR BUSINESS MEETING CALENDAR

22 CHAIR GARZA: The next item is a vote on
23 the Commission's 2025 Business Meeting Calendar.

24 The meeting calendar dates for next year,
25 for 2025, were circulated in advance to

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1 commissioners, and special assistants, and staff.
2 The proposed dates for our commission business
3 meetings for 2025 are as follows, and it=s
4 specifically on Fridays:

5 January 17th, February 21st, March 21st,
6 April 18th, May 16th, June 20th, July 18th; August
7 15th, September 19th, October 17th, November 21st,
8 and December 19th.

9 I understand we may have a friendly
10 amendment to change the April date?

11 COMMISSIONER HERIOT: Yes, Madam Chair.

12 CHAIR GARZA: Yes, Commissioner Heriot?

13 COMMISSIONER HERIOT: My understanding is
14 that April 18th is Good Friday. And if we move it
15 to April 11th, the week before, we could avoid that
16 problem. There may be people that want to attend
17 services on Good Friday, and it would be good if we
18 could have a date that would allow for that.

19 April 11th will be, will begin Passover
20 by evening, but we=ll be done with our meeting by
21 then. I think the only person who would be affected
22 by that would be me, since I, I fly back to
23 California. But I=m not Jewish, so we=ll be okay.

24 CHAIR GARZA: Well, Commissioner Heriot,
25 I don=t have a problem with that friendly amendment

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1 of changing it to April 11th. But if there are any
2 issues, I guess folks can speak up now.

3 MR. MORALES: Madam Chair, this is Staff
4 Director Morales.

5 The staff doesn't have any objections to
6 moving it to, to the 11th.

7 CHAIR GARZA: Wonderful. Thank you so
8 much.

9 Okay. So, we'll go ahead and adopt the
10 dates that I had previously read into the record,
11 with the exception of instead of April 18th we're
12 going to amend it and have it, have our meeting on
13 April 11th.

14 So, I'm going to move to adopt the amended
15 timeline for the commission's 2025 business meeting
16 calendar.

17 Do we have a second?

18 COMMISSIONER HERIOT: I second.

19 CHAIR GARZA: Commissioner Heriot
20 seconds.

21 So, we have a motion that has been made
22 and properly seconded.

23 Is there any, is there any discussion on
24 it.

25 (No response.)

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1 CHAIR GARZA: Okay. Hearing none, we=re
2 going to go ahead and proceed to a roll call vote.

3 Please respond with yes if you are in
4 favor, no if you are opposed, present if you are
5 abstaining.

6 We=ll start with Vice Chair Nourse.

7 VICE CHAIR NOURSE: Yes.

8 CHAIR GARZA: Commissioner Adams?

9 COMMISSIONER ADAMS: Yes.

10 CHAIR GARZA: Commissioner Gilchrist?

11 COMMISSIONER GILCHRIST: Yes.

12 CHAIR GARZA: Commissioner Heriot?

13 COMMISSIONER HERIOT: Yes.

14 CHAIR GARZA: Commissioner Jones?

15 COMMISSIONER JONES: Yes.

16 CHAIR GARZA: Commissioner Kirsanow?

17 COMMISSIONER KIRSANOW: Yes.

18 CHAIR GARZA: Commissioner Magpantay?

19 COMMISSIONER MAGPANTAY: I vote yes.

20 CHAIR GARZA: And I vote yes.

21 We have eight yeses, zero noes, zero
22 abstentions. Motion passes.

23 Thank you all so much.

24 II. E. STAFF DIRECTOR=S REPORT

25 CHAIR GARZA: And, finally, we are moving

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1 on to our final item which is the report from our
2 Staff Director, Staff Director Morales.

3 We're going to go ahead and turn to you
4 for the monthly Staff Director=s Report.

5 The floor is yours.

6 MR. MORALES: Thank you, Madam Chair.

7 Congratulations on the birth of your
8 child from all of us and staff. We're excited for
9 you and your family.

10 CHAIR GARZA: Thank you so much.

11 MR. MORALES: So, with that -- thank you
12 -- with that I=d like to say I have nothing further
13 to add than what is already contained in the Staff
14 Director=s Report.

15 As always, I am always available to
16 discuss any matter in the report with any
17 commissioner that they may wish.

18 So, with that, in the interests of time
19 I thank you and we have nothing further.

20 CHAIR GARZA: Wonderful. Thank you,
21 Staff Director. I appreciate your, I appreciate your
22 congratulations to my family.

23 For those that are unaware, I recently
24 gave birth, a little over three weeks ago. My
25 daughter is doing very well. She is eating very

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1 regularly and is growing very quickly.

2 And my older daughters, who's just a
3 little over 2 years old, has been really excited about
4 having a baby in the house and being a big sister.

5 So, thank you. Thank you all for your
6 support and understanding throughout this, this
7 experience.

8 With that, I know that Commissioner
9 Magpantay wanted to be recognized for a comment. And
10 then we can go ahead and close it UP.

11 Commissioner Magpantay.

12 COMMISSIONER MAGPANTAY: Yes. Thank you
13 very much.

14 I just want to recognize Maura Chima
15 who's in our audience today. I want to take a second
16 to recognize you. Maura has been interning with us.
17 Her placement was from SALDEF, the Sikh American
18 Legal Defense Fund. We've partnered with them in the
19 past. They are great. They gave, they provided an
20 internist from their internship program. She has
21 been working with me on a number of problems following
22 up -- a number of issues on the commission's
23 recommendations on the sector report on anti-Asian
24 racism in the United States, and also the report that
25 we are working on, investigations currently this

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1 year.

2 Thank you so much, Maura, for your
3 service to the commission.

4 And she=s still with us, but she will be
5 leaving before, right before our next commission
6 meeting. So, I just wanted to recognize her for the
7 record, applaud her, and thank her for her service
8 this year.

9 Maura, congrats.

10 CHAIR GARZA: Thank you, Commissioner
11 Magpantay.

12 COMMISSIONER MAGPANTAY: All right,
13 Rochelle, we=re done.

14 CHAIR GARZA: So, with that, that
15 concludes all the business that we have on the agenda
16 for today=s business meeting.

17 Hearing nothing further, I=m going to
18 adjourn the meeting at 11:24 a.m. Eastern time.

19 Thank you all again. And I hope everyone
20 has a wonderful weekend. Take care.

21 (Whereupon, at 11:24 a.m., the hearing
22 was concluded.)

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