



Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
www.dfeh.ca.gov | contact.center@dfeh.ca.gov

CIVIL RIGHTS COUNCIL

Minutes from Council Meeting on November 13, 2023, 10:00 a.m.

Members of the public joined remotely using the following remote meeting information:

<https://us02web.zoom.us/j/87527216951>

and/or by phone: (669) 900-6833 and Meeting ID: 875 2721 6951

Councilmembers Present

Gabriel Sandoval, Chairperson

Jonathan Glater, Councilmember

Hellen Hong, Councilmember

Adetunji O. Olude, Councilmember

Julie Wilensky, Councilmember

Civil Rights Department Staff Present

Adam Romero, CRD Deputy Director of Executive Programs

Rachael Langston, CRD Assistant Chief Counsel, Legislative and Regulatory Unit

Mariel Block, CRD Senior Legislative and Regulatory Counsel

Monica Chavez, CRD Associate Governmental Program Analyst

Others Present

An estimated 25 members of the public participated virtually.

I. Call to Order and Roll Call

Chair Gabriel Sandoval

Chair Sandoval called the meeting to order. CRD Senior Counsel Mariel Block conducted roll call.

II. Welcome

Chair Gabriel Sandoval

Chair Sandoval welcomed members of the public and informed members of the public how to submit public comment.

III. Review of the Agenda

Chair Gabriel Sandoval

Chair Sandoval reviewed the agenda for the meeting.

IV. Approval of Minutes

Chair Gabriel Sandoval

Chair Sandoval reviewed the minutes from the October 11th, 2023, meeting and asked for edits, amendments and public comments on the minutes and received none. The Council unanimously voted to approve the minutes.

V. **Councilmembers' Reports**

Chair Gabriel Sandoval and Councilmembers

No Councilmember reports.

VI. **Civil Rights Department Report**

Civil Rights Department Executives

Rachael Langston gave an update on the California Civil Rights Department, which included an update on CRD's participation in United Against Hate Week.

VII. **Consideration of Final Unmodified Proposed Text of Government Code Section 11135 et seq. Regulations**

Councilmembers Adetunji Olude and Julie Wilensky

A. Discussion by the Council

Councilmember Wilensky noted the subcommittee has not proposed any further changes and is seeking approval of the final unmodified text of the regulations to move forward to formal filing with the Office of Administrative Law (OAL).

B. Public Comment

No public comment.

C. Action by the Council

Councilmember Hong moved to approve the unmodified proposed text and authorize the CRD to transmit the regulatory package to OAL and to authorize CRD staff to make any non-substantial changes if required by OAL. Councilmember Glater seconded. The Council unanimously approved the motion.

VIII. **2023 Legislative Update**

Rachael Langston, CRD Assistant Chief Counsel, Legislative and Regulatory Unit

Rachael Langston gave a presentation on 2023 legislative updates and provided recommendations for potential regulatory packages for the Council, as well as new subcommittees.

Councilmember Olude asked about the small business employer mediation program, and how many mediations have been conducted.

Councilmember Hong asked about staffing capacity for creating new materials and fact sheets. Councilmember Hong asked CRD staff for assistance in prioritizing regulatory packages and acknowledged limitations in the number of available staff and councilmembers. Adam Romero responded with input and suggestions.

Councilmember Olude expressed hope for movement on the subcommittee for reasonable accommodations for associational disabilities in the new year.

Chair Sandoval concurred with items raised by Councilmember Hong and noted pending rulemakings regarding issues related to artificial intelligence as well as Government Code section 11135. He stated the importance of both issues. Chair Sandoval further highlighted that, depending on the amount of forthcoming work in each of these

areas, in addition to further potential collaboration with the Commission on the State of Hate, this could provide a full slate of work for 2024.

Councilmember Glater questioned whether the Council should wait to initiate rulemakings on new legislation until the new year, at which time the Council would have more information regarding incoming complaints.

Councilmember Hong asked for further information regarding the regulatory process after rulemaking packages are submitted to OAL. Rachael Langston and Adam Romero provided further information on the regulatory process.

Adam Romero noted a consensus to postpone larger decisions regarding new rulemakings and subcommittees until the new year, at which time the Council and staff could assess incoming complaints, CRD staffing, and new councilmembers appointments.

Councilmember Hong asked about the possibility of another in-person Council meeting, as well as the potential for a collaborative meeting with the Commission on the State of Hate.

The Councilmembers and Chair Sandoval discussed the scheduling of future meetings, in-person, online, and hybrid.

IX. **Subcommittee Updates**

Chair Gabriel Sandoval and Councilmembers

A. Discussion by the Council

No subcommittee updates.

B. Public Comment

Rita Loof: Noted that SB 544 is the title of the legislation that allows for hybrid meetings under Bagley Keene. Rita Loof then shared information regarding barriers to education for children with disabilities.

IEP Mom: Concurred with everything Rita Loof expressed, and further highlighted the issues children with IEPs and disabilities encounter in education.

Pam Ragland: Concurred with the previous public comments. Pam Ragland explained that she believes law firms will solicit school districts and represent them in cases against parents and/or students.

Leah Naomi Gonzales: Sent in an email comment regarding an individual complaint filed with CRD.

Concerned Parent: Spoke about issues with special education and school districts.

iPhone: Concurred with the previous public comments. Spoke about the issues with schools and their treatment of students with disabilities.

Thao Tran: Spoke about the issues her child with disabilities faces in school and how she experienced retaliation by the school.

Tania Whiteleather: Explained that she is an attorney and practices special education law in California and highlighted that what the previous commentors have experienced is common in school districts in California. Tania Whiteleather then continued to highlight the issues in schools with students with disabilities.

J. Fisher: Noted that she is a bilingual parent and spoke about the issues she has faced with schools regarding language access.

X. **Further Public Comment**

No further public comment.

XI. **Adjournment**

Chair Sandoval adjourned the meeting at approximately 11:56 AM.

Date: 12/18/2023

GABRIEL SANDOVAL
Chair, Civil Rights Council

TAYLOR WHITLEY
CRD Outreach and Education Office Technician