

# COMMISSION ON RACE & ACCESS TO OPPORTUNITY

## Minutes of the 1st Meeting of the 2022 Interim

June 22, 2022

### Call to Order and Roll Call

The 1st meeting of the Commission on Race & Access to Opportunity was held on Wednesday, June 22, 2022, at 3:00 PM, in Room 129 of the Capitol Annex. Representative Samara Heavrin, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator David P. Givens, Co-Chair; Representative Samara Heavrin, Co-Chair; Senators Karen Berg, and Whitney Westerfield; Representatives George Brown Jr., and Killian Timoney; Jamir Davis, and OJ Oleka.

Guests:

LRC Staff: Brandon White and Elishea Schweickart.

### Introductions

Chair Heavrin welcomed everyone who was in attendance and announced that Brandon White had been named the CSA (Committee Staff Administrator) for the Commission on Race and Access to Opportunity. Mr. White has been employed with the Legislative Research Commission (LRC) for 22 years, and was a Committee Analyst for the LRC Transportation Committee before accepting the CSA position.

Chair Heavrin also spoke about the purpose of the commission, which is to conduct studies and research on issues where disparities may exist across the sectors of educational equity, child welfare, health, economic opportunity, juvenile justice, criminal justice, and any other sectors that are deemed relevant in providing services and opportunity for minority communities. Members of the commission also gave brief introductions.

### Overview of 2022 Regular Session Legislation

Chair Givens opened discussion on legislation that was filed and/or passed during the 2022 Regular Session. He stated that they would go over the bills, and asked that commission members speak on any legislation they felt strongly about.

**HB 31 and SB 363:** Known as The Crown Act, were bills that prevent hair-related discrimination at workplaces and Schools. HB 31 was reported favorably out of the House Education Committee. Senator Westerfield stated that this is an important piece of legislation that has support. He hopes to see it passed into law in 2023. Dr. Oleka also spoke in support, stating that hair is not something you can change when it comes to the texture of your hair. Many black girls and women are discriminated against because of their hair. This negatively affects self-esteem, educational performance, and opportunities for advancement in education and careers.

**SB 275:** Creates a new section of KRS 532 to provide enhanced term of imprisonment for any defendant convicted of certain crimes when the victim was intentionally selected because of race, color, ethnicity, religion, mental or physical disability, or sexual orientation. This legislation had bipartisan sponsors.

**SB 276:** Known as Emily's Law, Provides Medicaid coverage for sickle cell disease. It was signed by Governor Andy Beshear.

**SB 163:** Allowed convicted felons to access KEES money they earned when they graduated high school. It went through several changes, passed out of the House and Senate, and then was vetoed by Governor Beshear in its entirety.

Representative Timoney stated that this was an important piece of legislation, because it helps individuals, who have been incarcerated, return to normal life. He stated that it is not a way to reward felons but gives them a tool to be successful and allows them to access money they earned while they were a student.

Responding to a question from Senator Berg, Representative Timoney stated that KEES money comes in two different allotments that total to \$2500.00 per year towards college tuition.

Representative Brown also expressed support in opening pathways for felons to improve their lives when they are released from incarceration. He stated that it is important to help individuals be successful and become contributing members of society so that they are not condemned to repeat their past mistakes.

**HB 9:** Legislation establishing a funding mechanism for public charter schools, establish a category of public charter schools called "urban academies" that must have enrollment preference for students who live in close proximity to the school, and required public charter schools to establish food programs that provide free and reduced-price meals to students. The Governor's veto was overridden, and the bill was sent to the Secretary of State.

Representative Brown stated that he does not support HB 9 because he feels that it takes funding from public education and puts it into private charter schools when private schooling is already available. Representative Brown also stated that he is concerned that charter schools boards will pick “winners and losers” when it comes to selecting students.

Co-Chair Givens spoke briefly in support of HB 9 stating that statutory requirements when it comes to student selection will make it difficult for charter schools to cherry-pick students. Co-Chair Givens also stated the goal is for the students to get a quality education, and that he does not believe charter schools will thrive in areas that have a successful public school system.

Dr. Oleka spoke briefly in support of HB 9 stating that school choice is important at every level of education. A student and their family should be able to make the decision on where they want to go based on what works for them.

Responding to a question from Representative Brown, Co-Chair Heavrin stated that if a student who attended a charter school went back to a public school the public money for that student would be returned to the public school when they transfer.

**HB 37:** Legislation requiring licensed health facilities to provide each patient with written information regarding the patient’s rights, as well as implementation of an evidence-based implicit bias program for all health providers involved in the perinatal care of patients. It also required the Department for Public Health to track data on maternal death and severe morbidity. Co-Chair Heavrin spoke in support of legislation that improves maternal care and tracks data on maternal mortality. She also stated that she has been working with the Cabinet for Health and Family Services to collect data. Senator Berg stated that the maternal mortality rate in America is higher for black women. She stated that data needs to be gathered and studied to find out why there is such a difference in the rates based on race, and that suggested looking at models that other states have implemented to try and impact the data.

**HB 120:** Legislation expanding eligibility for preschool education programs to children who reside in households with an income at or below 200 percent of the federal poverty level. It had bipartisan sponsorship.

**HB 126:** Legislation making FAFSA a requirement for High School completion. It was reported favorably out of the House Education Committee. Co-Chair Givens explained that FAFSA stands for the Free Application for Federal Student Aid and it analyzes a household’s income, taxes, gifts, etc. to qualify the student for financial aid for higher education. Dr. Oleka stated that FAFSA is the way for students who are seeking to higher education to get the most financial aid possible. He also pointed out that there are waivers for those who do not wish to give out certain personal information. He stated that a bill like HB 126 could help increase the number of students who continue on to higher education.

Senator Berg stated that in a recent meeting University of Louisville representatives asked that this legislation be passed to help students and families.

**HB 131:** Legislation allowing governing body of consolidated local government to implement rent control ordinances in a developing area.

**HB 250:** Legislation appropriating \$23 million as a bail out loan to Kentucky State University to address their budget shortfall; and address repayment and improvement plans. It passed and was signed by Governor Beshear.

**HB 737:** Legislation establishing the Kentucky Urban Farming Youth Initiative in at least one urban University of Kentucky Cooperative Extension Service office.

**SB 10:** Legislation establishing temporary work permit requirements for a registered nurse who is a graduate of a foreign nursing school. It passed and was signed by Governor Beshear.

**SB 103:** Legislation requiring racial and ethnic community criminal justice and public safety impact statements for certain administrative regulations and legislation.

**SB 173:** Legislation requiring the Medical Orders for Scope of Treatment into Spanish and other languages as needed. It passed and was signed by Governor Beshear. Mr. Davis stated that as a civil rights attorney he has seen small actions, like addressed in this bill, that lead to differential treatment to an individual and action must be taken.

**SB 238:** Legislation requiring cosmetology exams be available in multiple languages.

**SB 265:** Legislation directing the Governor to replace the Kentucky State University board of regents. It passed and was signed by Governor Beshear.

**SB 319:** Create and appropriate to Black and minority contractor assistance fund. Representative Brown spoke in support of this bill and commended those who are supporting minority vendors.

**SB 331:** Eligible defendants shall not be detained on money bail. Senator Westerfield stated that this was a complicated bill that needed further debate to be reformed. He also stated that the solution is to elect judges and prosecutors that will apply fair standards of bail and making sure they are not using poor discretion. Representative Brown requested more information on incarceration and bail in Kentucky.

**SJR 158:** Legislation directing the Department of Education to create a task force to examine the equity and inclusivity of racial and demographic representation in education curricula.

### **Future Meetings**

Co-Chair Heavrin stated that the commission will cover a different topic at each monthly meeting. So far this schedule includes:

- July – Economic Opportunity;
- August – Educational equity;
- September – Justice;
- October – Child welfare and health outcomes; and
- November – Data and potential legislation.

With there being no further business, the meeting was adjourned at 4:05 PM.