

Indiana Commission on Hispanic/Latino Affairs
Commission Meeting Minutes
6-30-05

Attendance:

Rep. John Aguilera, House Democrat-Chair
Margie Chavez, Family and Social Services designee-Vice Chair
Pat Rios, House Laymember-Secretary
Manuel T. Gonzalez, Senate Laymember
Sal Soto, Senate Laymember
Hilda Vazquez, Dept. of Education designee
Robert Shula, Dept. of Workforce Development proxy
Carmen Quintana, Dept. of Health designee
Judge Gregory Kellam Scott, Civil Rights Commission Executive Director

Staff:

Amy Mendoza, Executive Director
Lawrence McCormack

I. Call to Order

Commission Chair Aguilera called the meeting to order at approximately 10:10am. No quorum was present. Chair Aguilera mentioned that many Commissioners had previous commitments and were unable to attend today's Commission meeting. He expressed the importance of State Agency Commissioners sending a proxy to the Commission meeting so that the Commission could conduct business that requires a majority vote. He also requested a letter to be sent to State legislators to send a proxy to the Commission meetings.

II. Commission Business

Chair Aguilera informed everyone that since there is no quorum present, review and acceptance of the previous Commission meeting minutes would have to be delayed until the next Commission meeting.

Hispanic/Latino Conference Update

Commissioner Sal Soto explained that the task force is still requesting speakers, including John Leguizamo. He explained that the task force is waiting availability for Judge Alberto Gonzalez or Senator Ken Salazar. He explained that the fees are \$50.00 for the conference, \$50.00 for the dinner or \$75.00 for both. He requested that Commissioners work on marketing the conference because it's the Commission's first conference and it's important to make a good impression. The conference is Thursday, October 13, 2005 at the Hyatt Regency Hotel.

Commissioner Pat Rios commented that there are 4 – 5 workshop moderators that are commission members, and input is needed on speakers and presenters for the workshop. Input is needed in the next 2 – 3 weeks. If workshop moderators do not give input on a speaker, the conference task force or the executive committee will select a workshop presenter/speaker.

Commissioner Soto suggested that national leaders could be utilized as speakers/presenters.

Chair Aguilera requested that Director Mendoza follow-up with workshop moderators be sure to secure a speaker/presenter.

Vice Chair Chavez mentioned that workshop moderators should be a part of the task force. The task force will be meeting every two weeks until the conference.

Chair Aguilera announced that the task force would meet in 2 weeks and on the same day of the next Commission meeting.

Commissioner Hilda Vazquez introduced herself as the new designee from the Department of Education and mentioned that she had attended the April meeting.

Robert Shula introduced himself as the proxy for Kip Chase, who is a proxy of the Department of Workforce Development (DWD) Commissioner Stiver. Mr. Shula works in Community Relations for DWD.

Update on Public Forums

Director Mendoza announced that previous Commissioner Gloria Thode hosted a public forum in LaPorte, Indiana. Gloria Thode resigned from the Department of Correction recently and the Commission will have a new designee. Director Mendoza pointed out the attached issues list from the forum. She explained that the Commission was very well received. She explained that the attendees were more interested in listening to the findings of the Commission rather than giving comments or feedback on issues. She also explained that most of the issues in LaPorte are the same issues that have been addressed at previous forums, with the driver's license being the top issue. Attendees testified in Spanish that they were having difficulty renewing their license, even though they had the proper documents in place. Others testified that they have been victims of discrimination at the local Bureau of Motor Vehicles office. Most people wanted to talk about the driver's license issue. Business issues were also commented on by the audience. From the audience's comments, it seems that most people, Spanish-speaking and non Spanish-speaking simply do not know the process of how to register their business. Director Mendoza explained that Commissioner Juana Watson also attended representing the Commission and the Governor's Office. Most attendees were community leaders, teachers and social service providers. State Representative Mary Kay Budak and Representative Scott Pelath also attended and expressed interest in the driver's license issue and conversed with the audience. The audience was very responsive the Representatives and overall, the forum was very productive. Director Mendoza mentioned the next tentative date for another forum will be August 17, 2005 for a public forum in Fort Wayne with Commissioner Soto, and September 1st has been scheduled for a forum in West Lafayette with Commissioner Mary Ilu Altman.

Vice Chair Chavez mentioned that the Commission should have the forums done before the Commission's conference in September.

Commissioner Rios mentioned that, usually Fiesta Indianapolis is in the second week of September, and that other events are scheduled around it. She mentioned that she needs to coordinate with those schedules. She mentioned that she prefers to have the forum the

second week of September, and the forum will not be scheduled any further than September 16, 2005.

Director Mendoza mentioned that she has emailed Commissioners the presentation used at the public forums. The presentation is in English and Spanish. She explained the structure of the presentation and mentioned that she has thus far done most of the speaking at the forums. She explained there is a need for subcommittee chairs to attend the forums to speak on the subcommittee findings in Education, Health, Business, etc. She explained that more attendance would be appreciated and helpful at the forums.

Vice Chair Chavez explained that the conference workshop moderators should also attend the public forums to become familiarized with related issues.

Director Mendoza explained that she will interpret at the forums in English and Spanish.

Secretary Rios requested that a list of scheduled forums be sent to the Commissioners.

New Indiana Legislation-Education Discussion

Director Mendoza explained this was discussed at the last meeting, but no decisions have been made on whether the Commission will pursue a state legislation education project. She pointed out the handout of legislation introduced in the 2005 Session. She explained that Chair Aguilera expressed the need to educate the Hispanic/Latino community about new state legislation and possibly partnering with the Social Status of Black Males Commission (SSBMC). She explained that, while it is not the Commission's role to educate about State legislation, it is a worthwhile project that the Commission may want to consider. The Commission can work with the SSBMC to put together a simple brochure about new legislation and distribute it at the Commission's conference.

Chair Aguilera suggested sending a letter to the SSBMC to have a joint meeting discuss distributing information to minority communities to educate about new state legislation. The effort would be an awareness campaign about new Indiana legislation.

Director Mendoza mentioned that this project will have to be brought to the full commission for a vote, since this effort would result in a publication from the Commission. She informed everyone that she would include it on the next agenda. Most of the work will probably come from translating the document.

Chair Aguilera referred to the legislation handout and pointed out House Bill 101 and pointed out the \$750,000 for English as a Second Language (ESL) funding. He mentioned that the amount has not changed in several years. He expressed the need to change a letter to State Senators and Representatives of the need to increase the amount of funding.

Secretary Pat Rios mentioned that, at the time the funding was appropriated the first time, it averaged at about \$75.00 per student.

Commissioner Hilda Vazquez explained that the Limited English Proficiency (LEP) funding now averages to about \$24.00 per student per year. She explained that a lot of the Department of Education's Language Minority and Migrant Programs receive Title 3 funding and other federal funding, but if there are not enough students to qualify for their programs, than the Department only receives ESL funding. She also explained that a lot

of migrants workers who have taken the programs are not considered LEP. Also, as more students take the programs, less are being classified as LEP. It seems that the number of students has increased, when in reality their migrant status expires.

Chair Aguilera asked that the Commission draft a letter of support for more funding to be sent to the State Legislators.

Director Mendoza asked Commissioner Vazquez if she could provide the Commission with numbers of the students enrolled in LEP and ESL programs in the state.

Vice Chair Chavez asked if Lawrence McCormack could put together a brochure to educate Hispanics/Latinos about new Indiana legislation.

Chair Aguilera mentioned that the house study committees which were assigned to study most of the introduced driver's license registration will be meeting this summer to discuss the bills. He explained that he has asked to sit on the committee and encouraged others from the Driver's License and Immigration Subcommittee to send letters of interest to be committee members.

Director Mendoza asked Lawrence McCormack, the Hispanic/Latino Outreach Coordinator for the Indiana House, if there were any materials in that have been translated into Spanish to distribute to the Hispanic/Latino community.

Vice Chair Chavez mentioned that her agency has translated a lot of the information, including a Guide to State Government and How a Bill becomes a Law.

Director Mendoza suggested using the resources that Margie already has.

Strategic Plan and Retreat Discussion

Director Mendoza explained that it's important for the Commission to have a strategic plan for next year in order to stay focused and keep the Commission's objectives active. She also mentioned that the Executive Committee has recommended having a retreat during the last quarter of 2005.

Fall Internships

Director Mendoza mentioned that the Commission would benefit from utilizing interns to do most of the research that the Commission should report on. She explained that the internships can be paid or for school credit, and the Commission needs to decide which it will be.

Secretary Rios mentioned that a Commissioner is needed to supervise the intern. She explained there is a time commitment from Commissioners and much paperwork is involved. She also suggested having graduate level interns, who will be more efficient and have more experience.

Director Mendoza explained that, if subcommittees want to have interns they need her know as soon as possible, because there are deadlines to adhere to with the Department of Workforce Development.

Secretary Rios suggested speaking with the State Personnel Department; they have an internship program, but applicants must apply very early.

Director Mendoza asked if the Commission has any preference on paying or giving educational credit to interns.

Chair Aguilera pointed out that interns should be reimbursed for the work either way.

Commissioner Gonzalez suggested that either educational credit or financial reimbursement will be appropriate. He commented that, a lot of the issues brought up at the public forums are a result of people not knowing the requirements to do business with the state. An example is the comment noted from the LaPorte forum that people without Social Security numbers cannot register their business. This is not true; it's just a lack of information on what is needed to register a business. On another point, there is a new piece of legislation which gives a resource which tells the corporation how they can help Hispanic businesses. Thus far, Hispanic/Latino business owners are not on the radar screen. He mentioned that the Commission can interject and give recommendations now on how to reach out to Hispanics/Latinos. He mentioned that the Chamber currently does not have a budget for this. He also explained that he would be able to utilize interns to further research this issue and come up with information to report back to the Commission.

Outreach in Community Festivals and Parades

Director Mendoza informed the Commission about the upcoming Puerto Rican Parade and the Indianapolis Mayor's Latino Forum. She said the Commission could participate by distributing flyers, brochures, pencils and other promotional materials about the Commission. She also mentioned that the Commission's display is currently going through the state procurement process and should be ready soon. She pointed out the attached literature and fees related with the event. She mentioned that she has already checked with DWD's legal counsel and the Commission can partner or sponsor activities, events, etc. that adhere with the mission on the commission. She asked if the Commission wanted to set aside an amount of money from the budget to participate in these events every year.

Chair Aguilera suggested that this be incorporated in the 2006 strategic plan of the Commission.

Commissioner Gonzalez suggested that for this year, any parades or events could be utilized to advertise the Hispanic/Latino Conference the Commission will facilitate this year.

Commissioner Soto commented that this was a good suggestion.

Chair Aguilera suggested that costs for participating in community events and festivals should be incorporated as part of the advertising budget for the Conference.

Director Mendoza asked Commissioner Soto if he had a rough estimate for the advertising budget of the Hispanic/Latino Conference.

Commissioner Soto mentioned that a rough estimate is \$2500.

Chair Aguilera suggested that the Commission consider advertising the conference at the Mexican Independence Day Parade in September.

Vice Chair Chavez explained that Director Mendoza has asked Commissioners for local media contacts, organizations and events happening this year, but she has not received a response.

Chair Aguilera suggested putting this item on the agenda for the retreat later this year for further discussion. He explained that members of the Commission's Driver's License and Immigration Subcommittee had recently met with Commissioner Silverman of the Bureau of Motor Vehicles. He asked Secretary Pat Rios to further explain the meeting.

Secretary Rios explained that Juana Watson of the Governor's Office had attended the meeting and Abby Kuzma, a representative of a local legal clinic in Indianapolis. She explained that many issues were raised such as registering a vehicle, uninsured drivers, etc. She also explained that the meeting with Commissioner Silverman was a follow-up to the meeting that ICHLA requested with the BMV Commissioner. Since the submission of the original report from the Commission, the REAL ID Act has been signed into law by President Bush. She explained that some of the recommendations made in the report would contradict the REAL ID Act; it has a presence requirement. She explained that the passage of the REAL ID Act gives the option for states to offer a drivers certificate. She explained the state of Tennessee's experience of implementing a driver's certificate and some problems that have arisen. She explained that the Commissioner expressed a commitment to recruit and train more Spanish speaking workers. She also explained that there has not been a response from the BMV on forming a task force to further study the issue and make recommendations.

Chair Aguilera commented that New Mexico has also been discussed as a model state for the driver's license issue.

Secretary Rios pointed out that Utah and New Mexico do not comply with the REAL ID Act because they do not have a legal presence requirement. She explained that it seems that Indiana will not want to take away the legal presence requirement.

Director Mendoza explained that in the language of the REAL ID Act, it specifies that if a state issues a drivers license that is not in compliance with the REAL ID Act, they have the option to issue a drivers certificate, but it must clearly state on it that it's not for identification purposes. The act also applies to State-issued identification cards. This means that a person cannot use a driver's certificate for any federal purpose like boarding an airplane, opening a post office box, etc.

Commissioner Gonzalez explained that an issue exists with senior citizens, naturalized citizens in particular. Many senior citizens have older issued licenses and older documents. Many of the BMV branches do not understand these older documents. He explained that in Marion County in particular, there are a lot of Hispanic/Latino senior citizens moving in because their children are already established in the county.

Chair Aguilera mentioned that this will be the same issue with the Voter ID Act. He also explained that he will be participating in the house summer study committees.

Secretary Rios pointed out Steven Leak, who is a representative of the BMV. He was also present at the meeting with the BMV Commissioner.

Steve Leak mentioned that training and recruiting is something that the BMV can take care of right away. He mentioned that the most populated Hispanic/Latino areas would be targeted first in this effort. This is a step in the right way. He also related that there is a need for direction from the legislators regarding implementing the Real ID Act. Indiana has one of the most stringent drivers license identification requirements in the country; in fact, Indiana is one of the top 10 most stringent. He explained that he has read from page to page the Real ID Act, and some of the aspects are related to the Immigration Act of 1996. He explained that a formal passport will be the only form of identification that will be accepted for a naturalized citizens and immigrants. Every piece of identification must be verified. He mentioned that this is a large demand on the Bureau, and there's a possibility that BMV branches will not be able to distribute the drivers license when people apply for it; the licenses might have to be mailed weeks later. He mentioned that the BMV needs direction in addressing the Real ID Act. In the future, states like New Mexico will not be able to comply with the Real ID Act. He reiterated that direction is strongly needed from the legislature.

Secretary Rios explained that currently in Indiana, the BMV has the authority to make changes, so a change from the legislature may not be needed.

Steven Leak confirmed his knowledge of Secretary Rios' comment and mentioned that, in his opinion, a change that large will need to have the support for the legislature. HE explained that the Real ID Act introduces more than just an administrative change; it will completely alter the layout and procedure of distributing a driver's license.

Chair Aguilera stated that this should be the discussion in the house interim study committees. He mentioned that he has had discussions with legislators where the issue of the driver's certificate was discussed as an option. He thanked Mr. Leak for his comments on the issue.

III. Subcommittee Reports

Budget

Chair Aguilera announced the Budget report would be postponed until the next meeting.

Business/Economic Development

Director Mendoza pointed out the attached PowerPoint presentation from a recent breakfast meeting about the Mexican Economy. Commissioner Gonzalez explained that the Indiana State Hispanic Chamber of Commerce recently sponsored the breakfast where Alejandro Dieck, Chief of Staff of the Minister of the Economy of Mexico presented. Mayor Bart Peterson also sponsored it. A lot of people do not understand why so many Latinos are moving to the state. The presentation gave an overview of what is happening in the economy and gave information on what the government is doing to improve conditions. The Trade mission to Mexico is targeted on small and medium sized businesses. Mexico is trying to open their regulatory prospects to allow fore more entrepreneurship. This is an important point because small businesses make this country prosperous. Mr. Dieck explained that Mexico is becoming a more open democratic country, and they are reaching out the United States for help with small business development. . There are manufacturers in Mexico now making food products. Due to change in consumer taste, people in the US want those food products. Mexico realizes that they have an opportunity to sell the product, but do not know how to distribute or manage this. Companies here in Indianapolis then say, here is our system, we will take your product and sell it in the US. Companies in the US do the same process in Mexico.

He reiterated that the presentation was very helpful in teaching everyone that, even though the changes are subtle, they will have a great effect on the economy. The trade mission is scheduled for September 8 – 14, 2005. There is a possibility that the trip would be changed to focus on Mexico City only.

Director Mendoza mentioned that she was invited to apply for a meeting in Mexico City with the Institute for Mexicans Abroad to learn about programs the Mexican Government is facilitating through the leaders in the U.S. to better the quality of life for Hispanics/Latinos.

Health

Vice Chair Chavez announced that the Hoosier RX program will end on December 31, 2005, and on January 1, 2006, Medicare Part D will come into effect. Most people affected do not think that they will be automatically enrolled if they do not enroll themselves. The program will be very low cost. The issue is communicating this program to minority communities, who are the most strongly affected by this. A chart will be provided by FSSA that gives direction to people on how to enroll in the program. The chart includes a timeline when changes will start to happen. Vice Chair Chavez suggested the Commission incorporating this state program into the public forum PowerPoint presentations. She asked the Commissioners how they can help to facilitate knowledge about the program.

Director Mendoza asked if there are any translation efforts underway.

Vice Chair Chavez answered that this is not occurring at a state level, but there's a possibility that the federal government will be translating the documents. She requested that the Commissioners send information to Director Mendoza about community centers like Healthy East Chicago, which provides services to 7,000 per day. That way, the Commission will have a strong network to send information.

Vice Chair Chavez said that she is working with Commissioner Carmen Quintana on the Governor's INSHAPE Indiana program. She also explained the components and benefits of the program.

IV. Conference Reports

National Association of Latino Elected Officials (NALEO) Conference

Vice Chair Chavez explained that she attended an Obesity workshop at the conference where Richard Carmona was the keynote speaker. The discussions were focused around model communities, and prescription drug programs. She also networked with potential speakers for the Commission's conference. Overall, the conference was very informative. The attendance was 850 people.

Chair Aguilera explained that it's important to inform DWD of the importance of attending future conferences. He also suggested submitting a letter explaining the importance and that the Commission voted to send Director Mendoza.

Director Mendoza mentioned that there were a variety of issues that contributed to the end result, and a meeting with DWD may be a good option.

Chair Aguilera mentioned that he attended the National Hispanic Caucus of State Legislators meeting also in Puerto Rico. He also announced that there will be a Health

Disparities conference in mid September also hosted by National Hispanic Caucus of State Legislators, and it may be a good idea for Commissioner Chavez and Director Mendoza to attend.

Director Mendoza asked Commissioner Gonzalez if there are any national business conferences in the near future.

Commissioner Gonzalez mentioned the U.S. Hispanic Chamber of Commerce conference that will be in Milwaukee, WI. He said that he will attend and will be beneficial for anyone to attend.

Chair Aguilera mentioned another conference that will be held in September or October by the Congressional Conference with the US Hispanic Chamber of Commerce.

Commissioner Gonzalez mentioned that someone from the Commission should attend that conference.

Consortium of Human Relations Commissions

Commissioner Judge Gregory Kellam Scott announced that the Consortium of Human Relations Commissions was held in Michigan City, Indiana. This is an opportunity for Human Rights/Relations Commissions to network with other commissions in the state and share information. Future consortiums will be beneficial for the Commission to become involved with and observe efforts. He also explained that the Equal Employment Opportunity Commission (EEOC) also hosts a program in which human rights officers and agency representatives attend and are trained on new laws; many Hispanic organizations attend. Commissioner Scott also noted that the EEOC pays for a good part of the cost. He suggested that Director Mendoza be involved with this and meeting with the regional director of the EEOC for more details and including the Commission with respect to their programs.

Commissioner Gonzalez asked Judge Scott if he has had complaints arise about the drivers license issue as a human rights issue.

Commissioner Scott mentioned that thus far it has been perceived as a local state issue, but there are also constitutional issues that have been involved. He mentioned that the issue was discussed at the consortium meeting. He also noted that it would be good for the Hispanic/Latino Commission to be involved with the next consortium and other programs.

Hispanic Leadership Summit

Commissioner Soto mentioned that the conference was sponsored by the Indiana Humanities Council and other offices. The conference had different workshops and a beneficial networking session, and it was a beginning point for a discussion. Future conferences will be longer and more information will be distributed. Positive comments were made about the keynote speaker, Maria Echaveste.

V. Announcements

Commissioner Scott informed the Commission that Commissioner Manuel Gonzalez will be working with the Civil Rights Commission on Minority business Enterprise. He also commented on recent issues with education, which have been reflected in the Indianapolis Star newspaper. Barriers exist with individuals wanting to start or continue

a business. The Civil Rights Commission will be applying some of its resources toward this effort. Commissioner Scott thanked Commissioner Gonzalez for his support. He also mentioned the prospect of the Hispanic/Latino Affairs commission also offering support in the future.

Chair Aguilera announced that the next Commission meeting will be Thursday, July 28, 2005 at 10:00am. Subcommittees will meet before this date.

VI. Adjournment

The meeting was adjourned at approximately 12:15pm.