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UNITED STATES OF AMERICA

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OKLAHOMA ADVISORY COMMITTEE

TO THE

U.S. COMMISSION ON CIVIL RIGHTS'

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"THE HISPANIC STUDENT, EQUAL EDUCATIONAL OPPORTUNITY
AND THE OKLAHOMA CITY PUBLIC SCHOOLS"

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TUESDAY

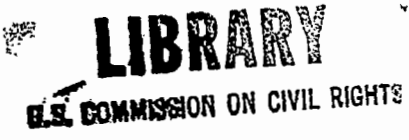
SEPTEMBER 29, 1998

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The public meeting came to order, at the Clarion
Hotel/Comfort Inn Conference Center, 4345 North
Lincoln Boulevard, Oklahoma City, Oklahoma, at 8:50
a.m., Stephanie Hudson, Chairperson, presiding.

COMMITTEE MEMBERS:

- STEPHANIE HUDSON, Chairperson
- OPIO TOURE
- RICHARD BETTIS
- ASCENSION HERNANDEZ
- SYLVIA MORALES
- AURORA RAMIREZ-HELTON
- SYLVIA BORREGO
- MELVIN JENKINS



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

1
2 CHAIRPERSON HUDSON: Okay. The meeting of
3 the Oklahoma Advisory Committee to the U.S. Commission
4 on Civil Rights shall come to order. For the benefit
5 of those in our audience, I shall introduce myself and
6 my colleagues. My name is Stephanie Hudson, and I am
7 Chairperson of the Advisory Committee.

8 Members of the Committee are -- and I'd
9 like to go ahead and introduce -- have them introduce
10 themselves. Aurora?

11 MS. RAMIREZ-HELTON: I'm Aurora Ramirez-
12 Helton, and I represent Tulsa -- part of it, anyway --
13 the Hispanic community. I'm on the Commission --
14 Hispanic Commission that we have in Tulsa, and I'm
15 also on the Crime Commission.

16 MS. MORALES: And I'm Sylvia Morales. I'm
17 a community volunteer here from Oklahoma City. I
18 serve on at least eight boards of directors of various
19 non-profits agencies.

20 CHAIRPERSON HUDSON: And as other members
21 come in to the meeting, I'll go ahead and introduce
22 them as they come on in. I would like to introduce
23 the staff from the Commission's regional office in
24 Kansas City. Melvin L. Jenkins is regional director
25 and Ascension Hernandez is the civil rights analyst.

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1 The U.S. Commission on Civil Rights is an
2 independent bipartisan agency first established by
3 Congress in 1957 and reestablished in 1983. It is
4 directed to investigate complaints alleging that
5 citizens are being deprived of their right to vote by
6 reason of their race, color, religion, sex, age,
7 disability or national origin, or by reason of
8 fraudulent practices;

9 Study and collect information relating to
10 discrimination or denial of equal protection of the
11 laws under the Constitution because of race, color,
12 religion, sex, age, disability or national origin, or
13 in the administration of justice;

14 Appraise federal laws and policies with
15 respect to discrimination or denial of equal
16 protection of the laws because of race, color,
17 religion, sex, age, disability or national origin, or
18 in the administration of justice;

19 Serve as a national clearinghouse for
20 information in respect to discrimination or denial of
21 equal protection of the laws because of race, color,
22 religion, sex, age, disability or national origin;

23 Submit reports, findings and
24 recommendations to the president and Congress; issue
25 public service announcements to discourage

1 discrimination or denial of equal protection of the
2 laws.

3 The Commission has 51 advisory
4 committees -- one for each state and the District of
5 Columbia. Each is composed of citizens familiar with
6 local and state civil rights issues. The members
7 serve without compensation and assist the commission
8 with its fact-finding, investigating and information
9 dissemination functions.

10 The Oklahoma Advisory Committee to the
11 U.S. Commission on Civil Rights is here to conduct a
12 community forum and to receive information on the
13 Hispanic student, equal educational opportunity and
14 the Oklahoma City public schools. This will examine
15 the specifics of local school districts policies that
16 impact student suspensions, dropout rates and
17 exemption from taking the spring achievement test --
18 Iowa Test of Basic Skills -- particularly the Hispanic
19 student.

20 At the outset, I want to remind everyone
21 present of the ground rules. This is a public meeting
22 open to the media and the general public. But we will
23 have a very full schedule of persons who will be
24 providing information within the limited time we have
25 available.

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1 The time allotted for each presentation
2 must be strictly adhered to. And this will include a
3 presentation by each participant followed by questions
4 from Committee members. To accommodate persons who
5 have not been invited but who want to make statements,
6 we have scheduled an open session this afternoon from
7 2:00 to 2:30.

8 Anyone wishing to make a statement during
9 that period should contact Ascension Hernandez for
10 scheduling, or written statements may be submitted to
11 Committee members or staff here today or by mail to
12 the U.S. Commission on Civil Rights, 400 State Avenue,
13 Suite 908, Kansas City, Kansas 66101.

14 Though most of the statements made today
15 may be related to school district policies, we want to
16 ensure that all invited participants and any that sign
17 up for the open session do not defame or degrade any
18 person or organization. In order to ensure that all
19 aspects of the issues are represented, knowledgeable
20 persons with a wide variety of experience and
21 viewpoints have been invited to share information with
22 us.

23 Any person or any organization that feels
24 defamed or degraded by statements made in these
25 proceedings should contact our staff during the

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1 meeting so that we can provide a chance for public
2 response. Alternately, such persons or organizations
3 can file written statements for inclusion in the
4 proceedings.

5 I urge all persons making presentations to
6 be judicious in their statements. The Advisory
7 Committee appreciates the willingness of all
8 participants to share their views and experiences with
9 the Committee. The direct of the Central Regional
10 Office to the U.S. Commission on Civil Rights, Melvin
11 L. Jenkins, will now share some additional opening
12 comments with you.

13 MR. JENKINS: First, let me say good
14 morning to the panel.

15 CHAIRPERSON HUDSON: Good morning.

16 MS. MORALES: Good morning.

17 MS. RAMIREZ-HELTON: Good morning.

18 MR. JENKINS: I'm very happy to be with
19 you this important undertaking dealing with Hispanic
20 students in the Oklahoma City school district. As I
21 travel throughout the region -- the nine states in our
22 jurisdiction -- I'm encountering more and more
23 situations dealing with the Hispanic students.

24 To put it another way, administratively,
25 the school district is not able to deal with Hispanic

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1 students. Last week, I was in Little Rock, Arkansas.
2 And during a public forum that we held on whether or
3 not the state needs a civil rights commission, several
4 of the participants talked in terms of Hispanic
5 students in some of the smaller towns in Arkansas --
6 as far as Rogers area, Bentonville -- places like
7 that.

8 The same topic that you're undertaken
9 today -- whether or not Hispanic students should be
10 waived in taking standardized tests is happening in
11 Arkansas, also. And I'm apprised that this is not
12 only happening in Arkansas and Oklahoma, but in other
13 states. And the question is why.

14 Are we afraid because of the language
15 barrier that students will bring down a test? What
16 does the test indicate? When you look in terms of
17 some of the more prominent universities now, they're
18 getting away from the standardized tests and taking a
19 look at the total student, as opposed to whether or
20 not you can take the test.

21 That's something that, hopefully, we can
22 explore today. The question concerning push out and
23 drop out has always been present. How do we overcome
24 that, not only for Hispanic students, but for all
25 students, whether or not they're minority students or

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1 majority students. These are some of the things we
2 hope to explore of whether our not our school
3 districts throughout the nation, and particularly here
4 in Oklahoma City, is very responsive to the needs of
5 all the students.

6 As you listen to the participants today,
7 bear in mind whether or not these students are being
8 offered an opportunity and afforded the opportunity to
9 realize their maximum potential. So I greet you and
10 hope you have a good meeting today. Thank you.

11 MS. MORALES: Thank you.

12 CHAIRPERSON HUDSON: Thank you. We'll go
13 ahead and call our first speaker, Dr. Herman Curiel.

14 DR. CURIEL: I've written my remarks,
15 because I want to stay within the time.

16 CHAIRPERSON HUDSON: Okay. Thank you.

17 MS. MORALES: Thank you.

18 CHAIRPERSON HUDSON: Let me go ahead and
19 introduce you, Dr. Curiel.

20 Dr. Curiel is an associate professor at
21 the School of Social Work, University of Oklahoma. He
22 received his Ph.D from Texas A&M. He authored a needs
23 assessment report of Hispanics in Oklahoma City. He
24 will share the findings of his report and related --
25 and relate to the language needs of Hispanic, and he

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1 will describe Hispanic in Oklahoma.

2 DR. CURIEL: Good morning. And basically,
3 I understood my charge to be that I would provide you
4 information about the educational and social needs of
5 Hispanic students in the Oklahoma City public schools.
6 And I became a sort of a -- more knowledgeable about
7 Oklahoma City schools, because I am not an expert in
8 terms of Oklahoma City public schools. I have very
9 limited information.

10 And my knowledge is based on the fact that
11 I have, from time to time, served as a volunteer for
12 Even Start. I've led discussion groups with the
13 Hispanic students -- Hispanic parents there. And I've
14 also in the -- when Hope Alvarez was head of the
15 bilingual education program, I provided some in-
16 service training for the bilingual education aid.

17 But in my effort to provide information
18 for you this morning, I did contact and found the
19 personnel from the Oklahoma City public schools very
20 helpful. Mr. John Fink, who is a district planner,
21 Sandra Mejia, who's administrator of Hispanic student
22 services, and Mary Brown, who's the administrator of
23 Even Start, and Marianne Prior [phonetic] were all
24 very helpful in giving me the information so that I
25 could be here this morning.

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1 I understand my charge is to -- what are
2 the social and educational needs of Hispanic children
3 in Oklahoma City public schools, and I divided it into
4 social and then into educational. I'll address first
5 the social. And you -- I understand you have
6 information about these charts you have also; it
7 describes some of the data.

8 But the -- given the social needs
9 reflected in figures provided by the District Office
10 of Planning, such as percentage of children that are
11 eligible for either free lunches or reduced prices,
12 yet 74 percent -- and that was last year, and it may
13 be similar this year -- this is last year -- they were
14 eligible for free lunches.

15 And then you have 5,739 students in
16 special education. And then you have 1,786 dropouts
17 in '97 and 1,686 in 1998. And you have an increasing
18 minority in diverse population. And this is
19 interesting, because you have 40 percent enrollment of
20 African-American students, 35 percent whites and
21 almost 17 percent -- it's 16.8 Hispanic. And then you
22 have 3.5 American Indian and 3 percent Asian.

23 And this -- that represents the ethnic
24 composition of the students in this one district. And
25 you have to keep in mind that in the greater Oklahoma

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1 City area, you have 17 school districts. And this is
2 just one. And apparently, what is happening is that
3 Oklahoma City public school serves the inner city and
4 perhaps the most needed areas in the city.

5 And because this does not represent, in
6 terms of the ethnic composition of Oklahoma City, it's
7 really -- you only have 16 percent African-American
8 and you have around four or five Hispanic -- the
9 population. And so in this, you can see that it's an
10 imbalance for the school district having -- so --
11 and -- but, you know, given all of these indicators
12 for me, as a social worker, I think that the school
13 district could use professional social workers in the
14 schools.

15 The State of Oklahoma, unlike Texas or
16 Kansas, does not have official positions of school
17 social workers. So -- and it's possible that the
18 Oklahoma City public schools, I think, may have one
19 or -- I don't know -- I think you need to get that
20 information from them -- but social workers.

21 But my impression is that social needs of
22 Hispanic students are similar to other students so
23 that, basically, the large percentage of students that
24 qualify for free or reduced meal practice indicates
25 that the families of these students have limited

1 income and, consequently, limited resources which
2 become sources of strain for families, which might
3 explain the high number of dropout rates.

4 And I -- you have a table there that
5 indicates the number of students by ethnic group that
6 are eligible for reduced price or from waiver of
7 prices for meals. Now, you have the breakdown of
8 students in special education by race, ethnic group
9 and -- that are in special ed. And you'll notice that
10 the Hispanic students eligible for free lunch or
11 reduced price are high numbered.

12 And this is for last year. With 6,621
13 students enrolled, 4,324 of those were eligible for
14 free lunches. Now, I'll address the educational needs
15 for Hispanic students. And the school district has
16 experiences a tremendous enrollment of -- in the
17 growth of the number of limited English proficient
18 students.

19 In 1997-98 academic year, you had 6,542
20 students were identified as being limited English
21 proficient. And I was told that the majority of these
22 students are children whose home language is Spanish.
23 There were another 540 Hispanic students who were
24 enrolled in the special education classes.

25 Questions which I cannot answer that you

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1 probably need more information would be -- from the
2 school district is how are students determined to be
3 limited English proficient and what sources are
4 available to meet the needs of these students. What
5 kind of learning problems are presented by students in
6 special education and what sources are available -- or
7 resources are available for -- to meet the needs --
8 learning needs of these students?

9 It's my understanding that the school
10 district presently offers bilingual education in
11 grades K and first grade in two schools. And Sandra
12 Mejia, administrator of Hispanic-American students can
13 describe her resources and speak to what other
14 services are available to meet the learning needs of
15 these children.

16 So the district now offers Even Start
17 Family Literacy program in four sites. This is a
18 national program -- I assume you're familiar with Even
19 Start -- that targets low income families with limited
20 formal education.

21 And the program is designed to offer
22 concurrent childhood, adult and parent education to
23 participants. It is my impression, based on my
24 volunteer experiences, that the -- most of the
25 families that participate in this program are of

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1 Hispanic background. So Mrs. Mary Brown indicates
2 that the goal for this year is to serve 120 families.

3 It's fairly recent that they've had
4 additional sites that are -- the largest site is at
5 Capital Hill Elementary School. My recommendation
6 would be that the school district expand their
7 transitional bilingual education program to grades two
8 and three in the current sites and offer the same
9 program at schools where there's a concentration of
10 limited English proficient students.

11 So bilingual education is misunderstood by
12 the general public, by legislators and even some
13 educators. Those who are not familiar with bilingual
14 education that -- they assume that somehow English is
15 not the goal to learning English. But it is. Believe
16 me, it is. The goal is to learn English. It's just
17 how you do it.

18 Critics view time spent becoming literate
19 in the child's major language is time lost, because
20 they're not learning English. The assumption is that
21 all children can progress at the same rate, regardless
22 of ability to comprehend instruction. And bilingual
23 education is designed for those students who commence
24 schools as non-English speakers.

25 The initial goal is for the children to

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1 learn to read and write what they already speak. So
2 it's from a position of strength: you teach them what
3 they already know. And once the children have
4 received some level of native language literacy,
5 children are introduced to English.

6 I happen to have done my dissertation
7 studying the effects of bilingual education in
8 Houston, Texas. And it was a longitudinal setting.
9 And I did find that there was a relationship between
10 dropout rates. And the thing that happens with
11 children who do not have the benefit of bilingual
12 education who are poor and who are Mexican or Hispanic
13 heritage is that they had to repeat grades.

14 And so then you either give them bilingual
15 education or you give them longer time in the school.
16 And then the -- later on, they drop out, because they
17 assume that they are not very bright because they have
18 to stay behind. And that's what I had to offer on --
19 you have some questions now.

20 MS. RAMIREZ-HELTON: I would like to ask
21 a question.

22 DR. CURIEL: Sure.

23 MS. RAMIREZ-HELTON: On this goal that
24 Mrs. Mary Brown said that they are only going to serve
25 120 families that one -- this year, why is it just 120

1 families? Excuse me. Is that all they have present
2 or --

3 DR. CURIEL: I'm assuming it's because of
4 resources. The -- it's probably they just don't have
5 the --

6 MS. RAMIREZ-HELTON: How did they choose
7 the 120? Do you have any idea?

8 DR. CURIEL: No. I --

9 MS. RAMIREZ-HELTON: What qualified them?

10 DR. CURIEL: No. I'm -- no. I assume
11 that somebody from the school district will be here to
12 address that.

13 MS. RAMIREZ-HELTON: Oklahoma City

14 CHAIRPERSON HUDSON: That was 120 families
15 in the Even Start program?

16 DR. CURIEL: Uh-huh.

17 MS. RAMIREZ-HELTON: Is that correct?

18 DR. CURIEL: Uh-huh. And I don't have a
19 count on how many children are in the bilingual
20 program. And it is possible that the school district
21 also offers English as a second language. English as
22 a second language is the kind of program that you use
23 for children who already have a foundation. They
24 already know to speak -- or read and write the native
25 language.

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1 And this works fine. But for children to
2 start school and they don't have any formal learning,
3 you really do better with bilingual education.

4 CHAIRPERSON HUDSON: Let me see if I
5 understand this correctly. So after you talked to
6 representatives from the Oklahoma City public schools,
7 you found out that they only offer bilingual education
8 in first --

9 DR. CURIEL: Two --

10 CHAIRPERSON HUDSON: -- and second grades?

11 DR. CURIEL: Yes.

12 CHAIRPERSON HUDSON: And they don't offer
13 it in any of the other grades?

14 DR. CURIEL: I know that -- when I was
15 with Hope Alvarez is it was longer. They offered
16 it -- I don't know why, but --

17 CHAIRPERSON HUDSON: Yes. Yes.

18 DR. CURIEL: -- there must have been some
19 changes. And -- but I understand Ms. Mejia will be
20 here today --

21 CHAIRPERSON HUDSON: Oklahoma City

22 DR. CURIEL: -- and she can answer that.

23 MS. MORALES: I -- from your experience --
24 your opinion, isn't it true that a child can be
25 educated bilingually much easier than an adult?

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1 DR. CURIEL: Sure. Of course. We all
2 know that children catch on very quickly. And the
3 thing with bilingual education, it is very much needed
4 when the child comes from a home where that is the
5 language. And you start with things that the child
6 already knows.

7 MS. MORALES: Uh-huh.

8 DR. CURIEL: And you teach them how to
9 become knowledgeable -- how to read and write in that
10 language. Then gradually, you introduce English and
11 you link that. And eventually, you can phase it out.
12 My study showed that you can do that within three
13 years. And I followed-up children for ten years, and
14 I did find that the kids that were in the bilingual
15 program did quite well in high school.

16 They stayed in school, whereas it was --
17 the ones that did not have bilingual education, they
18 dropped out.

19 MS. MORALES: It seems to me that my
20 observation -- and I'd like to see what -- if you
21 concur with this -- that most of the districts and, in
22 particular, Oklahoma City city public schools that
23 we're discussing, the way that they're approaching
24 language acquisition for children is taught more like
25 they were teaching adults rather than approaching them

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1 as to a child's learning style. Do you --

2 DR. CURIEL: Well, I assume what you're
3 referring to is they used English as a second
4 language. And there is no -- see, educators
5 sometimes -- everybody wants children to learn
6 English. And it's just a question that they want to
7 do it real fast.

8 MS. MORALES: Uh-huh.

9 DR. CURIEL: And somehow, the child is not
10 quite ready. And they don't put any emphasis on
11 learning -- really learning the native language. And
12 again, as we are moving into a world where, you know,
13 it is beneficial for people to know more than one
14 language --

15 MS. MORALES: Yes.

16 DR. CURIEL: But we're not arguing that
17 they retain it forever. But apparently, they should
18 know enough that they can do well in school.

19 MS. MORALES: Uh-huh. Uh-huh.

20 CHAIRPERSON HUDSON: Let me address you a
21 question again. Is there a difference in a way that
22 you teach bilingual adults and you teach bilingual
23 children?

24 DR. CURIEL: Yes. Because bilingual
25 adults would already have the foundation of one

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1 language. And so that all they need is the link to
2 learning English.

3 CHAIRPERSON HUDSON: Okay. So I think I
4 understand. Then what you're saying then is that it's
5 been -- you've found that maybe they're not --

6 DR. CURIEL: Ready -- they're not ready
7 to -- the children are not ready. If they don't know
8 anything -- if they don't know how to read and write
9 in Spanish --

10 CHAIRPERSON HUDSON: Okay.

11 DR. CURIEL: See, the --

12 CHAIRPERSON HUDSON: I think I understand.
13 See, the -- so they're not being taught how to read
14 and write in Spanish --

15 DR. CURIEL: Yes.

16 CHAIRPERSON HUDSON: -- in their own
17 language.

18 DR. CURIEL: Yes. Correct.

19 CHAIRPERSON HUDSON: So if they're not
20 taught in that first, it's going to be very difficult
21 for them to learn in English. To be taught --

22 DR. CURIEL: It's a slower process. But
23 unfortunately, in the past, it was a matter of the
24 child feels inadequate because the child feels that
25 they can't understand the teacher, and particularly if

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1 the teacher doesn't speak the child's language.

2 And then the child begins to think that
3 they're dumb, because, I can't understand the teacher
4 and the teacher is different from my parents.

5 MS. RAMIREZ-HELTON: Well, you know --

6 CHAIRPERSON HUDSON: Okay.

7 MS. RAMIREZ-HELTON: -- in a way, I cannot
8 relate to that wholeheartedly, simply because of my
9 own experience. I was completely Spanish speaking
10 when I started school. And I was the only Mexican in
11 the school -- in the whole system.

12 DR. CURIEL: Uh-huh.

13 MS. RAMIREZ-HELTON: And I learned English
14 well enough -- and then we didn't have kindergarten --
15 we had primary grades -- I went on to the first grade
16 the very first year. So I felt that they did a good
17 job.

18 DR. CURIEL: Uh-huh. Sure.

19 MS. RAMIREZ-HELTON: And to me, we have --
20 nowadays, it's, quote, a fashion to send your child to
21 total immersion Spanish classes. We get some of our
22 elite Anglo students that we put into those
23 situations, and they learn Spanish just like that
24 almost. Why can't we do that sometimes with our own
25 Hispanic children into a total immersion English?

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1 DR. CURIEL: Well, I think -- well, it
2 depends then. When --

3 MS. RAMIREZ-HELTON: I'm not against
4 bilingual education. I want to --

5 DR. CURIEL: Sure.

6 MS. RAMIREZ-HELTON: -- clarify that. But
7 what I'm saying is why don't we have some test
8 programs in that respect?

9 DR. CURIEL: Well, I think here,
10 traditional program is that way. It's sink or swim.

11 MS. RAMIREZ-HELTON: But we don't have any
12 records on them, do we?

13 DR. CURIEL: Well, I had the same
14 experience you had. I started school -- I didn't
15 speak English when I started school.

16 MS. MORALES: Me, too.

17 MS. RAMIREZ-HELTON: Here's another right
18 here.

19 DR. CURIEL: But a lot of it has to do
20 with the attitudes of the teacher. I feel like --

21 MS. RAMIREZ-HELTON: Right.

22 MS. MORALES: Exactly.

23 DR. CURIEL: -- what --

24 MS. RAMIREZ-HELTON: Exactly.

25 DR. CURIEL: -- bilingual education does

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1 is basically it forces sometimes -- even if a teacher
2 is not fluent in the child's language, as least she's
3 the one that feels inadequate instead of the child
4 feeling inadequate. And then -- but -- and, see, a
5 lot of it's programs --

6 MS. RAMIREZ-HELTON: Of course, mine was
7 in a parochial system --

8 DR. CURIEL: Well --

9 MS. RAMIREZ-HELTON: -- which makes a
10 difference.

11 DR. CURIEL: Oh, sure. Yes.

12 MS. MORALES: I was public school.

13 DR. CURIEL: Yes.

14 MS. RAMIREZ-HELTON: So --

15 DR. CURIEL: Yes. It does make a
16 difference.

17 CHAIRPERSON HUDSON: Well, let me see if
18 I -- a person who's never been bilingual, let me see
19 if I understand this. Are you saying that the system
20 that taught the three of you that you all began with
21 isn't working as a whole -- isn't working very well as
22 a whole?

23 DR. CURIEL: No, no, no. I think --

24 CHAIRPERSON HUDSON: The total immersion.

25 DR. CURIEL: Well, for some children, and

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1 particularly for low income children -- you have to
2 look for low income children and for children who come
3 from homes where the parents do not speak English.
4 You know, they have just a greater challenge --

5 CHAIRPERSON HUDSON: Okay.

6 DR. CURIEL: -- than anybody else does.
7 But if the teachers are supportive, I think they can
8 even make it, even in that system, apparently. We see
9 that. But unfortunately, what my study found was that
10 it is difficult for children, particularly for Mexican
11 children who are poor, to learn English. And it takes
12 them longer, particularly if they do not have some
13 special programs to help them like bilingual
14 education.

15 CHAIRPERSON HUDSON: Okay.

16 DR. CURIEL: Then it takes them longer and
17 then they -- in there, they fail. And in the
18 elementary school, they have to go back and repeat
19 grades, because they just don't learn it fast.
20 Because you have to not only learn -- well, it's a
21 different language. And just how do you connect with
22 the teacher?

23 CHAIRPERSON HUDSON: Let me ask you this.

24 DR. CURIEL: Sure.

25 CHAIRPERSON HUDSON: Was -- is the Even

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1 Start program -- is that -- that's a bilingual
2 education --

3 DR. CURIEL: Yes.

4 CHAIRPERSON HUDSON: -- program?

5 DR. CURIEL: Yes. And it --

6 CHAIRPERSON HUDSON: And they're only
7 offering it in four sites in the Oklahoma City Public
8 School District?

9 DR. CURIEL: It's an excellent program.
10 And it teaches the parents and the children
11 simultaneously.

12 MS. RAMIREZ-HELTON: Uh-huh.

13 MS. MORALES: Separately?

14 DR. CURIEL: Yes. Yes. Separately, but
15 they're at the same time. And there's a lot of parent
16 involvement. It's an excellent -- it's similar to
17 Head Start, but it's -- you cannot participate if you
18 do not participate as a parent. You're child cannot
19 be participating.

20 CHAIRPERSON HUDSON: So the whole family
21 has to participate.

22 MS. MORALES: Uh-huh.

23 CHAIRPERSON HUDSON: Could that be a
24 reason why there's only 120 people participating --
25 because there's not enough parent involvement,

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1 perhaps?

2 DR. CURIEL: Well, I think it's just
3 resources.

4 CHAIRPERSON HUDSON: I guess I'm just
5 asking for your opinion.

6 DR. CURIEL: I think it's money. It's
7 basically they don't have that much money to expand
8 the program. And that's -- it's -- it is -- I think
9 you need to look at that. It is a good program. It's
10 probably one of the better ones. And the program --

11 MS. RAMIREZ-HELTON: It's a good way to
12 spend our tax money.

13 DR. CURIEL: Yes. Sure.

14 MS. MORALES: Back to the English
15 immersion -- I have suggested that to now the third
16 superintendent. So I first suggested that to Dr.
17 Steller [phonetic]. And rather than doing all -- and
18 I'm speaking of monolingual Spanish students who come
19 to the district. Why couldn't they work just on
20 English immersion and get them proficient enough to be
21 mainstreamed?

22 And you can set a time limit. You know,
23 we have a nine-weeks. I think the younger grades
24 probably could become proficient within that first
25 nine weeks. And, of course, the older the student,

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1 the longer it would take. What do you think of that
2 concept -- that idea?

3 DR. CURIEL: Well, I think that's what
4 traditional education is -- English immersion is
5 that's what it is. I don't know that the --

6 MS. MORALES: I mean, how -- do you think
7 that would work better? Because right now, that's not
8 what's going on in the schools. They're trying to
9 accumulate some -- what I see it is improve their
10 English. But at the same time, they're taking, you
11 know, the main course subjects.

12 So, you know, it's kind of -- it might be
13 overlooking the kids in the way of -- we're having to
14 work on language acquisition while at the same time,
15 subject matter, that they might not be able to do, you
16 know, all at once. And what I'm asking is wouldn't it
17 be better to work only on English acquisition?

18 DR. CURIEL: Oh. And delay the other?

19 MS. MORALES: Yes.

20 DR. CURIEL: Oh.

21 MS. MORALES: Until they are proficient
22 enough to be mainstreamed where that won't be an
23 issue, say, within a nine-weeks time. Or, you know,
24 you can test a child to see.

25 DR. CURIEL: Well, that's an interesting

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1 concept. And it certainly -- I think it would -- you
2 could give it a try. But it's still -- I think the
3 problem is the -- not having -- not knowing the
4 language and, therefore, they're going to have
5 difficulty in all subjects.

6 MS. MORALES: Well, I'm very glad you
7 mentioned teacher attitude earlier.

8 MS. RAMIREZ-HELTON: Right.

9 DR. CURIEL: Uh-huh.

10 MS. RAMIREZ-HELTON: Yes.

11 MS. MORALES: Because I think that that is
12 probably --

13 DR. CURIEL: Yes.

14 MS. MORALES: -- a main ingredient here.

15 CHAIRPERSON HUDSON: Well, let me ask you
16 this then. Since some of the Commission -- some of
17 the Advisory Board members have expressed a concern
18 with teacher attitude, just based on your experience,
19 what has been your -- what have you discovered about
20 teacher attitude in the Oklahoma City public schools?

21 DR. CURIEL: Well, I can't speak to their
22 attitudes. And I --

23 CHAIRPERSON HUDSON: Yes. I just wondered
24 what has been your experience.

25 DR. CURIEL: They're overloaded.

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1 CHAIRPERSON HUDSON: They're overloaded?

2 DR. CURIEL: They're overloaded, I mean,
3 basically. And when you have children that are coming
4 from -- if this information is relevant, I would think
5 these children are coming from homes where there are
6 a lot of strains on a family. And, therefore, they
7 carry this to the teacher.

8 And if you have very large classes, the
9 teacher's going to be overwhelmed.

10 CHAIRPERSON HUDSON: Would that go back
11 to -- one of your first comments was about that the
12 State of Oklahoma doesn't employ social workers.

13 DR. CURIEL: Correct.

14 CHAIRPERSON HUDSON: So do you feel that
15 if there were more social workers to help out with
16 some of the --

17 DR. CURIEL: They could take some of
18 the --

19 CHAIRPERSON HUDSON: -- emotional needs
20 that perhaps --

21 DR. CURIEL: They could take some of the
22 load off the teachers. Because, obviously, the
23 teachers cannot handle all of the problems. And at
24 first -- initially, the attitudes of teachers had to
25 do with -- there was in this country at one time

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1 English-only laws. And there are -- there's an effort
2 now to start English-only laws.

3 And the problem is -- with that -- those
4 laws is that sometimes, then, the teachers feel they
5 have to enforce that. And there as a time when I was
6 a child that you got expelled from school because you
7 were caught speaking Spanish.

8 MS. RAMIREZ-HELTON: Amen. I agree with
9 that.

10 MS. MORALES: Uh-huh. Uh-huh.

11 DR. CURIEL: So -- and that's where the
12 attitudes come. They were -- then if you set up a
13 problem between the teacher and a student and the
14 teacher may assume that if you speak Spanish, then you
15 are -- violated a law -- a school law.

16 MS. MORALES: Uh-huh.

17 DR. CURIEL: And that sets up a problem
18 between the teacher and the student. But --

19 CHAIRPERSON HUDSON: Do you feel that the
20 teachers may need some more education, maybe, on
21 not -- what the law is or maybe how -- you know, how
22 they could deal better with bilingual students? Do
23 you think that would help?

24 DR. CURIEL: Yes. Well --

25 CHAIRPERSON HUDSON: Just in your opinion.

1 DR. CURIEL: Sure. I would think that
2 teachers could be helped. Again, I don't really know
3 what is offered. But certainly, understanding the
4 fact that children come from homes that are very
5 different and it's not bad to start school not being
6 a native speaker. The thing -- I think sometimes
7 teachers might interpret that is child is slow
8 learning English that that means that the child is not
9 very bright.

10 So -- and that's the attitude probably
11 that -- they may misinterpret the fact that it's a
12 real challenge to try to learn English. And the
13 teacher may assume that that mean's the child's not
14 bright.

15 MS. RAMIREZ-HELTON: Excuse me. But to
16 me, I feel that some of our teachers that are going to
17 be put into this position of teaching these children
18 should have more training and more diversity in
19 understanding the background of these children. Not
20 just because a child walks into the door and doesn't
21 know something doesn't mean that they're slow
22 learners.

23 DR. CURIEL: Sure. Sure.

24 MS. RAMIREZ-HELTON: A lot of our
25 teachers, as you say, are overwhelmed. And they may

1 try to understand what's going on, but they haven't
2 properly been trained. They may have the system -- I
3 mean, they may have the feeling within them, but they
4 don't know how to go about it.

5 DR. CURIEL: Sure. Sure.

6 MS. RAMIREZ-HELTON: And this is where --
7 I think some of our money should be expended into
8 that -- teaching them, helping them so that we can
9 have -- you know, produce better children.

10 DR. CURIEL: Sure. Sure.

11 MS. RAMIREZ-HELTON: That's all there is
12 to it.

13 DR. CURIEL: Sure. Sure.

14 MS. RAMIREZ-HELTON: Because if we don't,
15 we're going to lose them.

16 DR. CURIEL: Sure.

17 MS. RAMIREZ-HELTON: And our jails are
18 going to be full.

19 DR. CURIEL: Sure.

20 MS. MORALES: Dr. Curiel, we also got a
21 copy of your needs assessment that was done in '93 --
22 two parts. Are you aware of any other needs
23 assessment that's more current than '93?

24 DR. CURIEL: No.

25 MS. MORALES: Okay. Based on the -- your

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1 assessment back then was in the area that you
2 surveyed, 63 percent indicated no formal education in
3 English. I didn't see it in here, but did it not
4 occur to ask how many had a formal education in their
5 native language?

6 DR. CURIEL: There is something in there.

7 MS. MORALES: Is there? I must have
8 missed it.

9 DR. CURIEL: Somewhere in there, there is
10 some that have some. But we were particularly
11 interested in English, which -- because, you know,
12 that would be a need to -- but that does reflect the
13 fact that the Hispanics in Oklahoma City -- we have a
14 lot of people who need help with learning English.

15 MS. MORALES: Uh-huh. Well, I was just
16 curious. How many of those had no formal education in
17 their own language -- in their native language?

18 DR. CURIEL: The parents --

19 MS. MORALES: Uh-huh.

20 DR. CURIEL: -- the household.

21 MS. MORALES: Because that's a factor,
22 too, isn't it?

23 DR. CURIEL: Yes. I -- it's somewhere.
24 I think we have some information on there. But --

25 MS. MORALES: Well, if it's in here, I'll

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1 read it again and look for it. But I didn't catch it
2 the first time. Okay.

3 CHAIRPERSON HUDSON: Mr. Bettis, did you
4 have a question?

5 MR. BETTIS: Yes. In some classes,
6 because of the size or the program or whatever it may
7 be, I know that Tulsa has had some teaching aides.
8 Have you looked at teaching aides to come in? And
9 it's not immersion, but it's not bilingual. It's
10 somewhere between both.

11 DR. CURIEL: Sure.

12 MR. BETTIS: And that's been very
13 successful in the few schools that had someone
14 qualified to be able to do that.

15 DR. CURIEL: And I -- it's possible
16 Oklahoma City public schools also uses that -- aides,
17 also. They did at one time. And I did in-service
18 training for the aides. But it's -- I think the
19 difficulty has been that a lot of schools have had
20 difficulty finding qualified bilingual education
21 teachers.

22 And it's been a real problem to try to
23 find them. And I assume that that's true here.

24 MS. MORALES: What was the topic of your
25 training for the bilingual aides?

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1 DR. CURIEL: It was in -- looking at
2 cultural diversity.

3 MS. MORALES: Okay.

4 CHAIRPERSON HUDSON: Did any other
5 Committee members have a final question for Dr.
6 Curiel?

7 MS. RAMIREZ-HELTON: Yes. I think we --

8 CHAIRPERSON HUDSON: We're going to try to
9 keep on time.

10 MS. RAMIREZ-HELTON: We could keep him
11 going.

12 DR. CURIEL: But I appreciate your effort
13 in that --

14 CHAIRPERSON HUDSON: I really do
15 appreciate you coming and --

16 MS. MORALES: I hope you don't feel
17 like --

18 CHAIRPERSON HUDSON: I know. Poor thing.
19 I thank you very much.

20 What I'd like to do right now is I'd like
21 to introduce another Committee member who arrived --
22 Mack Bettis. And also what I'd like to do is anybody
23 else who's come into the room and has not signed the
24 sign-in sheet in the back, we'd appreciate that.

25 The next speaker that we have scheduled on

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1 the agenda was Taylor August, who is director of the
2 U.S. Department of Education, Office for Civil Rights.
3 And due to funding problems, he was not able to attend
4 the meeting today. But what he did want us to pass on
5 was that his Office for Civil Rights will be
6 monitoring the Oklahoma City Public School District
7 after October 1 of 1998.

8 Was there anything else to add?

9 MR. HERNANDEZ: The monitoring will be in
10 conjunction with a compliance review that was done in
11 1994. And the monitoring will be done as soon as the
12 fiscal year '99 budget is released. And they can do
13 some -- they'll be free to travel. And they have
14 targeted the Oklahoma City public schools for
15 monitoring.

16 MS. MORALES: And that was a follow-up to
17 what?

18 MR. HERNANDEZ: The -- a compliance review
19 that was done at the school district back in 1994.

20 MS. MORALES: '94. Okay. Thank you.

21 CHAIRPERSON HUDSON: Okay. The next
22 person we have on the agenda is Dale Wells, vice chair
23 of the Education Committee for the House of
24 Representatives, District 33. He's from Cushing,
25 Oklahoma. Mr. Wells is a state representative,

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1 District 33, Cushing, Oklahoma.

2 He is a member of the House Education
3 Committee and chair of the Subcommittee for
4 Appropriations. He will give legislative information
5 on the state's funding formula for education and
6 appropriations for the Limited English Proficiency
7 Program.

8 REPRESENTATIVE WELLS: Good morning.

9 CHAIRPERSON HUDSON: Good morning.

10 REPRESENTATIVE WELLS: Thank you for
11 asking me to visit with you this morning. I have
12 brief information for you -- not a lot of information,
13 unfortunately, about this. Bilingual education, as
14 you know, is a federal mandate. And although the
15 state provides additional funding formula for
16 bilingual students, it does not mandate those
17 expenditures.

18 The state's school finance formula
19 provides additional funding for bilingual students
20 through a pupil category weight. The pupil category
21 weights are designed to address additional cost for
22 special needs of those children. Other pupil category
23 weights provide additional funding for such diverse
24 needs as disabilities, gifted and talented and
25 economically disadvantaged students.

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1 In the 1996-97 school year, the state aid
2 formula generated \$17,091,266 in additional funding
3 for bilingual students. Formula funding is
4 generate -- formula funding generated is allocated to
5 local school districts in a lump sum for use as state
6 and federal law and local district policy dictates.

7 The state strives to maintain maximum
8 flexibility in that regard for local school districts.
9 The state defines bilingual as students with limited
10 English-speaking abilities or who come from homes
11 where English is not the dominant language. However,
12 the statutes also authorize the State Board of
13 Education to modify and redefine pupil category
14 weights by rule when modification is required to
15 receive federal assistance.

16 The State Board of Education specifically
17 declines the bilingual eligibility by rule. In regard
18 to testing -- I was also asked to address the testing
19 to some degree. The state law makes no provisions
20 with regard to education of bilingual students. The
21 state mandates a statewide student testing program at
22 the third, fifth, seventh, eighth and eleventh grade
23 levels.

24 These tests consist of norm-referenced and
25 criterion-referenced examinations which basically

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1 encompass the state core curriculum. Scores are
2 reported by district and by school site and are made
3 public and published in the annual Oklahoma indicators
4 report. No state test results are broken down by
5 race, ethnic category, gender or any other criteria
6 other than grade level and school site.

7 Current accountability measures are
8 designed -- are to designate any school site with a
9 certain proportion of students scoring below a certain
10 standard of -- as low performing. The site is
11 designated as high challenge if the performance
12 continues to be below the acceptable level three years
13 in a row.

14 To date, the state has required a pilot
15 project at only one district in this state -- and that
16 was Tulsa -- to address chronic low test scores. This
17 is the only district with a history of long-term high-
18 challenge sites. The state provisions include the
19 potential for funding penalties. The response from
20 the district has been good.

21 Statutes allow the State Department of
22 Education the ability to intervene in high-challenge
23 school districts. The state school testing program
24 mandates opportunities for students' re-mediation and
25 retesting.

1 In past years, concerns have been
2 expressed, particularly in the Oklahoma City School
3 District, about the exclusion of bilingual students
4 from the state test program. And apart from the
5 statutes, the State Board of Education maintains rules
6 on eligibility for bilingual pupil weight in the state
7 aid formula and testing of bilingual students.

8 So basically, what we're telling you here
9 is most of that is -- falls in the parameters of the
10 State Board of Education or the local school district.
11 We try not to mandate any more than we have to mandate
12 from the state level. And that's basically the two
13 areas I was asked to address this morning. I'd be
14 happy to answer questions, if I can.

15 MR. HERNANDEZ: I have one question.

16 REPRESENTATIVE WELLS: Okay.

17 MR. HERNANDEZ: In terms of the funding
18 that gives -- that goes down to the local school
19 district, are they based on their achievement scores?

20 REPRESENTATIVE WELLS: Is the funding
21 based on achievement scores?

22 MR. HERNANDEZ: Yes.

23 REPRESENTATIVE WELLS: Not to my
24 knowledge. No.

25 MR. HERNANDEZ: Okay.

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1 REPRESENTATIVE WELLS: It is not. It's on
2 a per-pupil basis and various weights given to various
3 categories of students. We talk about disabled
4 students. We talk about gifted and talented and we
5 talk about the bilingual, or the limited English
6 speaking proficiency students, get a heavier weight
7 than an average white student, if you will.

8 So they get more money for that purpose,
9 because it's more expensive to teach those type
10 students.

11 CHAIRPERSON HUDSON: Okay. So it's based
12 on -- the state funding is based on a per-pupil basis.

13 REPRESENTATIVE WELLS: That's correct.

14 CHAIRPERSON HUDSON: And then the
15 different categories get a higher weight.

16 REPRESENTATIVE WELLS: Yes.

17 CHAIRPERSON HUDSON: And we get more
18 funding --

19 REPRESENTATIVE WELLS: Uh-huh.

20 CHAIRPERSON HUDSON: -- to provide special
21 programs for those --

22 REPRESENTATIVE WELLS: Correct.

23 CHAIRPERSON HUDSON: -- different
24 categories.

25 REPRESENTATIVE WELLS: Uh-huh. That's

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1 correct.

2 CHAIRPERSON HUDSON: Okay.

3 REPRESENTATIVE WELLS: Uh-huh.

4 MS. MORALES: Madam Chair -- what would
5 trigger funding penalties that were mentioned?

6 REPRESENTATIVE WELLS: I don't have that
7 information with me. I'm sorry.

8 MS. MORALES: Okay.

9 REPRESENTATIVE WELLS: But it does provide
10 for -- I guess if you're in a low performing school
11 and you're not doing those things that were addressed
12 to increase the proficiency, if you will, of those
13 student population in the low -- in those high-
14 challenge schools, if there's no effort being made,
15 I'm assuming there's some penalties that can be
16 assessed by the State Board of Education for --

17 MS. MORALES: Okay.

18 REPRESENTATIVE WELLS: -- that school
19 district.

20 CHAIRPERSON HUDSON: So it's based on
21 testing scores?

22 REPRESENTATIVE WELLS: Yes, it is. Uh-
23 huh.

24 CHAIRPERSON HUDSON: Okay.

25 REPRESENTATIVE WELLS: Uh-huh.

1 CHAIRPERSON HUDSON: Okay. So if it's a
2 low performing school, there's a possibility --

3 REPRESENTATIVE WELLS: Right.

4 CHAIRPERSON HUDSON: -- that their funding
5 could be cut.

6 REPRESENTATIVE WELLS: That's correct.

7 CHAIRPERSON HUDSON: Okay.

8 REPRESENTATIVE WELLS: That's correct.

9 MR. BETTIS: What --

10 REPRESENTATIVE WELLS: Yes.

11 MR. BETTIS: -- can you tell us about the
12 future? Are there any trends you're looking at that
13 your --

14 REPRESENTATIVE WELLS: Well --

15 MR. BETTIS: -- any funding?

16 REPRESENTATIVE WELLS: I don't know that
17 we're looking at anything specifically. I do know
18 there's a significant increase in the Hispanic
19 population in Oklahoma as there are other states,
20 particularly the southwest part of the United States.
21 I think that's something that we're probably going to
22 have to take a stronger look at in the future.

23 I think that's -- Oklahoma City and Tulsa
24 probably have the higher population areas for Hispanic
25 students. But they're certainly not by themselves in

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1 that regard. Smaller towns in Oklahoma -- rural
2 Oklahoma, where I'm from, also have those students.
3 And at some point in time, because of the sheer
4 numbers, we're going to have to address that probably
5 in more certain terms.

6 MR. BETTIS: Are there any bills being
7 worked on that you know of?

8 REPRESENTATIVE WELLS: Not to my
9 knowledge. No. I mean, I haven't seen what bills are
10 being filed. We're not in session right now. We
11 won't go into session until February. So there's not
12 many bills being filed, because it's an election year
13 right now. After November, there will be a lot of
14 them. There will be a lot of them after November.

15 MR. HERNANDEZ: Would you care to comment
16 on that word that isn't popular nowadays --
17 affirmative action -- in terms of affirmative action
18 hiring at the local schools district where you have a
19 high demographic of Hispanics in the school --

20 REPRESENTATIVE WELLS: Right.

21 MR. HERNANDEZ: -- district.

22 REPRESENTATIVE WELLS: Right.

23 MR. HERNANDEZ: And in some cases, like
24 Oklahoma City, there's --

25 REPRESENTATIVE WELLS: Yes.

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1 MR. HERNANDEZ: -- monolingual Spanish --

2 REPRESENTATIVE WELLS: Yes.

3 MR. HERNANDEZ: -- speaking. And, for
4 instance, in the elementary schools, if you look at
5 the personnel classification figures, there's only
6 nine elementary school teachers in a universe of
7 1,200 --

8 REPRESENTATIVE WELLS: Uh-huh.

9 MR. HERNANDEZ: -- and --

10 REPRESENTATIVE WELLS: Uh-huh.

11 MR. HERNANDEZ: -- 89 or --

12 REPRESENTATIVE WELLS: Yes. It's less --
13 statewide, it's less than 14 percent minority
14 teachers. We've tried to address that somewhat in the
15 Legislature with some legislation to encourage the
16 recruitment, if you will, of minority students --
17 college students for teaching.

18 We think that's important to a greater
19 share of minority representation in our teacher core.

20 CHAIRPERSON HUDSON: I thought you had a
21 question.

22 MS. MORALES: Yes. I do. I mean, a low
23 performing school --

24 REPRESENTATIVE WELLS: Uh-huh.

25 MS. MORALES: -- if they remain to be low

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1 performance are assessed a funding penalty.

2 REPRESENTATIVE WELLS: It can be. It's
3 not necessarily that it will be. The State Board of
4 Education has the ability to take over that school, if
5 you will, if they're not making improvements -- you
6 know, if they're not doing those things that need to
7 be done to improve the quality of education in that
8 school.

9 MS. MORALES: Okay.

10 REPRESENTATIVE WELLS: And, of course, the
11 only way you can assess that is through the testing
12 program, basically.

13 MS. MORALES: So they're assessing the
14 district and then taking that school from the
15 district.

16 REPRESENTATIVE WELLS: They can.

17 MS. MORALES: Is that --

18 REPRESENTATIVE WELLS: They can.

19 MS. MORALES: And that's how the
20 funding --

21 REPRESENTATIVE WELLS: No. The funding
22 wouldn't make any --

23 MS. MORALES: Because to me --

24 REPRESENTATIVE WELLS: The funding
25 wouldn't make any difference.

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1 MS. MORALES: -- a low-performing school
2 might mean more resources are needed.

3 REPRESENTATIVE WELLS: Possibly.

4 MS. MORALES: You know --

5 REPRESENTATIVE WELLS: Possibly.

6 MS. MORALES: -- something --

7 REPRESENTATIVE WELLS: Sure.

8 MS. MORALES: -- specific to that site.

9 REPRESENTATIVE WELLS: Sure.

10 MS. MORALES: And I'm having trouble.

11 REPRESENTATIVE WELLS: Well, I don't know
12 that much detail. Let me --

13 MS. MORALES: Okay.

14 REPRESENTATIVE WELLS: -- put it this way.
15 But I do know the State Board of Education has the
16 ability to go in -- there's a school in north Tulsa --
17 a predominantly black area --

18 MS. MORALES: Uh-huh.

19 REPRESENTATIVE WELLS: -- in Tulsa that's
20 historically low performing.

21 MS. RAMIREZ-HELTON: We have three.

22 REPRESENTATIVE WELLS: Pardon?

23 MS. RAMIREZ-HELTON: We have three.

24 REPRESENTATIVE WELLS: You have three
25 here?

1 MS. RAMIREZ-HELTON: No. In Tulsa.

2 MS. MORALES: No. In Tulsa.

3 REPRESENTATIVE WELLS: Oh. In Tulsa.

4 MS. MORALES: Yes.

5 REPRESENTATIVE WELLS: Okay. Okay. The
6 State Board of Education had the ability to go in and
7 do those things to replace teachers, if necessary, do
8 those -- and probably to do some additional funding
9 for additional programs, if that's necessary, too.
10 They probably have that flexibility, as well.

11 I'm just not up on the details of how that
12 specifically is done. But I do --

13 MS. MORALES: Okay.

14 REPRESENTATIVE WELLS: -- know they have
15 the ability --

16 MS. MORALES: Well, that's what --

17 REPRESENTATIVE WELLS: -- to go in.

18 MS. MORALES: -- I'm wondering. Is it --
19 the funding penalty to the district because that
20 school is removed from the oversight of the district
21 and then becomes a state oversight --

22 REPRESENTATIVE WELLS: Yes. That's the
23 hammer, if you will --

24 MS. MORALES: Okay.

25 REPRESENTATIVE WELLS: -- by the State

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1 Board of Education --

2 MS. MORALES: Okay.

3 REPRESENTATIVE WELLS: -- to force the
4 school district to do something about the low-
5 performing schools --

6 MS. MORALES: Okay.

7 REPRESENTATIVE WELLS: -- continually low-
8 performing schools.

9 CHAIRPERSON HUDSON: Do you know of any
10 school districts that have had funding penalties
11 imposed because of low performance or --

12 REPRESENTATIVE WELLS: I'm not sure
13 whether Tulsa did or not. Somebody here in the room
14 may be able to answer that. I'm not certain whether
15 they actually imposed those penalties or not.

16 CHAIRPERSON HUDSON: Or rather, the State
17 Board of Education needs to go over it.

18 MS. RAMIREZ-HELTON: May I answer that?

19 CHAIRPERSON HUDSON: Uh-huh.

20 MS. RAMIREZ-HELTON: Well, what has
21 happened -- we have three schools, principally, that
22 have been very low performing. One of them is a high
23 school that thoroughly changed the way of teaching.
24 They made it into a academy trying to make it into
25 kind of a magnet school and it had wonderful programs.

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1 But for some reason, it still -- they can't get the
2 kids to perform.

3 REPRESENTATIVE WELLS: Hm.

4 MS. RAMIREZ-HELTON: And that's what's so
5 sad, because --

6 REPRESENTATIVE WELLS: Yes.

7 MS. RAMIREZ-HELTON: -- the opportunities
8 there are tremendous.

9 REPRESENTATIVE WELLS: Sure.

10 MS. RAMIREZ-HELTON: And Dr. Thompson and
11 the Board have really implemented the funds for that.

12 REPRESENTATIVE WELLS: Uh-huh.

13 MS. RAMIREZ-HELTON: And, though, it's
14 helping the junior high -- middle school. It's
15 helping that some. They've done the same thing with
16 that one. And at the elementary school, I really
17 don't know the statistics on that. But these other
18 two schools, the high school -- the equivalent of what
19 was a high school --

20 REPRESENTATIVE WELLS: Uh-huh.

21 MS. RAMIREZ-HELTON: -- is now an academy.
22 That's what --

23 REPRESENTATIVE WELLS: Uh-huh.

24 MS. RAMIREZ-HELTON: -- it's called. For
25 some reason, they're not coming across.

1 REPRESENTATIVE WELLS: Hm.

2 MS. RAMIREZ-HELTON: And that's pathetic,
3 because --

4 REPRESENTATIVE WELLS: Right.

5 MS. RAMIREZ-HELTON: -- they've got so
6 much that they've invested in there and --

7 REPRESENTATIVE WELLS: Sure.

8 MS. RAMIREZ-HELTON: -- the different type
9 of programs --

10 REPRESENTATIVE WELLS: Sure.

11 MS. RAMIREZ-HELTON: -- that they've --

12 REPRESENTATIVE WELLS: Yes.

13 MS. RAMIREZ-HELTON: -- put for the
14 children.

15 REPRESENTATIVE WELLS: There's been a
16 school implemented in Muskogee teaching through the
17 arts.

18 MS. RAMIREZ-HELTON: Yes.

19 REPRESENTATIVE WELLS: And they've had
20 fabulous success. You may --

21 MS. RAMIREZ-HELTON: Uh-huh.

22 REPRESENTATIVE WELLS: -- be familiar with
23 that. And I did --

24 MS. RAMIREZ-HELTON: Right.

25 REPRESENTATIVE WELLS: -- have the

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1 opportunity to go down and visit that school. And
2 it's quite impressive what those young people can do
3 utilizing arts throughout all their curriculum,
4 actually. And I don't know how they do that very --
5 but they do it. They do it well.

6 MS. RAMIREZ-HELTON: They do a beautiful
7 job.

8 REPRESENTATIVE WELLS: Uh-huh. They sure
9 do.

10 CHAIRPERSON HUDSON: Does anybody have any
11 more questions?

12 MR. BETTIS: Is that a high school in
13 Muskogee?

14 REPRESENTATIVE WELLS: It's an elementary
15 school. Uh-huh.

16 CHAIRPERSON HUDSON: Does anybody have any
17 more questions for Mr. Wells?

18 REPRESENTATIVE WELLS: Thank you very
19 much.

20 CHAIRPERSON HUDSON: Okay. Thank you.

21 The next speaker that we have on our
22 agenda is Robert Buswell, executive director, Office
23 of Accountability, Education Oversight Board. Mr.
24 Buswell is the executive director for the State of
25 Oklahoma Office of Accountability. He has two degrees

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1 from Oklahoma State University and an MBA from
2 Oklahoma City University.

3 His office, which reports to the governor,
4 has produced a series of publications, including a
5 state report, a district report and a school report
6 card for each of the 1,800 public -- 1,800-plus public
7 schools in the state. He will present an analysis of
8 the dropout figures for the Oklahoma City public
9 schools by gender and race.

10 MR. BUSWELL: Good morning. It is,
11 indeed, a pleasure to be with you this morning. If
12 you don't mind, I can offer up a little clarification
13 on the testing. First off, a school is deemed low
14 performing or high challenge only based on the
15 performance of the third grade and seventh grade norm-
16 reference tests.

17 And so it's a matter of escalating or
18 continuing difficulty. If they first score low on the
19 third grade or seventh grade test, then they are
20 deemed low performing. If it continues for three
21 years, then they are deemed high challenge.

22 And the legislator was correct in that it
23 can go so far as the State Board actually intervening
24 and taking over the school, though I don't know that
25 that has happened to any district or school yet. It's

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1 primarily a process of laying down plans for
2 improvement and formulating new goals and new programs
3 to aid in the performance on the tests.

4 I have given you this morning a little
5 light reading. This is our smallest publication.
6 This is our state report. And I want to point out,
7 before we get too far into dropouts, on page 15, if
8 you'll look at the chart at the bottom of the page,
9 you'll see that Oklahoma is a state of great
10 diversity. We have diversity in basically every
11 aspect of education.

12 I would bring your attention to the chart
13 at the bottom of the page and point out to you that we
14 have ten districts that have over 10,000 students.
15 And so those ten districts, while they only represent
16 2 percent of the districts, they represent 33 percent
17 of the students.

18 In contrast, we have 324 school districts
19 that have less than 500 students. And so they
20 represent 59 percent of the districts. However, they
21 only represent 14 percent of the students. And so
22 then you have everything in between. And so part of
23 the problem is to, in a study like this, come up with
24 comparable districts, because Oklahoma City is the
25 second largest district in the state.

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1 Tulsa has a slightly larger population.
2 But in many ways, there is nothing else comparable
3 with Oklahoma City to use as a comparison. The
4 indicators reports has a charge of looking at student
5 performance at a socio-economic context. And this is
6 the state report. We also have a district report.
7 And then we also have school report cards.

8 The single page that I've provided you
9 that opens up to eleven by 17 is a copy of the
10 Oklahoma City district page from our district reports.
11 There are 549 school districts in Oklahoma. And so
12 this is a two-volume set that are about the size of a
13 phone book. But as you can see here, we have quite a
14 bit of information on each and every school district
15 across the state.

16 And we approach this in sort of a three-
17 phase process. The far left-hand side of your page
18 will include socio-economic demographic-type
19 information about the community that the district
20 serves. The middle section talks about the processes
21 of delivering the educational product to the students
22 of that community.

23 And then finally, on the far right-hand
24 side of the page, you'll see the performance as it is
25 expressed in either the norm-reference tests in grades

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1 three and seven or the criterion-reference tests in
2 grades five, eight, eleven. And now onto the charge
3 at hand. What I've just distributed to you is a copy
4 of the, quote, official dropout report for the State
5 of Oklahoma.

6 The process involved with compiling this
7 report includes quarterly reports from the school
8 district to the State Department of Education. The
9 State Department of Education is the clearinghouse or
10 the data-gathering agency for this information. Each
11 quarter, reports are submitted to them. They enter
12 them into the database.

13 They go through a non-duplicating process
14 at the end of the year corresponding back and forth
15 with the school district repeatedly until finally,
16 they arrive at a point where they feel that the data
17 is fairly clean. And then they close down the process
18 for the year. The information is then referred over
19 to us and we provide this summary report based on the
20 information that they've given us.

21 They also have a reporting obligation to
22 the State Legislature. And we -- most often, the
23 primary use that we get from the data is to include
24 part of it in our district level reports. You'll see
25 it under under-performance indicators on the far

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1 right-hand side of the page.

2 In going through the process of looking at
3 dropouts -- Hispanic dropouts in Oklahoma City most
4 specifically, it's clear that perhaps some of the
5 process needs to be changed or modified to really
6 allow someone to go in and do a detailed study. I
7 found it a bit frustrating. And we'll get into some
8 of that in just a minute.

9 But as you go through this report, there's
10 a state summary page. And then as you trip through
11 the report, you'll see that under every county in the
12 state, there are the various districts. And you'll
13 see that we report dropouts by gender, by age, by
14 race, by grade. And then we include what would be the
15 official dropout report or dropout number. So this is
16 the entire state at your disposal.

17 Yes, sir?

18 MR. BETTIS: Is there an overlay in here
19 somewhere that gives us percentages? This gives us
20 some numbers of the ethnic groups --

21 MR. BUSWELL: Right.

22 MR. BETTIS: -- but I don't see a
23 percentage. We don't know what --

24 MR. BUSWELL: That is part of the problem
25 that I will be addressing this morning. Yes. So what

1 I have provided you, then, is the state as a total.
2 And now I bring your attention to this set of
3 documents. As I alluded to earlier, the official high
4 school dropout rate as outlined in Oklahoma statute
5 says that dropouts are in grades nine through 12 and
6 they are less than 19 years of age.

7 And dropouts are reported by gender, by
8 age, by ethnicity and by grade. Comparison, however,
9 for Oklahoma City was difficult, but I was able to
10 come up with roughly ten districts that I did offer up
11 comparisons. The districts that I chose for
12 comparison either had high Hispanic student counts or
13 relatively high percent Hispanic student make-up.

14 The districts that I chose were Moore,
15 Lawton, Clinton, Altus, Putnam City, Midwest City/Del
16 City, Guymon, Frederick, Tulsa, Union, and then I also
17 offered up a state total. You'll see I provided
18 columns of both the raw Hispanic fall enrollment and
19 also the percent Hispanic. You'll see that in looking
20 across at Oklahoma City, certainly they have the
21 largest Hispanic enrollment at 6,124.

22 That would be grades eight through 12.
23 And that represents a 16 percent Hispanic population.
24 The next highest raw number would be Tulsa at 2,092.
25 However, that only represents a 5 percent Hispanic

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1 population for that school district. As was alluded
2 to by the representative earlier, there are other
3 communities that have a much higher percent Hispanic
4 population, though their raw number is quite a bit
5 smaller.

6 I would bring your attention to Guymon,
7 which is located up in the panhandle. They have 29
8 percent Hispanic population, but their raw number is
9 only 670 students. And so there's, again, quite a bit
10 of diversity in Oklahoma. We don't have very many
11 large school districts and, hence, we don't have very
12 many large raw count Hispanic populations.

13 Though within those many, many small
14 districts, we do have some districts that have a
15 fairly large percent Hispanic population.

16 MR. BETTIS: What --

17 MR. BUSWELL: In trying --

18 MR. BETTIS: Excuse me.

19 MR. BUSWELL: Go ahead.

20 MR. BETTIS: What date or year are
21 these --

22 MR. BUSWELL: This -- all of this
23 information is for school year 1996-97.

24 MR. BETTIS: Okay.

25 MR. BUSWELL: That is the most current

1 information available.

2 MR. BETTIS: I know we've seen some
3 numbers in our local paper recently --

4 MR. BUSWELL: Uh-huh.

5 MR. BETTIS: -- that are different than
6 this.

7 MR. BUSWELL: Uh-huh. Okay. In
8 extracting information from the state report that I
9 provided you, you'll see on chart 1 that this is the
10 official '96-'97 high school dropout rates for this
11 select group of districts and the state. In
12 parenthesis, I've indicated the number of high
13 schools. That, too, is an area of quite a bit of
14 diversity.

15 Oklahoma and Tulsa both have nine high
16 schools. Far and away, most of our districts only
17 have one high school. Some of these have two or three
18 high schools. So again, it's a real hodgepodge of
19 districts. In looking at these dropout rates that
20 span grades nine through 12 -- students that are less
21 than 19 years of age -- all ethnic groups -- you'll
22 see that -- excuse me -- the state average on the far
23 right is 5.6 percent.

24 That would be a one-year dropout rate.
25 You can see that Oklahoma City for '96-'97 is 13.9.

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1 The next one to that would be Tulsa at 9.9. Clinton
2 has a dropout rate of 8.8, along with Guymon, which is
3 8.8, and then they fall off from there. Now, the
4 question that was posed to me was to look at dropouts
5 for Oklahoma City and to look at it with regard to the
6 various ethnic groups.

7 In trying to make the best use of the data
8 that I have available to me, the next chart -- chart
9 number 2 -- is about as close as I can come, using
10 that current data, to drawing any kind of comparisons.
11 And what I've done here is I've compared the seventh
12 through 12th grade dropouts with the fall enrollment
13 for the various ethnic groups.

14 And so this is not to argue whether a
15 dropout rate is too high or too -- is low, but rather,
16 is it disproportionate or not. If you have, for
17 example, 42.9 percent of the population being black,
18 if you have a 42.9 percent of the population dropping
19 out, then it may -- it will at least be proportionate.
20 In the case of Oklahoma City, the enrollment is 42.9
21 percent black. However, in grades seven through 12,
22 only 33.5 percent of the dropouts are black.

23 And so a disproportionately fewer number
24 of blacks are dropping out in grades seven through 12.
25 Going the other direction -- American Indian -- the

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1 population is -- in grades seven through 12 is 4.5
2 percent native American. However, the dropout is 5.3
3 percent Native American. So it's slightly higher
4 percentages there.

5 Hispanic -- 14.1 percent enrollment,
6 however, 15.8 percent of the dropouts are Hispanic.
7 The one that perhaps troubles me most would be the
8 Asian population. 3.6 percent of the enrollment is
9 Asian. However, 8.9 percent of the dropouts are
10 Asian. And then white and other -- 35 percent of the
11 population is white, but 36.5 percent of the dropouts
12 are white.

13 So you can see there that there's some
14 shifting going on and there are certain ethnic groups
15 that perhaps warrant more concern than others. It's
16 at this point where there has to be a bit of a
17 departure in trying to coax knowledge from the
18 information. There is a big difference between what
19 percentage of dropouts are Hispanic versus what
20 percentage of Hispanics are dropping out.

21 And that's the crux of the discussion
22 today. In looking at the official dropout numbers and
23 the dropout rates, basically, we take the count of
24 dropouts that are 19 years of age or less in grades
25 nine through 12 and we divide that number by the

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1 average daily membership for grades nine through 12.

2 However, average daily membership is not
3 available by ethnic group. And so I'm lacking a
4 denominator. And so in my effort to try to get some
5 other information that would be meaningful to you, I
6 embarked on another methodology. It so happens that
7 fall enrollment, which is a one-day-and-time
8 enrollment count is available by ethnic groups.

9 And so I substituted that as best I could
10 as a denominator. You'll see a comparison of the two
11 methods on chart 3. And you'll see actually that the
12 fall enrollment methodology slightly understates the
13 dropouts as compared to the official methodology using
14 average daily membership. But you'll see all of those
15 districts that I offered up for comparison earlier
16 presented on chart 3 with the two methodologies side
17 by side.

18 These -- this is where we depart from what
19 the official numbers are.

20 MS. MORALES: Chart 3 is just Hispanic.
21 Is that right?

22 MR. BUSWELL: Chart 3 -- no. Chart 3,
23 again, is --

24 MS. MORALES: Overall --

25 MR. BUSWELL: -- is overall dropout --

1 MS. MORALES: -- population.

2 MR. BUSWELL: -- rate -- all ethnic groups
3 together. But I'm laying the groundwork. We'll
4 get --

5 MS. MORALES: Okay.

6 MR. BUSWELL: -- there. But this is
7 contrasting the two methodologies.

8 MS. MORALES: Okay.

9 MR. BUSWELL: And so then to answer your
10 question of what percentage of Hispanics are dropping
11 out, then we now have a denominator that we can make
12 use of. And so chart number 4 is the '96-'97 Oklahoma
13 City high school dropout rates by ethnic group and all
14 students using this fall enrollment methodology.

15 The numbers that I'm looking at here --
16 black is 9.6 percent, American Indian is 18 percent,
17 Hispanic -- 15.5 percent, Asian -- 28 percent, white
18 and other -- 13.7 percent, and then all ethnic groups
19 together come out to be 12.8 percent. So once a
20 student makes it to grade nine through 12, depending
21 on which ethnic group they're in, these are the
22 dropout rates that they're facing. And this would be
23 a yearly dropout rate.

24 MS. MORALES: I wonder if there's any
25 tracking or if anyone -- it probably wouldn't be for

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1 the state to do, but is anyone tracking to see if
2 these students are then being enrolled again private
3 schools or other schools?

4 MR. BUSWELL: Well --

5 MS. MORALES: Is that a possibility?

6 MR. BUSWELL: I don't know that it would
7 be -- there's always that possibility. If it were a
8 case of going to another public school, there is a
9 tracking system in place whereby the receiving
10 school --

11 MS. MORALES: Uh-huh.

12 MR. BUSWELL: -- is supposed to request
13 the record. I would assume that private schools would
14 also be very interested in the previous record of
15 students --

16 MS. MORALES: Uh-huh.

17 MR. BUSWELL: -- and would make an attempt
18 to contact --

19 MS. MORALES: That's true.

20 MR. BUSWELL: -- the public school --

21 MS. MORALES: That's true.

22 MR. BUSWELL: -- as well. And at one --

23 CHAIRPERSON HUDSON: There's probably
24 specific criteria used for labelling somebody a
25 dropout.

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1 MR. BUSWELL: Exactly. And if they do
2 receive notice that the student is now attending a
3 different school, they're happy to get that news and
4 they're glad to mark them off of their dropout count.
5 So --

6 MS. MORALES: Okay.

7 CHAIRPERSON HUDSON: So there wouldn't be
8 any sort of skewing because a student has moved from
9 a different -- into a different school --

10 MR. BUSWELL: I wouldn't --

11 CHAIRPERSON HUDSON: -- if they're
12 being --

13 MR. BUSWELL: -- think a lot.

14 MS. MORALES: I'm looking for hope here.

15 MR. BUSWELL: Well, and I think I can
16 perhaps offer that up here --

17 MS. MORALES: Oh, good.

18 MR. BUSWELL: -- in just --

19 MS. MORALES: Good.

20 MR. BUSWELL: -- few more charts. Chart
21 number 5, then, concentrates on Hispanic students and
22 offers up the percent dropouts for Hispanic students
23 in those districts that we identified earlier as
24 perhaps being comparable. Unfortunately, Oklahoma
25 City is, again, the highest of the group, though there

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1 are some others. Tulsa, Union, Clinton are in the 13
2 percent.

3 So that is not good news. Altus, it
4 seems, has a fairly high Hispanic population, though
5 their population is only at 4.6 percent dropout. They
6 may warrant study as to how they achieve that. I
7 don't know. There are certainly other ample ways of
8 making these numbers, perhaps, not present what you
9 hope they present. And maybe there's something
10 confounding it and making it look better than it
11 really is.

12 But I would say there would be a least
13 some hope in working with Altus and finding out if
14 there's some type of outreach program or something
15 that they make good use of.

16 MS. RAMIREZ-HELTON: Stephanie, do you
17 suppose that could be the Air Force base based in
18 Altus that might have a more educated Hispanic
19 population coming in there, so therefore, they're
20 children would tend to not drop out?

21 CHAIRPERSON HUDSON: Perhaps. I was
22 assuming that Altus had more of a migrant --

23 MS. RAMIREZ-HELTON: It does. But it also
24 has the Air Force --

25 CHAIRPERSON HUDSON: It has the Air Force

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1 base. Yes, it does. Yes.

2 MS. MORALES: That would be interesting
3 to --

4 MS. RAMIREZ-HELTON: Uh-huh.

5 MS. MORALES: -- find out.

6 CHAIRPERSON HUDSON: And Elk City would
7 have an Air Force base, also.

8 MS. MORALES: Uh-huh.

9 MR. BUSWELL: Refreshing your memory,
10 Altus has 846 Hispanic students grade K through 12,
11 which is 18 percent of their student population.
12 So --

13 MR. BETTIS: Something I read on this
14 somewhere -- also, some of these areas, like Tulsa and
15 Oklahoma City -- some are not -- but some of those
16 larger cities offer jobs to dropouts in that
17 marketplace. And Altus and some of the others would
18 not.

19 MS. MORALES: Very true.

20 MR. BUSWELL: And it could be, too, that
21 VoTech Ed might bear on this some way, too, because I
22 know they make it an effort to capture dropouts
23 whenever they possibly can. And so enrolling the
24 student into some kind of a VoTech program --

25 MS. MORALES: Oh.

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1 MR. BUSWELL: -- might be a good
2 alternative.

3 MS. MORALES: Okay. So VoTech Ed in this
4 age group is not counted.

5 MR. BUSWELL: VoTech Ed? No.

6 MS. MORALES: Okay. That's interesting.

7 MR. BUSWELL: The final chart that I've
8 given you today is really a segue to saying that more
9 study is needed -- much more study. There is
10 information that is not at my disposal that I think
11 would be very, very helpful for Oklahoma City and for
12 other districts. I think, perhaps, what's most needed
13 would be to do a what's called a cohort study.

14 Cohort would be analogous to following the
15 class of whatever class you're talking about -- class
16 of '97-'98 -- going back and looking at their fall
17 enrollments over time and seeing if at some point
18 there is a critical juncture where all of a sudden,
19 students started disappearing. They would show up as
20 no-shows, not so much as dropouts.

21 That's part of the problem with the
22 dropout methodology that we currently have -- is we
23 have no way of capturing no-shows. So if they finish
24 out the eighth grade and don't show up for the ninth
25 grade, they're lost to the system and they don't show

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1 up on the dropout reporting.

2 And so one way of getting around that
3 would be to look at fall enrollments over time. And
4 so that would require you to go quite a ways back to
5 do that. But look and see if these enrollments all of
6 sudden drop over time and see if there's some critical
7 juncture where all of a sudden you're losing students.

8 The final chart that I offer you today
9 looks at an apparent shift in the percent make-up in
10 the transition between K through eight education in
11 Oklahoma City and nine through 12th grade education in
12 Oklahoma City. The darker, heavier line is K through
13 eight education. In the K through eight ranks,
14 Oklahoma City is roughly 38 percent black, 6 percent
15 Native American, 17 percent Hispanic, perhaps 3
16 percent Asian and 36, 37 percent white.

17 But in going to secondary education, the
18 black population jumps to 45 percent. The Native
19 American population drops to less than 5 percent. The
20 Hispanic population drops to about 12 percent or 13
21 percent, Asian population stays about the same, and
22 the white population drops to below 35 percent.

23 Now, one thing that's confounding some of
24 this is realize that the Native American and Asian
25 populations are already quite small. And so if you

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1 lose a few students, that can affect the percentages
2 quite a bit. Contrary to that, the white population,
3 which -- and the black population, which are larger --
4 to get this to shift a few percentage points means
5 there have to be a lot of students either moving in or
6 moving out.

7 And so I would imagine that the white
8 students are, perhaps, leaving for private schools.
9 Perhaps there's movement to the suburban districts.
10 And so that would account for some of the shift in the
11 other ethnic groups. The black is increasing. But if
12 the whites are leaving, you would expect all the
13 ethnic groups to increase.

14 Well, the only ones who have increased is
15 the black. So either the Hispanics and the Native
16 Americans are also leaving or they are leaving in
17 addition -- they're even leaving in greater numbers to
18 create this loss. And so there's a lot of things that
19 can influence this.

20 There's a lot of dynamics going on. But
21 I thought it was an interesting shift in what you
22 would encounter if you walked in the door of a K eight
23 facility versus what would encounter if you walked in
24 the door of a nine through 12th grade facility --
25 different racial make-ups -- probably different

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1 problems.

2 So there's a lot of study that needs to go
3 on. This is a tip of the iceberg as far as a real
4 understanding of the dropout situation. But it's what
5 I have to offer today.

6 MR. HERNANDEZ: Mr. Buswell, here from
7 your chart number 1 that showed the -- for instance,
8 nine high schools in Tulsa, nine in Oklahoma City and
9 then in -- I guess, like, in Moore and I'm not sure of
10 the -- some of the other suburban schools.

11 MR. BUSWELL: Moore would be a suburban
12 district. Putnam City would be a suburban district.
13 Midwest City/Del City would be suburban. Union is a
14 suburban district to Tulsa.

15 MR. HERNANDEZ: Is this a typical example
16 of white flight into the suburbs that leaves the
17 Oklahoma City School District predominantly high in
18 black population?

19 MR. BUSWELL: I think it's both. I think
20 it's white flight to the suburb. But then, also,
21 there's -- there are some very well-to-do
22 neighborhoods within Oklahoma City Public School
23 District proper. And I think many of those are being
24 siphoned off to private schools.

25 MS. MORALES: Madam Chair, I'm also aware

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1 that many -- not many -- my mistake -- some Hispanics
2 whose parents are higher income and/or higher
3 education, which usually is tied together, are
4 choosing not to identify themselves as Hispanic on
5 enrollment so as to avoid some of the stereotypical
6 problems, you know, that -- you know, sometimes
7 they're required to take language tests when it's not
8 necessary and some of those other things.

9 So, you know, they wouldn't be counted
10 here, because they've identified themselves as white.
11 I know that's true of some of the north schools of the
12 Oklahoma City public schools and, in particular,
13 Edmond.

14 MR. BUSWELL: That makes my job a little
15 tougher.

16 MS. MORALES: Yes, it does.

17 CHAIRPERSON HUDSON: Are they not
18 identifying themselves from the beginning of school
19 on, or are they --

20 MS. MORALES: On enrollment, they identify
21 themselves as white.

22 CHAIRPERSON HUDSON: To avoid --

23 MS. MORALES: To avoid the --

24 CHAIRPERSON HUDSON: -- additional
25 testing.

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1 MS. MORALES: Uh-huh. Well, and other --

2 CHAIRPERSON HUDSON: And other --

3 MS. MORALES: -- you know --

4 MR. BUSWELL: I think --

5 MS. MORALES: -- the other stereotypes.

6 MR. BUSWELL: -- perhaps more -- it would
7 be more appropriate if they call it additional
8 screening --

9 MS. MORALES: Screening. Okay.

10 MR. BUSWELL: -- rather than -- it's not
11 achievement testing, per se, but screening for various
12 things.

13 CHAIRPERSON HUDSON: Do we have any more
14 questions from the Committee?

15 MR. BUSWELL: Thank you.

16 CHAIRPERSON HUDSON: Thank you very much,
17 Mr. Buswell. What we're going to do right now is --
18 it's ten after 10:00 and we're going to take a --
19 about a five minute break right now. And then we'll
20 reconvene and we'll talk with Dr. April Haulman.

21 (Whereupon, a short recess was taken.)

22 CHAIRPERSON HUDSON: Now is we've have two
23 more Committee members arrive -- Sylvia Borrego over
24 here on this side of the panel and Opio Toure has also
25 arrived. What I'd like to do now is Dr. April

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1 Haulman -- did I say that correctly?

2 DR. HAULMAN: Yes.

3 CHAIRPERSON HUDSON: If you want to go
4 ahead and come up to the podium. Dr. Haulman was a
5 bilingual fellow at the University of Oklahoma where
6 she earned her Ph.D and MA in adult and community
7 education. Currently, she is a professor in the
8 department of curriculum and instruction at the
9 University of Central Oklahoma.

10 Her presentation will cover the history
11 and development of the state testing regulation that
12 permit the exemption of students from taking the Iowa
13 basic -- the Iowa Test of Basic Skills. She will
14 describe how a school district implements this
15 exemption regulation at the school building level.

16 DR. HAULMAN: Okay. I hope that I have
17 written a report here that really matches what you're
18 expecting. But we'll wing it otherwise. I've been
19 asked to speak to you about the policy for exempting
20 non- and limited English proficient students from
21 taking the state-mandated standardized achievement
22 test. In Oklahoma, that's the Iowa Test of Basic
23 Skills.

24 Specifically, I've been asked to find to
25 find a factual information -- to provide factual

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1 information on the development of a policy, its
2 purposes and its potentials abuses. That's at least
3 how I understood what you were asking, although I'll
4 answer any questions that you may have if I know the
5 answers.

6 With the passage of House Bill 1017 in the
7 late 1980s, there were statewide legal requirements
8 for achievement testing in grades three, five, seven,
9 nine and eleven. There was generally -- a generally
10 acknowledged need to exempt students receiving special
11 education services through an individualized education
12 program such as that other -- such as specified by
13 other specific state and federal regulations and laws.

14 It was believed by educational advocates
15 for language minority students at that time that
16 exemptions should also be extended to protect the
17 limited and non-English proficient students from being
18 assessed with an inappropriate instrument, namely the
19 test standardized and normed on English-speaking
20 students.

21 The Oklahoma State Board of Education
22 issued the following guidelines. Beginning in the
23 year 1989 and 1990 school year, all the public school
24 districts shall administer the achievement test
25 battery to all students at grades three, five, seven,

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1 nine and eleven. Those students who have been
2 determined to be limited English proficient may be
3 exempt pursuant to the following.

4 Limited English Proficiency, or LEP, when
5 used in this paragraph refers to individuals who were
6 not born in the United States or whose native language
7 is a language other than English, individuals who come
8 from environments where language other than English is
9 dominant as further defined by the secretary by
10 regulation, and individuals who are American Indian
11 and Alaskan natives and who come from environments
12 where language other than English has had a
13 significant impact on their level of English language
14 proficiency and who, by reason thereof, has sufficient
15 difficulty reading, speaking, writing and
16 understanding the English language to deny such
17 individuals the opportunity to learn successfully in
18 classrooms where the language of instruction is
19 English or to participate fully in our society.

20 This is taken from the public laws that
21 were established. And the language is actually
22 specifically from Title 7 of the Federal Code. Those
23 students who are determined to be LEP, according to
24 this definition, may, at the discretion of the local
25 district, be exempt from participating in the Oklahoma

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1 school testing program, provided the following
2 conditions have been met.

3 Number one -- LEP students may be only
4 exempted during their first three years of enrollment
5 in Oklahoma schools. Two -- for every LEP student
6 exempted, the local district shall have on file
7 verification that the student is receiving special
8 instruction designed for a specific purpose of
9 improving the LEP student's English proficiency.

10 Oklahoma attorney general's opinion from
11 October 2 of 1975 states that all federally-assisted
12 school districts in Oklahoma are under affirmative
13 duty to make remedial efforts by providing bilingual
14 classes or otherwise as necessary to meet the needs of
15 pupils who enter school unable to speak and understand
16 the English language.

17 This duty has been determined under a
18 Supreme Court case, Lau versus Nickels [phonetic], and
19 is required by federal law. Number three -- the local
20 school district shall have on file record of having
21 notified the LEP student's parents or legal guardian
22 of the Oklahoma school testing program and giving the
23 parents or legal guardians the option of requesting
24 that their child be exempted from participating.

25 This policy was, at the time of this

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1 adoption, and still is generally reflected of similar
2 assessment procedures adopted by most states across
3 the nation. At least 40 states, at the time, had
4 similar language and exemption stipulations.

5 There was some concern that a three-year
6 exemption would still not be enough time for students
7 to make adequate progress in English language
8 proficiency, including reading and writing, to be able
9 to be adequately assessed for subject matter using
10 English as the medium for the test.

11 This fear is based on research findings
12 that, while for children, it only takes one to two
13 years to develop basic interpersonal communication
14 skills in a second year, it may take up to five to ten
15 years to develop the cognitive academic language
16 proficiency equivalent of their English-speaking
17 peers.

18 Advocates were not necessarily suggesting
19 exemptions be expended for that long, but that perhaps
20 three years would not be enough time for all students.
21 The problems associated with using a standardized
22 achievement test normed on English-speaking students
23 include the following concerns.

24 These tests grossly and unfairly
25 underestimate the LEP student's cognitive functioning

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1 and achievement in content areas. A non-English
2 proficient limited English proficient student will
3 receive a low score on these tests, not because they
4 do not know some of the concepts or information on the
5 test, but because they do not understand the language
6 of the test and test instructions.

7 The test about science concepts should
8 measure science concepts. For any P -- LEP students,
9 it measures the student's ability to read the question
10 in English. This process can be a very humiliating,
11 painful and demoralizing situation for the student
12 resulting in low self esteem and possibly lowered
13 self-expectations.

14 Number two -- using these types of tests
15 unfairly underestimates a student's progress from one
16 year to the next. Typically, LEP students assessed in
17 English are 25 to 30 percentile ranks behind their
18 English-speaking peers, constituting about two-and-a-
19 half to three grade levels.

20 In order to close this achievement gap as
21 measured by the English instruments, LEP students must
22 out-perform their English-speaking peers in progress
23 over the course of several years. The LEP student who
24 enters schools three years behind in English when
25 measured through these tests must make 15 years of

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1 progress -- the normal 12 years of progress plus three
2 years of catch-up achievement during the 12 years of
3 schooling, whereas English-speaking students are
4 making 12 years' progress in 12 years of schooling.

5 The test scores for LEP students from one
6 year to the next shows students making a year's worth
7 of progress as measured by a test, but those results
8 would still be way behind their English-speaking
9 peers. Teachers, on the basis of this, may actually
10 lower their estimation and expectations for LEP
11 students because of these low scores and thus not
12 provide the same challenging content area instruction
13 to LEP students.

14 Achievement tests are often used as high
15 stakes decision-making guides. High stakes refers to
16 the practice of using test results for purposes such
17 as grade level retention or advancement, high school
18 graduation or placement in or the type of education
19 program a student should receive.

20 Using the test results for making high
21 stakes assessments of the quality or the performance
22 of the school district or a state in general puts
23 additional undue pressure on students, teachers and
24 administrators. The consequences of these concerns
25 may be a resulting educational damage to the LEP

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1 students morale and self-concept.

2 It may also result in teacher resentment
3 or callousness or, at best, hopelessness in regard to
4 ever effectively or adequately teaching LEP students.
5 However, on the other hand, the exemptions as
6 specified by the state policy were never intended to
7 release teachers and schools of any accountability for
8 providing English language development, as well as
9 access to the full curriculum.

10 Any practice of exemption which does not
11 also specify alternative ways of achieving language
12 acquisition and access to the content or full
13 curriculum and identifying ways of monitoring the
14 progress toward those levels of English language peers
15 runs the risk of being vulnerable to abuse.

16 Schools that are sensitive -- overly
17 sensitive about being labeled at risk for under-
18 achievement or low achievement may actually encourage
19 parents to sign waivers when they are not warranted if
20 they believe that students will not perform at norms.

21 Another indication of misuse or abuse is
22 when students are not being given the opportunity to
23 see how well they are progressing in relationship to
24 their English-speaking peers, because ultimately,
25 their success in our society will be determined by

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1 their ability to perform and compete with English-
2 speaking peers.

3 And there is some benefit to giving these
4 types of tests for students that are beginning to make
5 progress, probably not in the early stages of no
6 English proficiency, but as they begin to acquire more
7 and more English proficiency, they still may be
8 identified as limited English proficient and may not
9 be achieving at the norms of their English-speaking
10 peers.

11 But they could -- there could be some
12 benefit for the teachers and educational planners and
13 for parents to gauge how quickly they are approaching
14 those norms. So there are some advantages to giving
15 them the test. And when the schools are reluctant to
16 give them the test because those figures, then, would
17 be counted against them if they are not achieving at
18 the norm levels for the rest of the school, they are
19 not being held accountable, often, for the kind of
20 educational programming they can offer the student.

21 My understanding is that in the funding
22 formula for the schools offered by the State
23 Department of Education, there is an accommodation for
24 schools to receive more money based on the amount
25 of -- or the number of non-English or limited English-

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1 speaking students that are reported to the state.

2 And there is no tracking of that -- those
3 funds through the school district to see how the money
4 is actually being used. I don't have specific
5 examples or can cite you any empirical data related to
6 how the school district is using those monies, because
7 nobody keeps track of it.

8 But on the one hand, there is potential
9 for taking the money, reporting the students, taking
10 the money, requiring the exemptions and not using the
11 money on services for the children, because there's no
12 tracking or accountability in place. My
13 recommendations to anybody who wants to know would be
14 that exemptions still be allowed -- that, in fact,
15 they be provided and encouraged for students that are
16 in greatest need -- educational needs of those
17 exemptions so that the damage would not be done.

18 You don't throw out abused policies
19 because they are being abused. You find ways of
20 monitoring the abuses and controlling for it. So I
21 would recommend that there be some type of tracking
22 and some alternative types of assessment that be going
23 on with students that are given the exemptions so that
24 progress towards not only the English language
25 proficiency, but progress towards achieving the

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1 content area and the curriculum objectives for their
2 grade level peers would be in place.

3 And students and teachers would know that
4 they had accountability. And parents would know that
5 they had accountability. I don't know if I have just
6 muddied up the whole discussion here or if I've made
7 any sense at all, but I would be glad to answer any
8 questions if I know the answers.

9 MS. RAMIREZ-HELTON: I would like to find
10 out if it would be feasible for us to have a copy of
11 what you have read there for us.

12 DR. HAULMAN: I've already been asked
13 that. And trust me, my spelling and penmanship are
14 not much better than my high school student son. And
15 that's bad. I would be glad to, but I need to make
16 sure -- as I was reading this, I thought, Oh, it's
17 worse than I even thought. My fingers don't know how
18 to type -- spell.

19 But yes. I would be glad to give this to
20 you. And some of the legal language is directly from
21 state policies, and I'm not sure whether you had heard
22 that already read into your records or not.

23 MS. RAMIREZ-HELTON: I have not. I would
24 like to have a copy of that, please.

25 DR. HAULMAN: Okay. I would be glad to

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1 leave that with you.

2 MR. HERNANDEZ: Dr. Haulman?

3 DR. HAULMAN: Uh-huh.

4 MR. HERNANDEZ: You talked about the
5 different funding for the limited English-speaking and
6 it not being monitored and that -- also about the
7 bilingual education or -- the one thing that I'm
8 trying to connect in terms of this information and
9 some of the previous information that you gave me in
10 our conversation, we had a previous speaker that spoke
11 about the dropout situation and how that's caused by
12 low self-esteem and things of this nature.

13 What can you tell us about the difference
14 in terms of how the limited English proficient
15 student -- the education that he's receiving -- he or
16 she is receiving or not receiving and how that -- and
17 how the attitude of the teacher makes a difference and
18 how the attitude of a building administrator -- the
19 principal makes a difference in terms of two schools
20 that are in the same neighborhood?

21 In other words, like, for instance,
22 there's one school in south Oklahoma City that says --
23 where I heard one parent say that the moment their two
24 children was transferred to the elementary in the
25 same -- almost the same neighborhood that the grades

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1 improved tremendously and it made a difference.

2 And this had to do a little bit with an
3 exempted student, but certainly it made a difference
4 in terms of that environment and I guess maybe teacher
5 attitudes that you mentioned.

6 DR. HAULMAN: So you're saying that in one
7 school, they had -- they were exempted from the
8 testing and in another school, they were not?

9 MR. HERNANDEZ: No. Okay. What I'm
10 saying is that they had different experiences with
11 five different children.

12 DR. HAULMAN: I see.

13 MR. HERNANDEZ: And -- but two that were
14 transferred from one elementary to another, it made a
15 difference. And I'm not exactly sure if they were the
16 ones that were exempted or not. But certainly, the
17 grades improved the minute they were transferred to an
18 elementary school in the same --

19 DR. HAULMAN: The same area --
20 neighborhood.

21 MR. HERNANDEZ: -- relatively the same
22 neighborhood.

23 DR. HAULMAN: One of the classes that I
24 teach at the university is parent community relations,
25 so I think I can address this, because one of the

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1 things that I teach all of my students is that a
2 critical factor in any outreach or involvement-type of
3 program with parents is highly dependent upon the
4 environment that is established at the building
5 principal level.

6 It, of course, takes a lot of commitment
7 on the part of teachers and all of the other school-
8 related personnel that are in the building. But a lot
9 of that atmosphere is -- the tone for that atmosphere
10 is established by a principal. So there are a lot of
11 principals that I have heard say that they believe in
12 parental involvement

13 And they go through the motions of
14 indicating that they believe in parental involvement
15 by sending out, you know, overwhelming amounts of
16 letters and correspondence to parents. But when it
17 actually comes time to inviting parents into the
18 classroom and inviting parents and providing
19 translation services, if that's what's needed, and
20 having an atmosphere that shows an acceptability and
21 respect for cultural diversity -- and sometimes the
22 differences are very subtle.

23 It's not how the principal relates
24 directly to the parents, because that may always be
25 very cordial and polite. It's how the principal then

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1 relates to the teachers and conveys to the teacher
2 their responsibility for encouraging involvement, as
3 opposed to encouraging parents to, you know, stay out
4 of it and only come to school when there's a crisis or
5 a problem with discipline.

6 When the -- when you see report after
7 report after report that encourages and shows one of
8 the critical factors for students' success -- those
9 students that are most at risk -- being parental
10 involvement, they don't mean parents that come to
11 school only when there is a crisis. They mean parents
12 that are involved all along the way.

13 And the principal makes a big difference
14 in making sure that teachers will be supported when
15 they establish those efforts. They will make their
16 classrooms and their hallways accessible and they will
17 provide for enough types of programs that would
18 encourage parents to be involved not only as
19 spectators, you know, to come to school and watch
20 their kids in plays, but to be in the classroom an
21 effective part of the educational process and
22 understand the development of their children in
23 relationship to the other children.

24 I -- is that kind of what you were getting
25 at?

1 MR. HERNANDEZ: Yes.

2 DR. HAULMAN: The principal is an
3 important factor. And, of course, individual teachers
4 are very important, too. But individual teachers who
5 may be very committed may not be able to do anything
6 if their principal is not supportive of it. And I'm
7 not pointing to any specific schools, because I -- we
8 do go all over the state as we cover our student
9 teaching and entry year commitments. So --

10 MR. HERNANDEZ: And in any school district
11 and any school building, is it school principal that
12 makes the decision whether a student -- a limited
13 English proficient student takes the achievement test
14 or not? Or how does that happen in terms of --

15 DR. HAULMAN: Okay. It is not ever
16 supposed to be the building principal's decision
17 whether parents -- whether children are exempted from
18 the test. It is clearly, as specified by the law, the
19 responsibility of the parent and the prerogative of
20 the parent to sign a waiver or not. It is the
21 responsibility of the principal to inform the parents
22 of this option.

23 But there are ways of informing that make
24 it sound like a regulation, and I'm sure that some
25 principals that see their test scores and maybe their

1 jobs on the line as being, you know, compelled to
2 present it to parents in a way that makes it sound
3 like, You really have to sign this waiver, although
4 they do not have to.

5 Now, one of the other things that you
6 can't say across the board that all principals have
7 the same power and authority from district to
8 district, because some districts have relatively
9 different amounts of centralized government, as -- if
10 you want to call it that -- control, as opposed to
11 site-based management.

12 And at some schools, the principals would
13 have more authority and power on how the regulations
14 would play out in their schools than they would in
15 other districts. And I can't be specific about school
16 districts there, either, because I'm not really that
17 well-informed.

18 MS. MORALES: I'd like to ask about
19 students who have a formal education in their native
20 language. Wouldn't there be an advantage in testing
21 them in their -- the -- you know, administering the
22 skills test in their native language? And I'm
23 thinking that probably the only prohibition is the
24 cost of buying two -- the tests in the different
25 language. But I'd like to hear your opinion on that.

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1 DR. HAULMAN: Yes. That would be true.
2 Students who come to us educated in -- through their
3 native language, if you really want to see how they
4 understand the curriculum and are progressing in the
5 content areas, then you would want to assess them in
6 an instrument that was, perhaps, equivalent that was
7 developed in their native language.

8 The problem as I see it is the
9 availability of tests that are actually equivalent to
10 the test you have chosen, which is, in this case, the
11 Iowa. The Iowa test, as far as I know, has not been
12 translated into Spanish. Although, there are other
13 commercially-available standardized achievement tests
14 that are in English and Spanish.

15 But even when you look at Spanish -- I
16 remember, you know, maybe it was 100 years ago when I
17 was a travelling bilingual teacher, and we looked --
18 we were concerned about this issue and we looked at
19 finding -- trying to find achievement tests that
20 looked at the content area that were in Spanish so
21 that we could assess the students we were working
22 with.

23 And the only place we could really find
24 some tests, then, at that time, were tests that were
25 normed in Mexico, tests that were normed in Spain and

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1 tests that were normed in, you know, Puerto Rico. And
2 there are different varieties of language and
3 different ways of breaking up the curriculum so
4 that --

5 MS. MORALES: Okay.

6 DR. HAULMAN: -- what would end up on one
7 test would not always be appropriate, because they
8 weren't normed on the same group of kids. That, at
9 least, was better than giving them an achievement test
10 in English, however. And that also required that they
11 have had some formal education in their native
12 language.

13 And if they hadn't -- if they had been --
14 if they were in the third grade and they had been the
15 Oklahoma City schools from -- and this was, like, 20
16 years ago -- from, you know, kindergarten through
17 third grade and they were still Spanish-dominant, it
18 would be silly to test them in Spanish at that point,
19 because they've never developed any literacy or had
20 any exposure, unless they got it at home, to the
21 Spanish language.

22 So, you know, their background is
23 important. One of the other flies in this ointment,
24 though, is the fact that you also have Cambodians,
25 Vietnamese and Laotian.

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1 MS. MORALES: Yes.

2 DR. HAULMAN: And standardized tests that
3 are equivalent are hard enough to find in Spanish,
4 although in the last 20 years, there has been some
5 remarkable progress in that field in Spanish and
6 across the nation. But in the other language groups,
7 it is still very difficult.

8 MR. JENKINS: Just let me follow-up on
9 that in terms of self-esteem of limited English
10 students. When you talk in terms of Cambodians,
11 Hispanic students and all the language minorities --

12 DR. HAULMAN: Uh-huh.

13 MR. JENKINS: -- one of the things we
14 constantly look at is down the line when they enter
15 high school and there is still a certain amount of
16 peer pressure --

17 DR. HAULMAN: Uh-huh.

18 MR. JENKINS: -- concerning a language
19 barrier. Also, that travels over into content
20 barriers -- whether or not they understand the math or
21 sciences or what have you.

22 DR. HAULMAN: Uh-huh.

23 MR. JENKINS: If states were to invest a
24 certain amount of money in the beginning -- in the
25 third grade level where you're testing for the Iowa

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1 basic skills -- to have standardized tests in their
2 language, what would that do to their self-esteem if
3 they could be tested?

4 If they were to come up and say they were
5 tested at the same levels, albeit not in the English
6 level, as a student who is proficient in English, what
7 would that do to that student's self-esteem as he or
8 she travels through the grades and reaches high school
9 and then suddenly realizing their full potential?

10 DR. HAULMAN: Well, of course, a lot of
11 things can happen in between third grade and high
12 school. And I think some of the things that you are
13 alluding to are what I'm referring to, but -- like
14 peer group pressure. And general perceived status in
15 society is another element there.

16 But I would think, as a classroom
17 teacher -- a former classroom teacher, that a student
18 that feels validated that his academic and his
19 intellectual skills are being awarded and
20 acknowledged, even if language -- even if the
21 classroom instruction is still not provided through
22 his native language, but he still feels like he's
23 making progress academically --

24 MR. JENKINS: Uh-huh.

25 DR. HAULMAN: -- that that would have a

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1 powerful impact on his willingness to persist in
2 school and continue working towards English
3 achievement. I would not advocate that students be
4 segregated and provided only native language
5 instruction all through their public schooling. That
6 would not help them.

7 It would -- at least not help them to make
8 the transition into the American society and the work
9 force. But unless it was balanced bilingualism that
10 we were working on, then that would be wonderful if we
11 could all end up being after high school balanced
12 bilinguals where we were equally --

13 MR. JENKINS: Uh-huh. Uh-huh.

14 DR. HAULMAN: -- proficient in two
15 languages across the board in literacy and all content
16 areas. But I don't think that's going to happen in
17 the near future in Oklahoma. And going back, then, to
18 just the impact that being assessed in a language that
19 you know -- I mean, I could give you a test that I
20 could develop written in a language that I made up and
21 you, as adults, wouldn't sit and take it.

22 You would walk out on me and say, Oh, sit
23 down. You know, we don't need to hear this. Because
24 it's just dead time to you and that dead time becomes
25 offensive to you. But if you thought that I was going

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1 to be teaching you this language and that, at the same
2 time, I validated the basic intellect and basic
3 cognitive functioning that you already had and we're
4 going to build on that, but we're going to use your
5 native language to do it while you're in the process
6 of learning this other language, then I would think
7 that students would understand that the progress and
8 the time amount it takes is long and that it's
9 accepted that the teachers know it's long and it's
10 going to take some time.

11 But I'm making progress and I'm going to
12 stick it out.

13 MR. JENKINS: What is its -- translate
14 this in dealing with the push-out and dropout rate for
15 limited English-speaking proficient students when they
16 cannot understand and when they do not understand and
17 when the administration is not sensitive to their
18 needs. What does that -- how does that translate into
19 push-out and dropouts?

20 DR. HAULMAN: Well, I don't have specific
21 statistics for you. But I know one of the things that
22 you often hear when you hear bilingual education being
23 under fire like in states like California, you hear
24 that all this money that the United States has put
25 into bilingual education after all these years, we

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1 still have one of the highest dropout rates among our
2 limited English proficient. And why is it? Because
3 it's failed.

4 Well, the truth of the matter is is that
5 good quality bilingual instruction has never been
6 offered to everybody anyway.

7 MS. RAMIREZ-HELTON: Huh-uh.

8 DR. HAULMAN: And those high dropout rates
9 are still occurring among the students that are not
10 receiving quality education. Students that -- this is
11 one thing that the research has found -- that students
12 that are receiving native language support longer,
13 even if they are in the mainstream classes where all
14 the instruction is English but they receive native
15 language support and there is still communication in
16 the native language of the home with parent, then kids
17 are persisting in their education longer.

18 Parents are staying involved in -- longer
19 in education. You know, most parent involvement drops
20 out considerably after elementary school anyway. But
21 parents will drop out after the first two years if
22 there's nobody to talk to at school. If the teacher
23 doesn't speak their language and there's nobody there
24 to transfer, the parents will withdraw immediately.

25 And when you compound that with the fact

1 that many of our limited English-proficient parents
2 are coming with a different kind of cultural
3 expectation to the school, they're not as likely to
4 challenge authority or to assert that their children's
5 rights are not being met -- or needs are not being
6 met, because from different cultural perspectives,
7 teachers are held in higher esteem than they are in
8 our society, unfortunately.

9 And so -- but the offshoot of that is that
10 parents often will not challenge, even if there is
11 someone there to translate, because culturally, they
12 have a different perspective.

13 That's going back to your question,
14 actually, that it's so critical that the teachers make
15 an effort to encourage and involve parents and show
16 them how they can be involved both at the classroom
17 level and at the building level so that they not only
18 understand their rights as parents, but they
19 understand how they can enrich their children's
20 experiences at home.

21 Because when that bond is strong between
22 the home and the school and the child, the children
23 will persist in school longer. Other research -- and
24 I know I'm rambling now, but --

25 MR. JENKINS: No.

1 MS. MORALES: No.

2 DR. HAULMAN: -- there is another research
3 that I have read recently, and I don't have it with
4 me, but -- that students -- that limited English
5 proficient students -- or that had once been limited
6 English proficient studies -- Hispanic students that
7 are dropping out in the high school level, like at the
8 tenth grade or the eleventh grade -- that when you go
9 out and you identify them and you interview them, the
10 number one dropout reason if they've had bilingual
11 education is usually economics.

12 It is not because of dissatisfaction or
13 problems with the school or peer group. So there --
14 you know, there are a lot of problems here that
15 schools alone are not going to solve. And we can be
16 part of the solution, but schools can't change
17 automatically the socio-economic level of the school
18 environment.

19 MR. JENKINS: Given your expertise in this
20 area, how responsive are the school districts
21 Oklahoma, particularly on Oklahoma City and Tulsa, to
22 your concerns -- to the concerns raised by the panel.

23 DR. HAULMAN: Okay. Well, it depends on
24 who you're talking to. I have not had much experience
25 with Tulsa, actually. I mean, I know some of the

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1 people that teach ESL in -- and bilingual programs up
2 in that area. I have had a lot more experience with
3 the Oklahoma City public schools and the metropolitan
4 areas.

5 MR. JENKINS: Share any with us.

6 DR. HAULMAN: And it depends on what year
7 you're talking about and what school building you're
8 talking about. The -- because policies change. You
9 know, if you were to ask me this question about ten
10 years ago, I would have had a different answer. I
11 think that efforts are being made at the Oklahoma City
12 district level to try and change the image of not
13 serving their limited English proficient students.

14 And part of that, I think, is response to
15 fact that the demographics of Oklahoma City are
16 changing. They're getting a little more wise in the
17 way they perceive their responsibility to the limited
18 English proficient population. But then they still
19 have, I believe -- now, you can correct me if I'm
20 wrong -- I believe that the Oklahoma City does have
21 site-based management policies. Is that correct?

22 So the principals had a lot more authority
23 for decision-making. So in that instance, it really
24 depends on where you're going from one school building
25 to another. There are some really wonderful bilingual

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1 education programs that are two-way bilingual programs
2 that are being experimented with at Oklahoma City
3 starting last year and this year where they're taking
4 English-speaking kids and Spanish-speaking kids and
5 putting them in kindergarten and all their instruction
6 is in Spanish.

7 So the Spanish-speaking kids are learning
8 to have -- they're going to have -- well, their
9 language is validated. Their language and their
10 culture is validated, because they have majority
11 language children wanting to learn their language.

12 And they also have good peer relationships
13 so that they're having role models among their peers
14 that speak the target language. So it's going to be
15 a two-way bilingual program. Watch this one, because
16 I hope it will be replicated. I hope it will become
17 a model that won't seem too expensive or threatening
18 to English-speaking teachers, because it really does
19 require that you have a total school-wide commitment
20 and a district commitment.

21 So you -- like I said, it really depends
22 on where you're going. There are some schools that
23 are very, very supportive of their community. They
24 reach out and they really want to. And there are some
25 instances where I have heard that that is less than

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1 true.

2 MR. JENKINS: Okay. Thank you, Pamela
3 [sic].

4 DR. HAULMAN: Uh-huh.

5 MS. MORALES: Two points -- first of all,
6 I'm glad that you're -- all of our presenters so far
7 have brought up teacher attitude and how that affects
8 the student and the parents involvement. I appreciate
9 that. I want to -- personally, I'm having trouble
10 relating to some of the things that you said about
11 self-esteem and other issues.

12 And I -- let me give you a little -- my
13 home language was Spanish only. And, you know, I'm so
14 old, they didn't have kindergarten when I started
15 school and they probably didn't have statistics
16 either. But --

17 DR. HAULMAN: They've always had
18 statistics.

19 DR. HAULMAN: Well, I wasn't counted in on
20 it. My siblings and I were the only Hispanics in the
21 school that we attended.

22 I -- we went in -- you know, it was all
23 English only. And all of us had been B students or
24 better. And so I'm not relating to what you're
25 saying.

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1 DR. HAULMAN: Okay. Well, I think that
2 the -- one critical factor in what you just described
3 to me was the fact that you were the exceptions to the
4 norms there. You were probably accepted by your
5 classroom teacher.

6 You were -- there are two ways that groups
7 and peer groups can react to students that come in
8 that are really different, and one is to be intrigued
9 and enthused and in love with the differences and
10 accepting and one is to be completely rejecting.

11 And it really depends -- and that's why
12 the teacher's response is critically important in how
13 this happens, because teachers can influence whether
14 kids are accepted into the mainstream and facilitate
15 their making friends and validating their culture and
16 respecting it and respecting their language.

17 The teacher can make a big difference
18 in -- when that happens when there are one or two
19 students that move into your school district. And
20 your experiences are really not that unique. Another
21 thing that I want to bring out is that there -- I
22 don't know your socio-economic background.

23 But where there are large segments of the
24 population of low socio-economic background
25 representing predominantly that language minority

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1 population, you have a different socio-political
2 environment for kids that come to school. And it sets
3 up different attitudes on the parts of the English-
4 dominant children and the teachers. And that's
5 another factor.

6 But another thing that I would ask you to
7 think about is that while you can go to school and be
8 totally immersed in a sink or swim and still be quite
9 successful, for the vast majority of children, that is
10 not the case. And I know friends -- I mean, that's
11 one of the problems of having anecdotal information
12 like that and basing policy on it is that I have
13 friends that have experienced the same thing and been
14 quite successful.

15 And, in fact, many leaders of the English
16 movement -- the English-only movement will say, you
17 know, Well, I managed and nobody helped me. The
18 problem with that kind of anecdotal information is
19 that, yes, a few make it. But our public education
20 system is not predicated on the assumption that the
21 best and the brightest and above average should get a
22 good quality education.

23 All children should get a good quality
24 education and it should be equitable. And so even
25 children who come to school hungry or with a lot of

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1 challenges from their home life and their socio-
2 economic background should still be provided with an
3 equitably high educational opportunity.

4 And sometimes if their language needs are
5 not being met, they are not being provided that
6 opportunity. And the last thing I want to say is that
7 you were probably gifted to be able to do that.

8 MS. MORALES: Goes without saying.

9 DR. HAULMAN: To be able to do that and
10 achieve the levels of success that you have without
11 any assistance other than a strong family commitment,
12 a strong family background and a teacher that cared
13 means that you probably were well above average. And
14 not all kids are above average.

15 MS. RAMIREZ-HELTON: Well, the thing of it
16 also is that -- I don't know the situation of her
17 parents, but my parents, even though my father was a
18 common laborer, we always had access to books --

19 DR. HAULMAN: Uh-huh.

20 MS. RAMIREZ-HELTON: -- or to newspapers.

21 MS. MORALES: Well, that's true.

22 DR. HAULMAN: Uh-huh.

23 MS. MORALES: We did.

24 MS. RAMIREZ-HELTON: And I always saw my
25 parents reading and then they would tell us what they

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1 had read. My mother was a type that when I --

2 DR. HAULMAN: Uh-huh.

3 MS. RAMIREZ-HELTON: -- came home from
4 school, since I was the first one in that school that
5 was a Mexican --

6 DR. HAULMAN: Uh-huh.

7 MS. RAMIREZ-HELTON: There were only three
8 Mexican families in our town of Sand Springs. She
9 would say, What did Sister teach -- the nun -- meaning
10 the nun --

11 DR. HAULMAN: Uh-huh.

12 MS. RAMIREZ-HELTON: -- what did she teach
13 today?

14 DR. HAULMAN: Uh-huh.

15 MS. RAMIREZ-HELTON: And then she'd say,
16 Tell me what she taught you. How do you pronounce
17 that?

18 DR. HAULMAN: And see --

19 MS. RAMIREZ-HELTON: As a consequence --

20 DR. HAULMAN: Yes.

21 MS. RAMIREZ-HELTON: -- she learned
22 English from us.

23 DR. HAULMAN: That is the kind of parental
24 involvement that sends a message loud and clear to
25 children that, Hey, this is important. My parents

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1 care. It doesn't mean always being in the classroom
2 and baking the cookies and attending the -- all the
3 activities. I mean, there are many different levels
4 of parental involvement.

5 And parents who are not familiar with this
6 type of parental involvement and the role that they
7 play in preparing their children for school can be
8 taught that. And that's why the teacher is invaluable
9 in the process, because the teacher can teach them
10 that. You know, they can say, Go home and read to
11 your child, even if you don't read well.

12 You don't have to read English to them.
13 Let them see you reading something. In fact, just let
14 them see you reading something, because then they will
15 get the message that reading is something that
16 important information -- that people do to share
17 important information and to acquire knowledge and an
18 understanding of their world.

19 So reading is an important thing that --
20 and just --

21 MR. JENKINS: That's true.

22 DR. HAULMAN: Even if parents can't read,
23 then they can be encouraged to ask the questions that
24 you -- your mother asked you, because that shows
25 commitment and involvement at home in a very personal

1 level. And that's the kind of thing that teachers and
2 principals can encourage parents to do at the building
3 level, even if the parents won't come up to school and
4 tutor.

5 MS. RAMIREZ-HELTON: I will say this --
6 that some of the teachers that we have in Tulsa -- I'm
7 from Tulsa, and we have --

8 DR. HAULMAN: Uh-huh.

9 MS. RAMIREZ-HELTON: -- just recently
10 finished a task force investigation of what to -- what
11 was being allocated for our Hispanic students. And
12 some of the teachers that we found were the type that
13 would send a message home in Spanish, but they never
14 knew if the parent knew how to read or write.

15 DR. HAULMAN: Uh-huh. Exactly.

16 MS. RAMIREZ-HELTON: And so, therefore,
17 what we're trying to get across to them is follow up
18 on it.

19 DR. HAULMAN: Uh-huh.

20 MS. RAMIREZ-HELTON: Because -- don't say
21 that parent doesn't want to be involved.

22 DR. HAULMAN: Uh-huh.

23 MS. RAMIREZ-HELTON: Because nine times
24 out of ten, a lot of them do want to come to the
25 school and help.

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1 DR. HAULMAN: It just has to be made
2 accessible --

3 MS. RAMIREZ-HELTON: Right. Uh-huh.

4 DR. HAULMAN: -- to them. And accessible
5 means more than just leaving the door open.

6 MS. RAMIREZ-HELTON: Right.

7 DR. HAULMAN: It means showing them where
8 the path is and how to get on it.

9 CHAIRPERSON HUDSON: Do we have any
10 questions for Dr. Haulman?

11 MR. HERNANDEZ: No. I don't.

12 CHAIRPERSON HUDSON: Okay. Any more
13 questions?

14 DR. HAULMAN: Thank you.

15 CHAIRPERSON HUDSON: Okay. Thank you very
16 much.

17 MS. MORALES: Thank you.

18 MS. RAMIREZ-HELTON: Thank you.

19 CHAIRPERSON HUDSON: Amy Nazario. Let's
20 see. Amy Nazario. Mrs. Nazario is a parent and her
21 son attended the Oklahoma City public schools. She
22 has a bachelor's in social work from Northwest
23 Oklahoma State University. And while working for the
24 Latino Community Development Agency, she kept in touch
25 with the Latino Leadership Club she organized in the

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1 school district.

2 And she'll share her observations with the
3 Committee. Oh, yes. The microphone -- it doesn't
4 broadcast to everybody. It's for the court reporter.

5 MS. NAZARIO: Okay. Good morning.

6 CHAIRPERSON HUDSON: Good morning.

7 MR. HERNANDEZ: Morning.

8 MS. NAZARIO: My name is Amy Nazario, as
9 she stated before, and I come in front of you as a
10 parent and also as an advocate for Hispanic children
11 in the community. My experience as a parent in
12 Oklahoma City schools unfortunately was negative due
13 to the fact that I felt that my child didn't get all
14 the opportunities that she -- that he should have
15 gotten.

16 One of the observations that I had was
17 that, for example, my last name is Nazario. My
18 child's last name is Younger. But I was the person
19 always taking him to school and the person going to
20 all the PTA meetings and the person involved, you
21 know, directly in his school life. And for that
22 reason, because I'm Hispanic and because I have an
23 accent, people assumed that my child had bilingual
24 problems -- problems with the language, I may say.

25 My child speaks English. He does not

1 speak Spanish. It's unfortunate. I always speak to
2 him in Spanish, but he responds in English. The
3 exposure is there, but I guess there's not enough
4 input. So his first language is English. It's not
5 Spanish. He doesn't have an accent. And every time
6 that I went to the open house, and this was mainly in
7 elementary schools, I was always given a waiver to
8 waive the Iowa test.

9 I asked why. And they said, Well, you
10 know, he comes from a household where they speak
11 Spanish and, therefore, he will have problems doing
12 this test. Now, this is in the beginning of the year.
13 This is September. Okay? And the Iowa test is in
14 April. And to me, it was very strange that a teacher
15 would tell me that my son will not pass a test in the
16 spring.

17 And I would tell her, Well, it is up to
18 you for him to pass that test, because you have the
19 responsibility to review and teach him what is going
20 to be in the Iowa test. And they usually said, Well,
21 we know that he's not going to pass. And we -- giving
22 you this waiver, this is to help your son. Because if
23 he doesn't score what he needs to score in the test,
24 we're going to have to retain him.

25 And my answer to that is, You're talking

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1 to a very educated woman who is an advocate for
2 education. And I know this is a measuring tool, not
3 a punitive tool. So what it's supposed to tell you is
4 where he's at -- what level -- not to flunk him. And
5 I will make sure that my son reads and studies what he
6 has to do. You make sure you test him.

7 And I always -- I never did sign the
8 waiver. But every year as I went to those open
9 houses, a waiver was given to me to waive, you know,
10 my son. My second experience about the Iowa test was
11 when I used to work in the middle school -- in Jackson
12 Middle School -- and I am the founder and creator of
13 the Latino Leadership Club program.

14 One early spring morning, I was talking to
15 my students about why I was not going to come next
16 week. And I clearly stated that I cannot come next
17 week to hold the session because it was Iowa test
18 week. And at that week, there is no activities in the
19 schools. Kids are taking the Iowa test.

20 The kids responded to me. And these were
21 Hispanic kids that were mainly Spanish speakers. They
22 responded that that was not going to be with them.
23 And I said, What do you mean? And they said, Well,
24 you know, we're not going to take the Iowa test. You
25 can go to a field trip with us. We're going to a zoo.

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1 And I said, What are you doing at the zoo
2 in the morning when you're supposed to be testing for
3 the Iowa test? They said, Well, you know, our parents
4 signed the waiver. And I said, Why did they sign the
5 waiver? Well, because they handed it to them. And my
6 question was, again, Why you don't want to take the
7 Iowa test?

8 They said, Oh, no. It's not that we don't
9 want to take the Iowa test. It's that they feel that
10 we're going to score so low that we're going to make
11 the school look real bad. They think we're dumb.
12 That brought tears to my eyes. I did not show it in
13 front of the kids. But driving back to the office, I
14 had a conversation with the director of a Latino
15 agency and I expressed to her what I had found.

16 I had said, It is terrible that my kids in
17 that school have to tell me that people think that
18 they are dumb. That is a very serious situation when
19 children are raised to believe that you're dumb and
20 that you -- because you have a second language or
21 because you speak -- your primary language is not
22 English, that means that you're not going to be able
23 to score.

24 It might be that some of those kids would
25 not have. But the purpose of the educators is to

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1 motivate that child and build him up thinking that he
2 can do it, that he can achieve and that he can learn.
3 A second negative experience that I had -- and I am a
4 social worker, so you need to understand that I am
5 into human behavior.

6 And I am into behavior management. And I
7 am into behavior modification. But we need to also
8 remember that children are children, regardless of
9 race or where they come from or what economic
10 background they come from and that we need to try to
11 encourage them in a positive manner for them to
12 achieve and improve.

13 I was very disillusioned with the
14 discipline system. It was a lot easier for people to
15 suspend kids and send them home. These kids will miss
16 more than ten days in that semester. They were
17 suspended more than once. Usually, the suspensions
18 were for three days, sometimes for a week, sometimes
19 for a whole semester.

20 And many times, the kid had a bad rep and
21 they couldn't even get in another school on time to be
22 able to complete their educational goals. Now, what
23 I'm talking about is the following. Kids were
24 disrespected and there was no consequences for the
25 adults doing this. I work for the Department of Human

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1 Services and I work for the Latino Agency.

2 And I know that if I disrespect a child,
3 I will have a serious, serious session with a
4 supervisor about this. And I probably will have to go
5 back and apologize to that kid and make it up. I'll
6 give you an example. One time, my kid was leaning
7 against a wall. And the comment of the educator was,
8 Get off the wall. I don't want it full of grease.

9 My child responded, Are you calling me a
10 grease head? They said -- he did not make a comment
11 about that. When he said, Are you calling me a grease
12 head and I don't appreciate that, he was sent to the
13 office. And I had to go and have a conference to try
14 to explain them why my son had made that statement.

15 But at no time in front of me or in front
16 of my son or anywhere -- and I understand, in a way,
17 that you don't want to take the authorities away from
18 the adults that are responsible for the children at
19 school time, but I'm an adult, too. And I wanted to
20 know why he was called -- why he had made -- at no
21 time, the teacher said, That's not what I mean, son.
22 Okay? And this is an important thing.

23 Another time was when another teacher of
24 the same minority group that my son is -- my son is
25 black American and Puerto Rican -- called him a boy.

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1 If -- I know that the African-American people that are
2 here knows that boy is probably the worst insult to
3 have been called a black youth, because it was a
4 derogatory name used in slavery times.

5 And the reply that my son gave was, You
6 know my name. I have been in your roster for almost
7 a year. My name is not boy. So at that time, he --
8 they send him to the office. He's been raised by me.
9 I am a person that teach my kids about respect, about
10 integrity and honesty. But I also teach them that
11 it's important to stand up for yourself when you know
12 that somebody is wrong towards you.

13 So he said -- when they sent him to the
14 office, he said, I know my rights. My mother needs to
15 be here in this conference and she needs to hear what
16 happened over here. So I was called into the office
17 again. At that time, I felt he was getting smart. So
18 I told him, You've also got the right to remain
19 silent.

20 And -- because I want him to understand
21 that respect is important and it goes both ways --that
22 not because somebody is disrespectful towards you, you
23 have to return that attitude. So that's why I told
24 him, You've got the right to remain silent. So at
25 that time, the child was sent back to the classroom

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1 and his teacher never came and apologized for using
2 the word boy.

3 What he told the teacher was right. He
4 was not supposed to call him boy. Now, we need to be
5 aware cultural-wise what things insult our children
6 the same way that Hispanic children and black children
7 need to be aware of what are things that we should not
8 say to other people of other races that are
9 derogatory. This is a mutual respect and this is
10 something that should be emphasized and should be
11 nurtured inside the school system.

12 Those are some -- the third thing that
13 hurt me the most is to see my Latino Club -- it was a
14 substance abuse prevention program. I called it
15 Latino Club, because I didn't want my kids to be
16 labeled. I didn't want them to feel labeled. I
17 wanted them to feel pride.

18 This was probably the first program that
19 was designed and implemented for Latino children. And
20 you know Latino children have been in our system
21 forever. Okay? But there was never any
22 programming -- official programming done for these
23 children. I appreciate the fact that Oklahoma City
24 public school has really welcomed the program, has
25 nurtured, and the program has developed in a great

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1 manner.

2 But I did -- we did have to create that
3 program, because when I went into the schools in 1991,
4 that spring, there was nothing there for our Latino
5 children. What I saw was a bunch of kids trying to
6 get involved in gangs because they were looking for
7 identity. They were looking for somewhere to belong.

8 And that was not present at that time.
9 And one of the things that really hurt me was to see
10 that most of my want-to-be gangsters, kids who need to
11 stay in school because they have great lagoons
12 [phonetic], and they're behind in school; they need to
13 be there -- most of them were suspended, some of them
14 for the first offense.

15 It was never a consistent thing in
16 discipline. It was -- it seems like, however, the
17 administration failed at that time. Most of these
18 kids by the end of the school year were suspended.
19 And I feel like there needed to be more parental
20 involvement, but there also needed to be different
21 methods of discipline where the kid would stay in
22 school, receive his education and at the same time,
23 develop a way where these kids were not disruptive.

24 And I know that's kind of complicated, but
25 that is our challenge. When we work with children,

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1 that is our challenge. When the kids are sent back
2 into the community, the parents are working. The kids
3 are unsupervised. The juvenile delinquency rate goes
4 up. And the kids still don't get ahead in education.

5 I saw a lot of kids in eighth grade that
6 were 15, 16 years old. That has changed. They're
7 doing a lot of social promotion. But at the time that
8 I went, that was my experience. These kids usually
9 that got suspended, they were so behind in school by
10 the second and third year in middle school, that
11 they'd drop out of school. You have to understand
12 that the Latino population -- 75 percent of that
13 nation -- in some schools, 75 percent of that drop out
14 of eighth grade. Okay?

15 Due to the Latino Club, the Latino Agency
16 involvement and others, you know, involving in the
17 community, we see more people graduating from high
18 school in Oklahoma City public schools. But at the
19 time that I went, the crews were very, very small.
20 Okay? And the kids from high school just acted more
21 like an adult than high school children.

22 What else I needed to speak to you --

23 CHAIRPERSON HUDSON: Just a couple more
24 minutes --

25 MS. NAZARIO: Yes.

1 CHAIRPERSON HUDSON: -- so we can stay on
2 time.

3 MS. NAZARIO: Do you guys have any
4 questions for me?

5 MR. TOURE: I have some questions. Go
6 ahead.

7 CHAIRPERSON HUDSON: Go ahead. Go ahead.

8 MR. TOURE: The waiver issue that you
9 mentioned, ma'am --

10 MS. NAZARIO: Yes, sir.

11 MR. TOURE: -- we have, I guess, a notice
12 in our packet. I'm not sure this is the type of thing
13 that you were talking. This -- I'm just trying to get
14 a handle on the type of information that will be
15 communicated to the parent to decide whether or not
16 they will want their child exempted from the testing.
17 Is it --

18 MS. NAZARIO: Uh-huh.

19 MR. TOURE: -- something similar to that,
20 or was it more information?

21 MS. NAZARIO: Yes. It was something
22 similar to this. I know that there was some
23 information in it. But let me tell you. It was more
24 like trying to convince me. It was not just handing
25 this to me and letting me make that decision. But it

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1 was just convincing me and convincing my child that I
2 needed to sign this because he was not going to pass.

3 And to tell you the truth, the little
4 rascal had sometimes B's and C's -- could do a lot
5 better. But when he score in the Iowa test, you'll
6 find him in a 98 percentile in science and math -- 95
7 percentile. Okay? And he went straight to gifted
8 programs for the score of the test.

9 He came home and said, Please get me out
10 of there. I don't want to do all that work. And I
11 said, Well, how did you get there? Did they make a
12 mistake? The grades don't -- you know, really don't
13 qualify you for that. He said, Mom, my test scores.
14 My test scores. Every year, he scored very high. And
15 that's what, you know, I had a problem with.

16 Obviously, the problem was not in the
17 kid's intelligence or in the ability to learn, but it
18 was in the classroom.

19 MR. TOURE: It sounds to me -- if I might
20 continue -- that the perception -- or at least you
21 felt the perception was that if there was a child that
22 appeared to have a language other than English as a
23 primary language because of their parentage that they
24 ought to be exempted from testing, regardless of
25 whether or not they had the ability or they had any

1 proficiency in English.

2 But just because of how the parent looked,
3 the school personnel said, Let's exempt this person
4 from testing. Is that your perception?

5 MS. NAZARIO: Yes, sir.

6 MS. BORREGO: Not from the prior teacher
7 they had before? I mean, that had no bearing on
8 your -- on the choices they made?

9 MS. NAZARIO: Really, it didn't.

10 MS. BORREGO: Hm.

11 MS. NAZARIO: It went on every year since
12 second grade.

13 MS. MORALES: You referred to the
14 suspensions. And you probably haven't done a study on
15 it or anything. But just your observation, do you
16 think that the suspension rate is contributing to the
17 dropout rate?

18 MS. NAZARIO: Oh, yes. Oh, yes. When you
19 get suspended for a week -- when you get suspended
20 for -- you know, and miss so much school, definitely
21 when you go back, it's a big turn off. And many of
22 our kids just don't even bother to try.

23 MS. RAMIREZ-HELTON: In other words, they
24 have no provisions of teaching the kids when they come
25 back to school for what they missed out on.

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1 MS. NAZARIO: No, ma'am. There was no
2 provision on getting them caught up.

3 MS. RAMIREZ-HELTON: No make-up?

4 MS. NAZARIO: No.

5 MS. RAMIREZ-HELTON: No make-up.

6 MS. NAZARIO: No.

7 MS. RAMIREZ-HELTON: Okay.

8 MR. TOURE: Could I ask one other
9 question? And I'm homing in on this exemption issue.
10 When the waiver was given to the parent, at least in
11 your situation, was there any discussion about the
12 role of the testing -- why testing was being done, why
13 is it important for your child or discussion about
14 whether or not a child should be tested and so forth?

15 Are you following the question I'm trying
16 to get to?

17 MS. NAZARIO: No. There was never any
18 explanation. Like I mentioned before, I was the one
19 who initiated the argument that I know that this was
20 more of a measuring tool than a punitive tool.

21 MR. TOURE: Thank you.

22 MS. MORALES: You also worked with
23 parents, didn't you --

24 MS. NAZARIO: Yes, ma'am.

25 MS. MORALES: -- Latino parents?

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1 MS. NAZARIO: Uh-huh.

2 MS. MORALES: How many of them knew to
3 respond in the way you did to the teacher or principal
4 that presented the exemption?

5 MS. NAZARIO: None.

6 MS. MORALES: None of them knew.

7 MS. NAZARIO: None of them knew. My --
8 the parents -- the area where I lived in, many were
9 parents that probably many of them had not even
10 attended school. But it is the responsibility of the
11 school system to educate these parents. And if they
12 had a problem with that, the Latino Agency was always
13 willing.

14 We were always an asset to that school
15 system and we were always willing to do all these
16 conferences in Spanish if they really wanted to
17 education our people in it.

18 CHAIRPERSON HUDSON: Thank you very much.

19 MS. MORALES: Thank you.

20 MS. NAZARIO: You're welcome.

21 CHAIRPERSON HUDSON: Is Sergio Gallegos,
22 Jr. here? Mr. Gallegos is chairperson of the Hispanic
23 Advisory Committee to the Oklahoma City Public
24 Schools. He went to school in the district, moved to
25 San Antonio, graduated from high school and came back

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1 to Oklahoma City.

2 He recently earned his bachelor of arts in
3 history. He is the oldest of eight children born to
4 Mexican parents who migrated to the United States in
5 1976. He will focus on the work of the Hispanic
6 Advisory Committee, which has set a positive five-year
7 agenda to help Superintendent Marvin Crawford and
8 school district better understand the educational
9 needs of the Hispanic community.

10 MR. GALLEGOS: Good morning. *Buenos dias.*
11 *Como estan?*

12 MS. MORALES: Bien. Gracias.

13 MS. RAMIREZ-HELTON: Bien.

14 MR. TOURE: Buenos dias.

15 MR. GALLEGOS: And I'm glad that everybody
16 pretty much understood that. It's an honor to be here
17 in front of you, the Oklahoma Advisory Committee to
18 the U.S. Commission on Civil Rights. I am a history
19 buff, and I know that civil rights movement in America
20 has done a lot for the minorities in the United
21 States, as well as for the mainstream community.

22 It's an honor to be addressing you today.
23 I'm going to just delve into this. Instead of doing
24 a presentation from the point of view of an expert
25 with all the facts and the statistics that are typical

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1 of this sort of inquiry, I'll attempt to present to
2 you the facts as they have happened to me and my
3 family and my neighbors.

4 Perhaps this approach is a bit
5 presumptuous and some may say invalid. But my intent
6 is not to present undocumented data, but rather to
7 present to you something far more profound -- the
8 Hispanic perspective on the Hispanic student's equal
9 opportunity and the Oklahoma City public schools.

10 Based on personal experiences rather than
11 cold statistics, this presentation will present to you
12 the fact that they happened in real life, as opposed
13 as to how they happened in documented papers. You
14 will, in effect, get the undocumented facts as they
15 happened to me and my family or to the people that I
16 personally have experience with -- or to the people
17 that I personally have helped within -- with Hispanic
18 families.

19 The impact of student discipline policy on
20 suspension and dropout rates -- I'm going to focus on
21 the two big issues that were sent to me in the letter.
22 And then, of course, I will ad lib and give you a
23 little bit more information about myself and my
24 family. About three years ago, a former neighbor of
25 ours called me and in a desolate, desperate and

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1 concerned voice asked me to please help her son.

2 She went on to tell me that her son, Raul,
3 had been in some kind of problem and that he had been
4 suspended. She was alarmed that he had been out of a
5 school for week and that she wanted to get him back
6 into the school. But her main obstacle was the
7 language barrier. She had tried to talk to the
8 principal, but she did not understand his explanation.

9 She was an old neighbor of ours, and so I
10 decided to help her in her dilemma. I called the
11 school, arranged an appointment for the next day and
12 after speaking with the principal's secretary, I made
13 an appointment for the following day. I met with
14 Raul's mother in the parking lot of the high school
15 where he went, and both -- we both went into -- and
16 all three of us went into the -- in to ask for the
17 principal.

18 We were not late, but rather a few minutes
19 ahead of schedule -- you know, on the fact that people
20 say that we work on Hispanic time. Despite our being
21 earlier -- or being there early, we were made to wait
22 about 40 minutes after our scheduled visit. When we
23 were to the point of getting up and leaving because
24 nobody had come into the room and told us what was
25 going on -- if we were going to see the principal or

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1 what the problem was -- he walked into the door.

2 He offered no apology for making us wait,
3 and we started talking. I asked the principal what
4 the problem had been with regards to Raul. He
5 explained to me that several days earlier, there had
6 been a scuffle between some kids and that Raul had
7 been around the area of conflict. He tried to explain
8 to me that this was standard routine, but that after
9 questioning the students that had been involved, it
10 had proven that Raul was not involved in the incident.

11 Keep in mind that Raul was suspended
12 during that time of inquiry. There was no apology to
13 Raul or to his mother for the unfortunate incident,
14 just a cold, He can come back to school tomorrow, if
15 he wants. Raul had been out of school for five days
16 while the principals -- while the principal
17 protagonists of the incident, who were regular
18 troublemakers, were back in school the very next day
19 of the incident.

20 Raul commented that he did not feel
21 welcome or safe at that school, at which the principal
22 jumped at the opportunity and said that if Raul wanted
23 to transfer to another school, he could arrange that.
24 Raul transferred to another school and soon thereafter
25 dropped out of school. The moral of this story is not

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1 so much the discipline policy that affected Raul.

2 In fact, to say that Hispanic students
3 should be held to a different set of standards to the
4 other students is not only ridiculous, but also
5 absurd. The reason that drove Raul to drop out of
6 school was the loss of his belief that he could get a
7 fair chance to study at any school setting -- that
8 insensitivity shown by the principal and the teachers
9 that were involved in the incident was reinforced by
10 the inability of his mother to understand and
11 communicate with the principal in order to advocate
12 for his cause.

13 In his mind, Raul created the belief that
14 because he was Hispanic, he could not get a fair
15 chance in school. He was robbed of his dignity when
16 he was wrongfully accused. It is not a matter of
17 policy being unfair to any one student, rather the way
18 in which those rules are enforced by the authority
19 figures in the schools that lead to a belief that the
20 rules are one-sided and does lead to a loss of
21 confidence in general school policies and eventually
22 leads some Hispanic students to drop out of school.

23 On the issue of exemption of students from
24 the test of basic skills -- this particular issue is
25 one that I am most passionate about, because it hits

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1 close to home. And nothing makes you realize how
2 apology impacts a person or a student more than when
3 it hits you smack in the face. My first experience
4 with the impact of test of basic skills came when my
5 brother, Lupe, entered the fifth grade center -- class
6 in fifth grade center.

7 From the second grade to the fourth grade,
8 my brother had been in PROMISE, a program that was
9 designed for gifted students. He had attended
10 Gatewood Elementary and had gotten President Bush
11 Academic Fitness Award. My brother moved from
12 Gatewood Elementary after he finished the fourth grade
13 to class in fifth grade -- to fifth grade center.

14 Just imagine my mother's surprise when he
15 came in -- came to the house one day and said -- and
16 I was there. And she [sic] said, Mom, you know, I
17 think they have me in the class with the retarded
18 kids. Well, my mom was surprised. And she said, What
19 do you mean, they have you in the class with the
20 retarded kids? You've been going through PROMISE.
21 What makes you think this?

22 And he said, Well, mom, everything that
23 we're doing, I've already done two years ago. You
24 know, it's -- I'm not getting any stimulation. Even
25 at his young age, he could sense the disparity between

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1 things that were too basic for his intelligence. My
2 mother tried to get to the core of the problem. Was
3 her son in PROMISE? Was he not in PROMISE? What was
4 the problem?

5 She got to the school and she was greeted
6 to -- by the front desk secretary. My mother, in her
7 broken English, asked her why my brother was not in
8 PROMISE anymore. And the secretary asked her what was
9 my brother's name. Lupe Gallegos -- Guadalupe
10 Gallegos is what she said. And right away, the
11 secretary said, Oh, there's the problem. He's
12 Hispanic.

13 Well, my mom was having a hard time
14 understanding. They said, Well, his parents are
15 Hispanic. They're from Mexico. But he was born in
16 the United States. He's an American. What's the
17 problem. And she said -- they got a translator. I
18 was not with her with that day. But they got a
19 translator and said, Well, he -- she explained to her,
20 Well, the thing is, your son didn't take the exam. He
21 was exempt.

22 You signed a letter three years ago at
23 Gatewood and so he hasn't taken that exam. And
24 because he hasn't taken that exam, he can no longer
25 participate in PROMISE. Well, my mother made a solid

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1 vow that day that the next time a test would come
2 around, my brother was going to take the exam. And so
3 sure enough, his time came around at the beginning of
4 the year.

5 And actually parent teacher conferences
6 were scheduled for some weeks before the exam was
7 scheduled. My mother asked me to go to the
8 conference -- to the parent teacher conference with
9 her that time so that we could get my brother back
10 into the PROMISE program. We met our brother's
11 teachers. He had a couple of teachers, one that
12 focused on math, science and history. The other one
13 focused on his reading skills.

14 We went into see the primary teacher, but
15 she was busy and suggested that we go see the reading
16 teacher and to come back and see her later. We walked
17 over to the second teacher's room and inquired about
18 my brother's progress. She gave us good reviews about
19 his reading. But I couldn't help but notice the big
20 stack of papers that she had on her desk.

21 And she -- as she sorted through them, I
22 couldn't help but notice all the names were Hispanic.
23 I didn't know what those papers were at that time.
24 But after we got the good review for my brother, we
25 went on to see his primary teacher. And I soon found

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1 out what those papers were all about.

2 As we returned to the primary teacher's
3 room, she was available and asked us to sit at the
4 chair in front of her desk. She asked my brother's
5 name, and as soon as we gave it to her, she started
6 sorting through the -- through her stack of paperwork.
7 Again, I could not help but notice all those papers
8 had Hispanics' names on them.

9 She finally reached the one that was
10 labeled Guadalupe Gallegos, and I thought that she was
11 about to show us his progress report. Instead, she
12 showed us an exemption letter that she wanted us to
13 sign. She used her ESL-trained aide to translate for
14 her. I listened as the aide tried to tell my mother
15 that it was in the best interest of Lupe to skip the
16 exam.

17 He was not up to par, and he was -- and if
18 he was exposed to the exam, he would not pass the next
19 grade level. In effect, he would flunk. Keep in mind
20 that by this time, my mother realized the importance
21 of the test. And before the meeting with the teacher,
22 she had explained the importance to me. Now, we have
23 always advocated in my family for Hispanic students,
24 but I never realized that my next representation would
25 have been my brother.

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1 To take the -- my brother -- my mother
2 refused to sign the exemption letter because. she
3 wanted for my brother to take the exam so that he
4 could get back into the PROMISE program. The teacher
5 then became really annoying and in a furious tone
6 demanded that we sign the paper. I was there. All
7 the while, I had been listening to the translator,
8 because the teacher automatically assumed that my
9 mother and I didn't speak English.

10 I was in college at that time and I think
11 my English skills were pretty sharp. But I listened.
12 And I knew the importance, because my mother had
13 relayed the importance of the test to me. And as the
14 teacher got angrier and angrier and said, You have to
15 sign the exam, we said, Ma'am, we're not going to sign
16 that letter today.

17 You're going to expend a lot of spit, but
18 we're not going to sign that letter today. She said,
19 Well, if he doesn't -- you know, if he doesn't do well
20 on the exam, he's going to flunk and he's going to
21 have to stay in the same grade. And I remember I told
22 her, Well, we'd rather that he stay in the same grade
23 and learn the material that he has to learn so that he
24 can be successful at the next grade level than to let
25 him pass to the next grade when we know he's not going

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1 to know the material.

2 We didn't sign the letter, much to the
3 chagrin of the teacher. Lupe took the exam. And we
4 next -- and when we next saw the teacher was for the
5 results of the exam. Our visit to the teacher --
6 oh -- and I had told her that I was going to help her.
7 I said, Well, you know, I'm going to help you. I'm
8 going to make sure that he's prepared for the exam,
9 but he's going to take it.

10 Well, when we next saw her, she was
11 elated. She was happy. She couldn't -- you know, she
12 couldn't hold back her happiness. And she -- as we
13 entered the door, it was a very different setting. It
14 was just a totally different attitude. She came to us
15 and said, Oh, we did it. We did it. We did it. Lupe
16 passed.

17 As it happened, my brother was the second
18 highest score in her class. She couldn't believe that
19 we had done this tremendous 360 turnaround. In fact,
20 I had not helped my brother at all. I mean, I knew
21 that he was going to take the exam and I told him, You
22 need to prepare. What happened was that my brother
23 was given the opportunity to showcase his talents and
24 to use in the exam what the teacher had taught him in
25 the school.

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1 Beyond the lost opportunities that
2 exemptions rob from our students, such as
3 participating in enrichment programs, there is a more
4 profound long-lasting effect that exemptions place on
5 the shoulder of our Hispanic students. Most of us are
6 probably familiarized with the Pygmalian effect or the
7 self-fulfilling prophecies.

8 In short, these theories state that the
9 person's abilities are shaped in their formulated
10 beliefs, that is that it's -- that if a person is told
11 all his or her life that he will be a success, that
12 person will, in effect, become successful. On the
13 other hand, if a person is told that -- all his or her
14 life that he will be a failure in life, more than
15 likely, he will become a failure in life.

16 Exemptions from tests of basic skills
17 institutes the mentality in Hispanic children that
18 they can no longer take the exams because in some way
19 or another, they are handicapped. They are not
20 capable as their other Anglo or African-American
21 friends and, therefore, they must be less intelligent
22 than their contemporaries.

23 Now, they're not told this straight out,
24 but that's the belief that is created in their mind.
25 Moreover, by totally exempting Hispanic children from

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1 taking the test of basic skills, they are, in fact,
2 being handicapped.

3 The original intent of the test was not to
4 measure the -- not to measure how well a teacher was
5 doing with the students, but to measure the weaknesses
6 of that student in the teacher's classroom -- how well
7 he or she was doing in certain curriculum categories
8 such as reading skills, math, science, et cetera.

9 By not knowing where the weaknesses lie,
10 a teacher cannot focus on that area and reinforce the
11 child's academic ability. In fact, many of the kids
12 not taking the exam are moved on to the next grade
13 level without having the complete skills that are
14 necessary to be successful at that grade level. The
15 attitude, then, is created that the teacher at the
16 next grade level will take care of that.

17 But when the teacher at the next grade
18 level receives the child, she is working with a child
19 that is not up to par, and therefore she's got to work
20 not only in getting him or her up to par, but also
21 working on getting him ready for the next year, for
22 the next grade level. A domino effect is created in
23 the child's learning curriculum.

24 And the mentality that he will learn a
25 material next year only creates an added burden to the

1 student and to the next year's teacher. This emerging
2 mentality that the student will learn it the next year
3 creates a mediocre education and, consequently, a
4 mediocre student, one whose image of self has been
5 tainted not only by the biased media, but also by the
6 perceived notion that is created through exemptions
7 that he or she is destined to be less than those
8 around him or her.

9 The question is, does an Hispanic student
10 have equal opportunity to learn. And the answer is
11 that as long as there are exemptions on a level that
12 is not reasonably justified, there is no equality.
13 For in exempting kids from test of basic skills, we
14 are reinforcing the stereotype that they cannot
15 compete.

16 In real life, there are no exemptions, and
17 people are judged the same -- by the same -- under the
18 same standards and are expected to be able to compete.
19 Now, I would like to address Mr. Toure's question
20 earlier on about the parents being explained the
21 importance of the test of basic skills.

22 It's very difficult for -- in our Hispanic
23 community, for example, for the parents to be able to
24 stand to the teacher -- to go up and say, Well, look,
25 you know, I know it's in the best interest of our --

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1 of my student. A lot of the people that -- or
2 students are working -- or a lot of the parents that
3 teachers are working with are not familiarized with
4 the educational system in the United States.

5 They're more -- usually, they are more
6 confident with the systems in Latin America or maybe
7 some other state that -- you know, that they know
8 about. In our culture, perhaps it's a big
9 disadvantage that a lot of times, we take the
10 teacher's word more as something that is valid rather
11 than our personal beliefs.

12 When a person in authority such as a
13 teacher tells you, Well, your child is not ready to
14 take that exam and to move on to the next grade level
15 so he shouldn't -- or he or she shouldn't take that
16 exam, the parent will take the teachers at their word.
17 And so that -- you know, that creates a difficulty.

18 Now, in addition to speaking on those two
19 issues, I'm not here to, you know, say that Oklahoma
20 City public schools are not doing their job. I think
21 the system itself, if the kinks are worked out, can be
22 a system that will benefit all the students in
23 Oklahoma City. Hispanic, African-American, Anglos,
24 Asians -- all of us can benefit from the program.

25 I know, for example, that right now, the

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1 Oklahoma City public schools have a strong Hispanic
2 advocate working for them who's Sandra Mejia. And I
3 don't say that just because she is in the room. But
4 I know that before she was in that office of the
5 Hispanic Student Services, we were having a lot of
6 problems. We really were -- a lot of ethnic problems
7 with a lot of different kids.

8 Our kids truly felt like there was nobody
9 bowing for them or advocating for them. Sandra has
10 gone into that office and made sure that the kids know
11 that they can get a fair chance, provided that they're
12 not the ones creating the problem. At the same time,
13 though, she is limited about what she can do and the
14 resources available to her office.

15 There is much more that we need to do in
16 the sense of curriculum-building and in the sense of
17 getting the Hispanic perspective into the curriculum
18 that has been built. We have schools that are
19 predominantly Hispanic in which very little Hispanic
20 participation is asked. Once a teacher is with one
21 school that is -- recently became a enterprise
22 school -- and I won't mention names, because my
23 purpose being here today is not to aggravate or to
24 say, you know, we have this problem and this problem.

25 Rather, we can all work together. They

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1 are void of the Hispanic perspective. And as a
2 result, you can see -- you will see, you know, more
3 kids continue to be exempted from the exams, because
4 they don't fully understand how it affects an Hispanic
5 person. If exams were -- if all kids were being
6 examined, it would affect them the same way it does
7 Hispanic students.

8 But it's affecting us more, because our
9 kids are being given that, Well, he's limited English
10 proficiency or she's limited English proficiency and,
11 therefore, automatically should be exempt from taking
12 the test of basic skills. As I mentioned before, my
13 belief is that the test of basic skills measure what
14 the child needs to know in order to be successful at
15 the next grade level.

16 By not having that and using that more as
17 a weight of measure of how well the teacher is doing
18 with regard to that specific child, then you're really
19 creating something that is not going to be beneficial
20 either to the teacher or to the students. The
21 teacher -- you know, their job is on the line. If
22 they don't perform, then they are reprimanded in some
23 way or another, and I'm not sure what those reprimands
24 are.

25 But you can believe that if my job was on

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1 the line and saying, Well, if I let this kid take the
2 exam and he doesn't do -- he or she doesn't do well,
3 then, you know, it's going to look bad on me. But if
4 I cut down -- let's say, for example -- the main core
5 of the issue with exemption is this. If you have a
6 room full of 50 students and you can exempt 25 of
7 those students, you have 25 students that you can
8 focus on to make sure that those exams are being taken
9 and that they, in effect, pass those tests.

10 Why couldn't we do that with all the
11 students, regardless of how well they did with their
12 exams or not? Can it be done? Can the education of
13 Oklahoma City public schools be used for an advantage?
14 Yes, it can. I come from a family of eight kids, my
15 dad and my mom, which makes ten of us. I'm glad to
16 say that seven of us have gone through university or
17 some form of higher education.

18 The last one, Lupe, entered Classen School
19 of Advanced Studies into their international program.
20 And so we know that the schools can work. In my
21 experience with my family, however, I -- and it's
22 something that I think the schools need is
23 counseling -- to have more Hispanic counselors at
24 their schools to be able -- for the kids to be able to
25 relate to those people not only because they don't

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1 speak English or whatever, because kids learn the
2 language and the idiom, but also to realize that they
3 can go to a person and say, Well, you know, Mr.
4 Hernandez, you're my counselor.

5 You know, what exams -- what classes do I
6 need to be taking, because I want to go on to college
7 or I want to go into carpentry or I want to go into
8 automotives. And Mr. Hernandez will be able to say,
9 Well, look, you know, let's look at what you can do.
10 Let's look at what your abilities are and let's look
11 at all the opportunities that you can have.

12 That is something that is missing. And
13 it's something that, fortunately, was there in my
14 family, because -- well, one -- we had strong parent
15 figures. But two -- I was the oldest of the seven
16 kids -- or the eight kids -- I'm sorry -- counting one
17 less. But I was the oldest. And when I graduated
18 from high school, I graduated. I was happy.

19 And I said, Well, you know, I finished
20 high school. My next step is to go on to college,
21 because that's the mentality my parents always brought
22 me up with. You're going to college. But when I got
23 to college, I was dismayed by the fact that I wasn't
24 up to par to be in college. Everybody else was over
25 here while I was over here trying to climb and to just

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1 get to the level where I was equal with the rest of
2 the students.

3 I didn't realize how that had happened.
4 I mean, all my life, I thought I was doing good. I
5 thought, you know, my classes were great. I was
6 taking English. I was taking math. I was taking
7 science. But I wasn't up to par with the rest of the
8 students. It took me the longest, you know. As it
9 was mentioned earlier, I -- you know, I'm just going
10 to get my bachelor's degree while my brothers below me
11 have gotten theirs.

12 But the key here was that as I went into
13 the university and I learned what was needed to be
14 successful, I passed it on to my next sister. And I
15 caught her maybe in time, maybe not in time, because
16 it took her, you know, a little bit longer to
17 graduate. But she passed it on to my next brother.
18 My next brother consequently finished earlier and the
19 next brother finished earlier until it got to the
20 point where the two next-to-youngest finished in four
21 years.

22 One is about to finish in less than four
23 years. And by the time Lupe graduates, he will
24 graduate from high school in their international
25 program with one semester of college already under his

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1 belt. And so can the Oklahoma City public schools be
2 used to be successful? Yes, they can.

3 But there are a lot of things that need to
4 take place before that can happen. One is counseling,
5 more resources to the Hispanic Student Services
6 Office, more autonomy to that office and in general,
7 just a belief that exams should not be a weighted
8 measure of the teachers' ability. And that is my
9 spiel.

10 CHAIRPERSON HUDSON: Do you have any
11 questions?

12 MR. TOURE: I have one question. In terms
13 of your work with the Advisory Committee -- and I'm
14 quite sure that some of the speakers -- I hope some of
15 the speakers that spoke earlier might have addressed
16 this -- your viewpoint is the exemptions reinforce --
17 or do two things. One is to reinforce stereotypes
18 that the Hispanic student cannot learn, cannot
19 achieve --

20 MR. GALLEGOS: Uh-huh.

21 MR. TOURE: -- and so forth. And secondly
22 that it does not actually allow the teacher to work on
23 the, for lack of a better term, areas of improvement
24 or needed for improvement for the student, because
25 they're not tested. Therefore, the teacher doesn't

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1 know what things he or she needs to work with the
2 students.

3 What would be your viewpoint in terms of
4 removing the exemption in state law for English
5 language -- well, for students who don't speak
6 English. Because as I -- I don't think there is
7 really an exemption for any other category, other than
8 perhaps some handicapped students.

9 But for African-Americans who don't speak
10 English very well, even though it's our native
11 language, I don't think there is an exemption for
12 students who don't perform well on any area other than
13 language. Am I -- what's your viewpoint on that?

14 MR. GALLEGOS: My viewpoint -- as I
15 understand, the question is, should we eliminate
16 exemptions for all students?

17 MR. TOURE: For that category.

18 MR. GALLEGOS: Oh. For that category?

19 MR. TOURE: Yes. For that category.

20 MR. GALLEGOS: I think exemptions are
21 valid. Like I mentioned, there are some instances in
22 which exemptions are valid, for example, in the case
23 where a child is really having trouble with the
24 English language and which are very recent -- you
25 know, within months of starting to learn the English

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1 language.

2 At that point, I think an exemption is
3 valid, unless the test can be given in Spanish or in
4 the native language so that it can measure how well
5 that kid is doing in math and science and arts. The
6 thing about the exams is that a lot of them are
7 reading material-oriented. You know, you have to be
8 able to understand and comprehend what is being told.

9 But my belief is this. You shouldn't
10 exempt kids that have been in the program for more
11 than three or four years, because at that time, I say
12 they have already understood the basics of the
13 language. To a great sense, they understand,
14 especially elementary school-age kids. You know, you
15 can't tell me, for example, that my younger brother
16 that went to elementary school without going to
17 elementary school in Mexico didn't pick up the
18 language right away.

19 I mean, we learn it through -- especially
20 in Oklahoma where back then, you didn't have Spanish
21 television and cable. You didn't have a radio
22 station. You didn't have a newspaper. You know, we
23 were -- we had to, in effect, learn it, because we saw
24 it in public television; we saw it in regular
25 television. Our friends -- it's the language that

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1 they spoke.

2 And so, in effect, we never lost, you
3 know, our Spanish language, because my dad and my mom
4 never let us forget that. They said, At home, you're
5 going to speak Spanish, because outside of the house,
6 you're going to speak English. We're in America. And
7 people, you know -- there's a lot of push for English-
8 only. And people say, Well, you know, Spanish is
9 going to take over English.

10 That's not the case. In effect, you know,
11 a lot of people in Mexico and Latin America are
12 learning English because it's the language to learn.
13 To think that because we're speaking Spanish in our
14 house or in our work so that we're going to stop
15 speaking English is ridiculous, I think.

16 In effect, we're used -- in Latin America
17 and in Mexico, we're more used to learning and
18 assimilating the languages than preserving our own.
19 You know, it's not rare to go to Mexico City and find
20 people that speak, you know, still the original
21 language, speak Spanish and then are learning English
22 or German or even Japanese now.

23 As our world becomes more, you know, of
24 a -- what they call a global marketplace, it's going
25 to become imperative that we all speak not just

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1 bilingually but trilingually -- you know, how ever
2 many languages we can learn. But that's one advantage
3 that we as Hispanics have. It's something that is
4 just changing, because when I went through San
5 Antonio, it was mentioned -- and this wasn't too long
6 ago. I mean it was in 1982, 1983.

7 You couldn't speak Spanish in the school.
8 And if you did, you know, you were sent to the
9 principal's office as early -- you know, as late as
10 1980. And so while we have made some strides, there
11 are still a lot of the institutions and mentality that
12 had been there in the past. And so that's one thing
13 that our students are working against.

14 On top of that, the exemption things just
15 kind of -- it -- the way I see it, it makes a student
16 mediocre. Because, again, if you don't test on what
17 they need to learn for the next grade level and pass
18 them on to -- just say, Well, you know, pass them.
19 Pass them. We can't have them stay back. Well, what
20 happens when they reach the next grade level?

21 You know, they're not going to know the
22 material. And thus, consequently, until they get to
23 finish their high school education and are not ready
24 for college.

25 MR. TOURE: Madam Chair, may I -- one

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1 final question.

2 Have you had a chance to look at the new
3 policy of the Oklahoma City schools in regard to
4 asking for the fourth year exemption and the
5 strategies to meet various standards. Have you --

6 MR. GALLEGOS: I don't know --

7 MR. TOURE: Are you familiar with that?

8 MR. GALLEGOS: I don't believe I've seen
9 the actual paperwork. I know I've talked to Sandra a
10 little bit about it, but I'm not too familiar to be
11 able to tell you, you know, one way or the other.

12 MR. TOURE: Okay.

13 MR. GALLEGOS: But I know that the push
14 has been to -- one of the things that exemptions did,
15 like I said, was rob kids' ability to get into the
16 enrichment program. Some of that has been relieved.
17 Because now, for example, with enterprise schools that
18 are coming up, it's no longer you must score, you
19 know, above the 70 percentile in the Iowa Test of
20 Basic Skills to be able to enter.

21 Now, you must score above the 70
22 percentile or have a B or an A average. So where
23 before that was a barrier for a kid to get into those
24 enrichment programs, now it's kind of like, Well, you
25 know, let's see how we can get them. Still, though,

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1 how can we expect kids to compete if they're passed on
2 to the next grade level and they could be making A's
3 or B's.

4 But if they're taking simple classes --
5 say, for example, the kids that are taking ESL --
6 English as a second language -- if they're taking four
7 hours of ESL, well, of course, you know, they're going
8 to get A's and B's. And that doesn't reflect on their
9 grade card, you know, that, well, they have a 3.50
10 average, but what were their classes really, you know,
11 about.

12 It's just something that's going to gear
13 them to continue a higher education, which is what we
14 would like to see in the Hispanic community, because
15 we're working on moving up the socio-economic ladder
16 and we can't do it with our kids dropping out of
17 school or getting an education that is less than up to
18 par.

19 We have to be able to compete in the
20 United States and in the world.

21 MS. MORALES: In your experience in
22 helping other families mediate with the school
23 district, how many of them would know or knew before
24 they talked with you that they should advocate for
25 their kids in the district?

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1 MR. GALLEGOS: I don't believe many of
2 them knew that they had, for example, an Hispanic
3 student services office at their disposal or that they
4 could go and appeal, you know, the case on a panel
5 with the Oklahoma City public schools. In effect, I
6 think -- and, again, it goes back to the relationship
7 established, you know, in Latin America or the
8 experiences that those parents have had in terms of,
9 Can I go talk to the teacher?

10 You know, say, for example, in Mexico, the
11 teacher is the authority figure. And if she says,
12 Well, your kid needs to be reprimanded for this, it
13 happens. And to a great extent, it also happens in
14 the United States in some of the southwest states,
15 like I mentioned, where a child is told, You can't
16 speak English -- or You can't speak Spanish -- I'm
17 sorry -- because you'll be sent to the principal's
18 office.

19 And so in that sense, I think our parents
20 need to be educated on that specific issue to be able
21 to advocate for their kids -- to know that that's one
22 thing that they do have at their resource. And I
23 think it would be wise for the Oklahoma City public
24 schools to invest some monies: one, in counselors and
25 teachers that are Hispanic, you know, that can

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1 understand the Hispanic student's perspective, but
2 also to spend a little money on training those
3 parents.

4 I know that Sandra has tried to have, you
5 know, several parent rallies. Again, sometimes the
6 resources are limited and the ability to, you know,
7 reach out and market what is available is just not
8 there.

9 CHAIRPERSON HUDSON: Okay. Thank you.

10 MR. GALLEGOS: Thank you.

11 CHAIRPERSON HUDSON: What we're going to
12 do now is going to take a short break.

13 (Whereupon, a short recess was taken.)

14 CHAIRPERSON HUDSON: Iris Santos-Rivera.
15 She is a community advocate here in Oklahoma City, a
16 former school district employee for Oklahoma City
17 public schools, a former director of a multi-regional
18 bilingual education technical assistance center. And
19 she will speak on the under-representation of minority
20 children identified for the gifted and talented
21 program. She's one of the open session speakers.

22 And you had something you wanted to read
23 into the record?

24 MS. SANTOS-RIVERA: Yes. Please.

25 CHAIRPERSON HUDSON: Okay.

1 MS. SANTOS-RIVERA: Thank you. First of
2 all, I want to say that I am a *jivara* [*phonetic*
3 *Spanish*]. And for those that don't know what that is,
4 I'll translate loosely. And forgive me if it sounds
5 pejorative, but it is not for me. It means I'm a
6 redneck from Puerto Rico. I'm a female. I'm
7 Hispanic. I'm black. And that's what makes me a very
8 proud Puerto Rican.

9 Members of the Advisory Committee to the
10 U.S. Commission on Civil Rights, thank you for being
11 here today. I really do appreciate the fact that you
12 have come to listen. In her paper on the, quote,
13 Under-representation of minority group children among
14 those students identified for gifted and talented
15 programs and as an issue under the equal protection
16 clause of the 14th Amendment, Cynthia N. Brown,
17 University of Oklahoma, suggests that the way in which
18 students are identified produces disparities between
19 various ethnic groups.

20 Quote, These disparities may represent a
21 violation of the Constitutional rights guaranteed
22 under the 14th Amendment, close quote. She goes on to
23 say, quote, Writers have disagreed and continue to
24 disagree about the usefulness of intelligence testing
25 for the purpose of gifted and talented identification.

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1 I want to add that for the purpose of
2 identifying the gifted student in Oklahoma City
3 schools, because I was brought here from the region --
4 I covered seven states, including Oklahoma, as the
5 segregation assistance expert in both race, national
6 origin and later in sex and now in learning
7 disabilities -- the issue of testing begins with the
8 language assessment scales in Oklahoma City, which is
9 the instrument that is supposed to be administered to
10 every student who gives a home language survey that
11 says a language other than English is spoken in the
12 home.

13 At which time, then, after the student is
14 assessed, if he or she scores level one or two, which
15 is limited or non-English-speaking, then those
16 children are supposed to be given special
17 instructions, and usually with a bilingual
18 paraprofessional in the classroom, supposedly to teach
19 native language proficiency.

20 I've heard people talk about this morning
21 about ESL assistance. There should not be an ESL
22 assistant. That should be a violation of civil rights
23 by the Civil Rights Act of 1964. They should be
24 native language cognitive area instructional
25 assistance. In other words, those people are there to

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1 teach the children native language proficiency in
2 content areas such as math and science while they
3 learn English.

4 The certified teacher is supposed to be
5 teaching ESL. Most of those bilingual
6 professionals -- because I interviewed many of them
7 and testing them in their native language proficiency
8 so that they would be hired by the Oklahoma City
9 public schools in the early 1988-89 school year --
10 were there to teach cognitive content areas in their
11 native language.

12 And the -- many of them were limited
13 English themselves. So their English as a second
14 language, you are, indeed, in a violation area in
15 terms of testing.

16 The fact that there continues to be the
17 disparity in the proportionate representation of
18 minority group children is very seldom a concern of
19 many educators in the Oklahoma City public schools,
20 even though there are an abundant number of journal
21 articles, reports, books and research papers such as
22 Dr. Brown's that speak to the need to address this
23 question.

24 Quote, Most educators are either not
25 familiar with this body of literature, disagree with

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1 it completely -- I may add -- or ignore it totally.
2 I'm adding those, too. That, in my opinion, is a sad
3 comment, but has also been my experience during
4 teacher training and workshops with teachers in charge
5 of Hispanic national origin minority gifted children
6 in the Oklahoma City public schools.

7 I came here, because in 1988, I helped
8 write the gifted program for limited English
9 proficient students, and in 1989 -- oh -- helped to
10 implement the Oklahoma City Title 7 OBEMLA-funded
11 Promise Partners gifted program. Unfortunately, it is
12 up to the parents of the gifted LEP child to prove
13 that there is a violation of the 14th Amendment in
14 terms of the equal protection clause.

15 Quote, When this test is invoked, courts
16 assume that a state's action is constitutional. In
17 other words, the benefit of whether there is a
18 violation or not in terms of the state monitoring the
19 districts inside Oklahoma, it is assumed that the
20 state is complying with Constitutional law.

21 Not only that, that they're also following
22 federal guidelines in terms of Brown versus the Board,
23 which, to my knowledge, I think, has not yet been
24 overturned -- Lau versus Nickels, which, to my
25 knowledge, I think, also, has not been overturned, in

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1 terms of the Elementary and Secondary Education Act,
2 which includes, you know, Chapter 1, Title 7 and all
3 of those titles that -- and Title 6 in terms of the
4 Civil Rights Act of 1964.

5 Now, the problem is that it is up to the
6 parent to be able to prove that there is a violation.
7 When -- let me repeat the quote. When this test is
8 invoked, courts assume that a state's action is
9 Constitutional and that the burden is on the
10 complainant to demonstrate otherwise, says Dr. Brown.

11 The Jacob K. Javits Gifted and Talented
12 Student Education Act of 1988 declared that -- and I
13 quote -- Gifted and talented students from
14 economically disadvantaged families and areas and
15 students who are limited English proficient are at
16 greatest risk of being unrecognized and of not being
17 provided adequate, appropriate educational services.

18 This is true even for those kids who may
19 be gifted and not talented or talented and not gifted
20 or often -- and this is a very biased opinion -- and
21 I went in 1994 before the group of colleagues that
22 have been in desegregation throughout this nation in
23 terms of civil rights equity issues in 1994 to
24 celebrate the Lau versus Nickels 20 years after, and
25 I proposed this to them.

1 I said, Since we know that most of our
2 kids will be made disabled by the school system by no
3 later than the fourth grade, we can assume that we
4 will have many gifted and talented children who have
5 not only dropped out, but are active in anti-social
6 activities, are great leaders in anti-social ways.

7 Because what people do not understand, I
8 think, is that any of the skills that you have that
9 can be used effectively to become a leader in a
10 positive sense in terms of civil rights -- human
11 rights -- Nobel Prize winners in literature, science
12 or the arts -- can be used in negative ways just as
13 effectively.

14 The difference is how to utilize that
15 skill. The legislation points to these groups who are
16 poor, limited English proficient and individuals with
17 handicaps as the highest priority of this federal
18 legislation. The intent of Congress is clear.

19 A survey was sent to all State Departments
20 of Educations in the U.S. State agencies that were --
21 that -- the state agencies, such as Oklahoma State
22 Department of Education, were to encourage or to
23 mandate correction of any discrimination that is
24 perceived to exist in the state-related identification
25 for gifted programs.

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1 The 1980 and 1992 surveys were the
2 earliest and most recent surveys which included
3 participation in gifted education. In the national
4 data, three ethnic groups were consistently under-
5 represented among those students identified as gifted.
6 The first one is Native Americans, second Africans and
7 Hispanic Americans, and finally, Caucasians and Asian
8 Americans are over-represented in both the 1980 and
9 the 1992 study.

10 It is significant to note that in 1986,
11 when the State of Arkansas switched the, quote,
12 regulatory language which requires multi-criteria
13 identification procedures, the representation of
14 African-American students improved in gifted programs.
15 In New York City, there is an emphasis on equity in
16 all kinds of gifted programs.

17 Quote, African-Americans, Hispanic and
18 Americans -- and Native Americans are represented
19 in -- among those identified at very close to their
20 representation in the total student population in New
21 York. In other words, it's close to the amounts of
22 students in the school and the amounts of kids in the
23 gifted program.

24 In Ohio, the data for Hispanic-American
25 students shows a more equitable representation of

1 these children in 1992 than in 1980. Quote, Ohio
2 allows the use of national or local norms on
3 standardized testing in the identification process.
4 The state consultant for gifted children believes that
5 the reason for this is that there are many advocates
6 for minority children in the cities of Ohio.

7 And that's the difference. Also, the
8 allowable use of local norms in Ohio could be another
9 important factor -- that is, the flexibility in the
10 identification process criteria. And now, let's see.
11 Conclusion -- the 1992 federal definition states,
12 Gifted and talented children are those identified by
13 professionally qualified persons who, by virtue of
14 outstanding abilities, are capable of high
15 performance.

16 Children capable of high performance
17 include those with demonstrated achievement and/or
18 potential ability in any of the following areas,
19 singly or in combination. One -- general intellectual
20 ability, two -- specific academic aptitude, three --
21 creative or productive thinking, four -- leadership
22 abilities, five -- visual and performing arts, six --
23 psychomotor ability.

24 And in 1998 -- 1988, the federal
25 definition of gifted and talented student was changed

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1 to, quote, the term gifted and talented means children
2 and youth who give evidence of high performance
3 capability in areas such as intellectual, creative,
4 artistic, or leadership capacity or in specific
5 academic fields, and who require services or
6 activities not ordinarily provided by the school in
7 order to fully develop such capabilities.

8 Seven -- excuse me -- recommendations --
9 because my experience writing a gifted program,
10 developing a criteria for gifted Hispanic children
11 based on the Iowa Test of Basic Skills, we did not use
12 intelligence testing, except when the teachers who
13 were Anglo and not believing that these children were
14 gifted, although they were LEP -- limited English
15 proficient -- and achieving in at least two areas --
16 math or science or math and reading -- and in the
17 higher grades, science and social studies -- at least
18 two areas achieving an 80 or above.

19 At that time, the metropolitan achievement
20 test, which was and is, I think, compatible to the
21 Iowa Test of Basic Skills now, they still said, I
22 don't think that child is gifted, because the child
23 was LEP. And then we would administer the Ravens
24 [phonetic], which is -- was a -- or is an instrument
25 that is non-verbal to measure the so-called

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1 intellectual or IQ capacity of LEP children.

2 Because my experience has been so negative
3 and because Hispanic and other LEP children choosing
4 the curriculum such as science descubrimiento, which
5 was the one that we used for the gifted program --
6 which, by the way, is used for gifted kids in Israel
7 but was developed by a Chicano in California -- and it
8 also included math and architecture.

9 And it included three teachers in the
10 classroom with a lot of computers and a lot of
11 technical assistance by architects and other people
12 that would come into the classroom. It was so
13 successful that Dr. Steller decided, at the time --
14 and I'm sorry I mentioned the name just now, but
15 that's the way it was -- that it was very good and the
16 parents of white children wanted it for them.

17 And although the money was acquired from
18 OBEMLA -- the Office of Bilingual Education and
19 Minority Language Affairs -- Hispanic kids were
20 excluded from the program and the results. Now,
21 training the teachers and parents and monitoring the
22 programs and reporting on the findings because of this
23 and getting back to Washington, I was terminated. So
24 was my immediate supervisor and so was her immediate
25 supervisor.

1 It was such a negative experience that I
2 agree with many of the parents who told me later that
3 it was not worth pulling children out of their
4 neighborhood schools to a gifted program -- now a
5 magnet school -- because the children are put under
6 terrible stress and much put up with such racial
7 stress and slurs and stereotypes and harassment that
8 it is best, they say, to have them develop their
9 skills among their peers and not be isolated from
10 their ethnic group. Thank you.

11 MR. HERNANDEZ: Excuse me. My name is
12 Ascension Hernandez, and I'm the person that the
13 staffed -- did the service work for this particular
14 community forum. And let me explain just in some --
15 the agenda has kind had some gaps in it due to
16 different kinds of circumstances. And I can explain
17 some of them.

18 From the start, I believe the Office of
19 Civil Rights U.S. Department of Education -- they had
20 budget problems. I think we explained that earlier --
21 to the people that were here earlier. One of the
22 parents that was scheduled to be here, Mr. Ralph
23 Martinez, chose not to be here because he was
24 concerned about going public.

25 There were some mixed signals to present

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1 or not to present. And apparently, at the last
2 minute, he chose not to be here. I haven't heard from
3 him. We had a student that was -- Johnny Charqueno,
4 who was here in the building. And he couldn't find
5 our meeting here. I don't know. Maybe we closed the
6 door too good or something, but he went back to school
7 or -- and I guess they got him on a beeper or
8 something like that or something.

9 But I believe they're trying to bring him
10 back for a presentation here. And then, of course,
11 because of -- and then Wayne Thompson, who is with the
12 Oklahoma Health Care Project -- he runs a program
13 where he uses student interns to become entrepreneurs.
14 But these are the average students. He got into a
15 schedule conflict and he was -- he thought he was
16 going to have to designate some of the student interns
17 to give a statement.

18 But the last word there was, he was on his
19 way here to this facility. And, of course, Ruth
20 Mazaheri is scheduled to be here at 1:10. And we also
21 have Dr. Vern Moore, who was contacted by Dr. Fazon
22 [phonetic], and he was able to come earlier than
23 expected. But certainly, he was going to help us move
24 the agenda right along.

25 And basically, what we try to do is that

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1 in order to -- when we have a community making
2 presentations, sometimes they may have a different
3 point of view from the school district. And we try to
4 have the superintendent go at the end so that if
5 there's any explanation that the superintendent can
6 give his side of the story, as opposed to the
7 community's side or any other presentation.

8 And so right now, we're in one of those
9 periods where there's no one here but the last man on
10 the agenda.

11 MS. RAMIREZ-HELTON: May --

12 MR. HERNANDEZ: So we'll go ahead and go
13 with Dr. Vern Moore.

14 MS. RAMIREZ-HELTON: May I ask a question?

15 MR. HERNANDEZ: Sure.

16 MS. RAMIREZ-HELTON: On Mr. Martinez, was
17 he more or less afraid of retaliation to him?

18 AUDIENCE: Don't speculate on what you
19 don't know.

20 MR. HERNANDEZ: We don't know.

21 MS. RAMIREZ-HELTON: We don't know. Okay.

22 MR. HERNANDEZ: It's just that he wasn't
23 sure if he wanted to present or not. He wasn't sure
24 if he wanted to go public or not.

25 MS. RAMIREZ-HELTON: Okay.

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1 MS. MORALES: Okay. I do have a general
2 question before Dr. Moore starts. And I -- somebody
3 here knows the answer, I think. I need to be reminded
4 what Title 7 means and what Chapter 1 means. Does
5 somebody know that right now? Oh, okay. He's the one
6 that knows.

7 CHAIRPERSON HUDSON: Okay. We have Dr.
8 Vern Moore is the deputy superintendent for the
9 Oklahoma City public schools who will represent the
10 superintendent, Dr. Marvin Crawford. Dr. Moore's
11 education career began in 1969 and includes service as
12 a classroom teacher, principal and executive director
13 of personnel, assistant and now deputy superintendent.

14 He is a University of Central Oklahoma
15 alumni. Dr. Moore will give the school district's
16 perspective on the student discipline policies, impact
17 on suspensions and dropouts. And he will also address
18 the district policy on testing exemptions.

19 DR. MOORE: Thank you. I'm very pleased
20 to have the opportunity to be with you this afternoon.
21 As far as the adjustment in our schedule this morning,
22 absolutely no problem at all. We were very glad to be
23 able to fill in.

24 What I would like to do, Mr. Hernandez, if
25 procedure will allow, is present the district's point

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1 of view as relate to the questions you provided me
2 earlier. But first, I think I need to address Mr.
3 Morales' concern. Chapter 1 is a term that we use to
4 identify Title 1 programs.

5 Now, Title 1 is the terminology that we
6 use now. It's my understanding that we no longer use
7 the chapter designations anymore. And Title 7, as we
8 are referring to it in this context, makes reference
9 to a bilingual program that we have in place where
10 funds have been provided to assist us with two-way
11 immersion programs at Shidler and Wheeler Elementary
12 Schools -- so a very general and basic definition
13 of --

14 MS. MORALES: Okay.

15 DR. MOORE: -- those two areas.

16 MS. MORALES: Thank you.

17 DR. MOORE: Okay. Since we've adjusted
18 the time -- I think you told me before about 20
19 minutes, so about how much time will I have to
20 conclude my presentation? Just --

21 MR. HERNANDEZ: You have 20 minutes.

22 CHAIRPERSON*HUDSON: About 20 minutes.

23 DR. MOORE: About 20 minutes. Twenty
24 minutes from now. Okay. Well, I want to make sure
25 that I honor your schedule and stay as close to that

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1 schedule as I possibly can. As indicated in the
2 introduction, my name is Vern Moore. I'm deputy
3 superintendent for the Oklahoma City public schools.

4 And as indicated on your title page, I'm
5 here representing the superintendent, and I will make
6 the presentation on behalf of Dr. Marvin Crawford.
7 I've also listed on the cover our board members. I'm
8 sure that some of you may recognize some of those
9 individuals. But we always go out with our
10 presentation making sure that we give full recognition
11 to them.

12 In my previous statement, I indicated that
13 we had some areas that we were asked to address. And
14 based on my conversation with Mr. Hernandez, we've
15 tried to capture those areas also listed on the cover.
16 So it will be my intent today to address the exemption
17 procedure that we have in Oklahoma City, the dropouts
18 of our Hispanic students and those rates associated
19 with that, our suspension of our Hispanic students
20 compared to the other students within our school
21 district.

22 My procedure will be to quickly cover
23 several areas. I will cover our vision. I will cover
24 our mission statement, provide you some demographic
25 information. Included in this presentation will also

1 be our purpose, description of our -- we believe we
2 can address the questions best by discussing our
3 instructional programs -- as I mentioned, the
4 bilingual immersion programs.

5 And we provided a few graphs for those of
6 you that are like so many of us -- more visual than
7 anything else. So we wanted to provide you with some
8 graphs so you could better see what we are about in
9 Oklahoma City. Page 1 is our vision statement.

10 And our vision statement is a restatement
11 of our district-wide vision statement. Our concern is
12 to show -- to have a vision for Hispanic Student
13 services indicating that it is a key to the operation
14 of our school district. And we want to become a model
15 urban school district. This is a tack that we have
16 had in place that we want to accomplish for several
17 years.

18 And our board has now indicated that in
19 their vision statement and we have incorporated in our
20 Hispanic Student Services vision as well. So this
21 statement is consistent with the overall district
22 schedule.

23 Our mission of the Hispanic Student
24 Services is to provide the opportunity for educational
25 services to all of our students in making sure that we

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1 bring into play the cultural and linguistically
2 diverse students to make sure that they are enhanced
3 with the competencies to be successful as you relate
4 to being able to speak English.

5 Our demographics -- we have 43 elementary
6 school sites, six middle school sites and four high
7 schools. We have two elementary schools that are
8 involved in the bilingual immersion programs, and I'll
9 speak more about that in a few minutes. But the idea
10 here is to make sure that we can provide these
11 youngsters dual opportunities to be proficient in our
12 English as well as the academic instruction in all
13 areas.

14 We have indicated that we find that the
15 rate of Hispanic population in the state's Iowa basic
16 skills has increased since 1995 through 1998. Are
17 information shows that a total of 3,622 students were
18 tested in '95-'96, 4,005 students were tested in '96
19 and '97, and we have 4,168 tested in 1997 and '98.

20 And so you can see for the last three
21 years, we have increased the number of youngsters who
22 have taken the ITBS test of basic skills. Exemptions
23 from the testing program, according to the data, has
24 risen some 36 students between '95-'96, '96-'97 and
25 '97 and '98. We also show a decline in the number of

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1 IEP exemptions of those 70 -- of about 74 students in
2 1995'-96.

3 '96-'97, there were 14 IEP's. And
4 exemptions between 1996-97 and '97-'98, as you can see
5 by the chart, that we continue to decrease in that
6 area. The information that you can see on page 4, we
7 attempt to show the graphics of the information that
8 I just presented and to give an indication of what our
9 district looked like in 1995, what the district looked
10 like in 1996-97 and then again '97-'98, which brings
11 us up to this school year and current.

12 I refer to the exemptions that you can see
13 at the bottom of the graph. Those youngsters
14 participating in the ITBS testing -- as you can see,
15 the numbers that I refer to has continued to increase.

16 Now, very briefly, the purpose as listed
17 on page 5 -- the Oklahoma City public schools provide
18 limited English proficiency, which is referred as our
19 LEP students, with appropriate instruction to enable
20 these students to achieve competency in English
21 language -- in the English language in short
22 periods -- in as short period of time as possible.

23 The aim is to prepare the youngsters to
24 participate successfully in the mainstream classroom.
25 And as we will say continuously throughout the report,

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1 we know that there are concerns about the exemptions.
2 We know that there are concerns about instruction. We
3 have an indication -- or have indicated to our
4 students and to our parents that what we want to do is
5 to take them through our instructional program, once
6 they have been identified and we've conducted the
7 appropriate survey -- to take them through our program
8 as quickly as possible.

9 We have some guidelines that indicate that
10 youngsters should not be in a program more than four
11 years. We attempt to adhere to that. So those
12 students who will come -- who come to us without the
13 very basic background are identified as LEP as
14 provided by the guidelines through the State
15 Department.

16 It is our goal to move those youngsters
17 through our proficiency program as quickly as
18 possible. And basically, this is what we say in -- on
19 page 5. And how we identify those youngsters --
20 stated in A, those youngsters who was not born in the
21 United States or who native language is a language
22 other than English, those individuals who are Native
23 American or Alaska native and who is a native resident
24 of the outlying areas and comes from an environment
25 where a language other than English has a significant

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1 impact on the student's level of English language
2 proficiency or those students who are migratory whose
3 native language is other than English and comes from
4 an environment where a language other than English is
5 dominant.

6 So those are some of the very basic
7 guidelines -- basic criteria that we use in
8 identifying youngsters for the program.

9 And B -- in the category B, as indicated,
10 those students who are sufficient -- who have
11 sufficient difficulty speaking, writing -- reading and
12 writing or understanding the English language. But
13 that kind of gives you a little idea of our criteria
14 that we utilize to identify youngsters for the
15 services.

16 Now, parents of eligible students may
17 waive the opportunity for youngsters to participate in
18 our language program. After being given the
19 opportunity to first make sure that we've had the
20 discussion of the language program and that
21 representatives from the appropriate school have
22 described the program and described the intent and
23 have really made sure that the parents understand
24 exactly what the program is about.

25 And the second area -- to make sure that

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1 it relates to the abilities of the youngsters. And
2 what we have in place now are methods of identifying
3 students who are first -- who first contact -- receive
4 contact from a counselor or school personnel who are
5 registering students, through teacher referrals,
6 through parent contact or those students services --
7 or Hispanic Student Services where the referrals
8 have -- they have received the referrals, say, at the
9 central office rather than at school.

10 Those are the other ways that we use to
11 identify them. One of the questions that I know that
12 was raised when I talked to Mr. Hernandez was the
13 exemption. And the bottom part of page 5 gives an
14 indication of what we have in place to identify
15 youngsters who are exempt from testing.

16 So beginning with the last school year,
17 one of the points that we wanted to stress to everyone
18 is that all public school districts through the State
19 Department are required to administer norm-referenced
20 tests. And it's a battery of tests that must be given
21 to all students grades six -- grades three and seven.

22 And the criterion-referenced test must be
23 given to students in grades five, eight and eleven.
24 And the following procedure gives the guidelines of
25 which -- whereby youngsters can be exempted from those

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1 tests. And if it's okay, for the sake of time, I'll
2 move as quickly as I can through this and give the
3 Commission the opportunity to review that on your own.

4 Or in case you have questions, I'd be
5 really glad to respond to it in a few minutes. One
6 point I would like to make sure of that's listed on
7 page 7 and it's listed under (A)(i) -- and that is
8 that our LEP students -- our limited English
9 proficient students may only be exempted during their
10 four years of enrollment in Oklahoma schools.

11 The point that I said a few minutes ago --
12 I think there is some misconception that youngsters
13 who are exempted are exempted always and they never
14 have to take the test for as long as they're in the
15 school system. And the point that I'd like to make in
16 raising this issue is that is not true. We follow the
17 guidelines.

18 And it's our intent to make sure that we
19 get the youngsters in a position where they can be
20 tested on the basic skills of the Iowa ITBS test
21 instrument, as well as the criterion-reference
22 testing. And also, again, mentioned in item (iii),
23 the local school district shall have on file record of
24 having notified the LEP students' parents or legal
25 guardians of the Oklahoma testing laws and make sure

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1 that we give the parents and/or legal guardian the
2 option of requesting that their youngsters be exempted
3 from participation.

4 Again, this is to make sure that we
5 involve our parents in this process. And in item
6 number (iv), it says for every LEP student exempted,
7 the local district shall have on file written
8 permission for the exemption from the parents or legal
9 guardians.

10 And in number (v) -- the total number of
11 LEP students exempted by a local education agency must
12 not exceed the number of LEP students reported on the
13 district's accreditation application for the current
14 school year. This is making sure that those records
15 are accurate.

16 And obviously, if they're not accurate,
17 then indication here is that funding will be withheld.
18 And as is indicated on page 8 -- and the procedure for
19 youngsters approved for test exemptions, according to
20 the previous positions -- provisions, is administered
21 the test. Then this student answers -- the documents
22 shall be returned for scoring. And those documents of
23 other students tested and scored -- score reports
24 shall be returned to the school.

25 As an indication here that all of the

1 records -- all the information that we have on file is
2 readily available for scrutiny review on the part of
3 any party that would like to see our test files.

4 On page 9, we begin our discussion on our
5 instructional programs. In grades K through 5,
6 students are served in a regular classroom or the
7 language center. And in the schools that we have
8 language centers, our youngsters are also served
9 there. And the format of the regular classroom is a
10 full-day program with instruction provided by the
11 teacher and a bilingual assistant.

12 The recommended ratio -- it's the LEP to
13 non-limited -- excuse me -- non-LEP students -- 60
14 percent and LEP students -- 40 percent for non-LEP
15 students. In grades six through eight -- provided
16 through a language center. And these schools are
17 staffed by ESL teachers and, again, the assistants,
18 who are available to provide tutorial services in the
19 content area.

20 And since our secondary schools are set up
21 by content, this is where we bring in our bilingual
22 assistants to provide assistance in those various
23 content areas. In our grades six through 12, students
24 enroll in one time block of English as a second
25 language and one time block as English language arts.

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1 In other words, our time block schedule is
2 that youngsters go to one time block, say, on Monday.
3 Then they go to another different time block on
4 Tuesday. What this language is saying that you have
5 an ESL set up on one day and then the English block
6 set up on the other day. And so the youngster does
7 not miss the academic area of -- of any academic area.

8 In the sites where the assistants stay in
9 the ESL classroom, which is identified as self-
10 contained situations, with the ESL teacher, students
11 may be sent by other teachers for content area
12 tutoring upon the ESL teacher's recommendation. One
13 option of the services provided to the LEP students
14 are based on the preview on the various models.

15 Other ESL methods may also be used. And
16 it is up to the discretion of the regular classroom
17 teacher. The Title 7 program that we mentioned
18 earlier provides for some assistance in the two-way
19 bilingual immersion program that's identified on page
20 10. And the idea here is that we have available to us
21 some funding, which helps with the staffing of
22 teachers who are proficient in the -- in speaking
23 Spanish.

24 And they are able to provide direct
25 services for youngsters not only in the English as a

1 second language category, but also in the native
2 language of Spanish, as well. This program is also
3 designed to provide some additional assistance for
4 parents in the evening, as well, to help those parents
5 also learn English.

6 Following that area, we have a graph to
7 move to the next topic that we were asked to bring
8 some information on. And we have provided some
9 student dropout information. And we have provided
10 that in the form of our charts. And if you will
11 permit me, I'll just very quickly review this with you
12 so you can have an idea of what we have for you here.

13 We have a two-year period of time as it
14 relates to the dropouts -- as it relates to not only
15 our Hispanic students, but to give you a comparison to
16 all of the groups that we have represented in Oklahoma
17 City public school system.

18 American Indian is the first
19 categorization, our Asian population, our African-
20 American or black student population, Hispanic
21 students and then our white students -- the
22 information that we have here. And this is reported
23 grades nine through 12. See the notation there at the
24 bottom.

25 And the second chart is to provide just

1 information -- just general information to you as
2 relates to the total enrollment compared to the
3 dropout rate. Now, the following graph is what were
4 asked to bring some information on student suspension.
5 This is an area that I don't think that any district
6 when they make these reports, especially urban
7 districts, are very proud of the statistics.

8 I would say that we are working in this
9 area to reduce this number. I feel like we have had
10 some success. And it is an area that we'll continue
11 to work on. However, be that as it may, we were asked
12 to bring the information so you could see it here.
13 The way you can read this is the first of this last
14 school -- the first quarter numbers, the second
15 quarter numbers, third and then the fourth and a
16 total.

17 And then we had divided that by those
18 groups of students that represent our school district
19 by both male and female. So as you can see, our
20 African-American number of students -- again, not
21 anything that we're proud of. But we know that we are
22 assigned to provide educational opportunities who on
23 many occasions do not want to be there.

24 So as a result of that, we have the
25 various suspensions occurring. Following the African-

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1 American students, you'll see the Hispanic students
2 population and how that fares or compares with the
3 other individuals or groups, followed by the white
4 students and how that number compares to the others.

5 That's the secondary. And the other
6 column follows the same way. And it is our elementary
7 student suspension rates. Madam Chairman, that's --
8 Madam Chairperson, this is a very quick overview of
9 the Oklahoma City bilingual program. We hope that we
10 have addressed those questions -- those issues that we
11 were asked to bring forth to the Commission.

12 However, we stand ready to respond or
13 react in any way as you direct.

14 MS. MORALES: A couple of the presenters
15 previous mentioned that exempted students are excluded
16 from gifted and talented programs and then other
17 honors programs. Is that a district policy or is that
18 part of the state policy? Or where does that come
19 from and who would be responsible for changing that?

20 DR. MOORE: Well, Ms. Morales, if that is,
21 in fact, happening -- and I -- someone had brought to
22 my attention as we started working on this information
23 that there were some youngsters in Cleveland who were
24 not permitted to be in various accelerated programs.
25 And I think there were two or three youngsters.

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1 Well, we don't know what happened there.
2 That may have been an individual building decision.
3 But that is not a district policy. That is not a
4 state policy. That sounds like to me that something
5 just happened at an individual site unless I have
6 received some misinformation.

7 And it's obviously something that we could
8 probably rectify very quickly. This is information
9 that Mrs. Mejia had shared with me this -- as we
10 prepared this information. If that is the area of --
11 where the complaint arose.

12 MS. MORALES: Well, I'm aware of it in
13 more than one site. So --

14 DR. MOORE: Okay.

15 MS. MORALES: -- it -- this might be
16 something that the district needs to look at.

17 DR. MOORE: Absolutely.

18 MS. MORALES: Two other real quick
19 questions. It was mentioned -- and I've tried to look
20 through there and I didn't find the -- what it is --
21 would you tell me what a language center is and where
22 they are located and sanction is and who qualifies and
23 so forth?

24 DR. MOORE: The language centers -- we
25 have some elementary schools that have language

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1 centers. But primarily, that's at the middle school
2 level.

3 MS. MEJIA: Only at the elementary level.
4 We have some centers due to the -- we have one with --

5 MS. MORALES: You need to come to the
6 microphone so the --

7 MS. MEJIA: Okay.

8 MS. MORALES: -- reporter can get it.
9 Now, excuse me. The language center is within a
10 school site --

11 MS. MEJIA: It's within the school site.

12 MS. MORALES: -- or within a district?

13 MS. MEJIA: No. Within a school site.
14 And those centers are located at schools where we have
15 more than one language. So we're not only serving
16 Spanish-speaking students, but we also serve in
17 Laotian, Vietnamese, Chinese, Malaysian, Mandarin,
18 Russian --

19 MS. MORALES: Uh-huh.

20 MS. MEJIA: -- name it.

21 CHAIRPERSON HUDSON: Can you say your
22 name?

23 MS. MEJIA: My name is Sandra Mejia and I
24 work at the Hispanic Student Services Office.

25 CHAIRPERSON HUDSON: Okay. Thank you.

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1 DR. MOORE: Ms. Morales, if I could add --

2 MS. MORALES: Uh-huh.

3 DR. MOORE: We did not include the
4 language centers in this report. However, I have a
5 copy of it here and I'd be more than glad to provide
6 it in any way directed -- you know, send it to
7 individual members or send it directly to you. We can
8 do that.

9 MS. MORALES: Well, I think if you just
10 send --

11 DR. MOORE: Send it to you?

12 MS. MORALES: -- it to the staff and he
13 can distribute it probably.

14 DR. MOORE: Sure. Be glad to do that.

15 MR. BETTIS: Dr. Moore, just for my
16 understanding, page 10 refers to the language center
17 and the teachers and assistants. Is that the title
18 you use -- assistant rather than an aide? Or are
19 there the two different distinctions --

20 DR. MOORE: Okay.

21 MR. BETTIS: -- assistants and aides both?

22 DR. MOORE: Let me make sure I understand.
23 The question was whether or not we provide
24 assistants --

25 MR. BETTIS: Teachers and assistants. Is

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1 an assistant an assistant teacher or an assistant
2 teacher's aide?

3 DR. MOORE: Oh. I -- in the two-way
4 bilingual immersion?

5 MR. BETTIS: Well, I just want to know the
6 title. Do you have two levels -- pay grades levels?

7 DR. MOORE: We have -- bilingual teachers
8 obviously fall in our teacher category. And they were
9 paid through out negotiated agreement with the
10 teachers. Then we have bilingual assistants who are
11 in the support contract and salaries are determined
12 according to that negotiated agreement.

13 We no longer have aides. So if there's a
14 category -- if we made mention of aides, we have
15 changed that classification now to only assistants.

16 MR. BETTIS: Okay. And then you have
17 aides in other classes in schools.

18 DR. MOORE: Aides --

19 MR. BETTIS: Not anywhere in the school?

20 DR. MOORE: No. We have changed the
21 terminology from -- to aides about eight years ago.
22 We -- it has been a very long time. And we refer to
23 those individuals as different categories of
24 assistants.

25 MR. BETTIS: Okay. What kind of academic

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1 background or how do you determine --

2 DR. MOORE: Okay.

3 MR. BETTIS: -- what they should have?

4 DR. MOORE: Well, those individuals are
5 required to have, generally speaking, high school,
6 high school equivalent, and have some proficiency in
7 the area that we're seeking -- some type of language
8 development if it's a bilingual assistant. If it is,
9 say, a special education assistant, to have some
10 training in that particular special education.

11 MS. RAMIREZ-HELTON: When you changed the
12 titles, did you also change the wages? Did you
13 increase the wages?

14 DR. MOORE: At that time of the changing
15 of the assistants, we did not change the wages. It
16 was just --

17 MS. RAMIREZ-HELTON: So what good did it
18 do to change?

19 DR. MOORE: Well, I think it made a
20 distinction that we were referring to individuals.
21 And, you know, there was such a tremendous outcry with
22 aides as it relates to HIV and so forth. And we did
23 not want the confusing titlization, so we changed it
24 as a result of that.

25 MS. RAMIREZ-HELTON: But no wage increase.

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1 DR. MOORE: At that time, there was not.
2 Now, since that time, there have been a change in the
3 wages for assistants. Our bilingual assistants are on
4 a different salary schedule than our regular
5 instructional assistants, so to speak.

6 MR. TOURE: A question -- Dr. Moore the
7 information gave -- that you've given us indicate that
8 the numbers of the Hispanic students or LEP students
9 taking the test are increasing. But I don't -- I
10 can't tell whether or not they're percentage has
11 increased in terms of there's more, for example,
12 Hispanic-speaking students in the Oklahoma City
13 schools --

14 DR. MOORE: Yes, sir.

15 MR. TOURE: -- but whether or not the
16 exemption is decreasing --

17 DR. MOORE: Yes.

18 MR. TOURE: -- as opposed --

19 DR. MOORE: Because the student population
20 in the Hispanic area is increasing, we can show an
21 increase in the number of youngsters who are taking
22 the exam. Unfortunately, we can also still see an
23 increase in the numbers of the students who are
24 exempted.

25 We would like to say that the exemption

1 rate is going down. It is less, but you can still see
2 an increase, and it's because of the increase in
3 population.

4 MR. TOURE: Dr. Moore, let me -- I've been
5 focusing on the issue of the exemption this morning
6 and the information on -- at least what I received was
7 that there was a problem with parents -- not just
8 homing on Hispanic parents now -- who were asked to
9 sign a waiver for their students -- their children to
10 be exempted without any discussion about the need for
11 a waiver, what the down side of the children being
12 exempted from the test might be and so forth.

13 Can you share with us your viewpoint on
14 that issue?

15 DR. MOORE: Yes, sir. It's my
16 understanding that -- and from time to time, we get
17 the reaction about not involving our parents. In my
18 very brief presentation today, one of the things that
19 I wanted to really share with you is the steps that we
20 go to -- go through with our parents.

21 And the idea is to really make sure that
22 our parents understand the exemption procedure and
23 that we do not go forth with this until we make sure
24 the parents understanding. It has required us to do
25 home visits. It's required us to take -- to go

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1 directly to schools, arrange conferences, to take all
2 the steps necessary to make sure the parents are
3 aware.

4 This is an area where we always get
5 criticism. We had some involvement with the Office of
6 Civil Rights -- out of the regional office out of
7 Dallas. And one of the things that they had concerns
8 about -- because they had received complaints that
9 maybe our parents were not involved to the extent that
10 they should be in the area of testing.

11 So as a result of that, we have really
12 gotten on board. And I'm kind of doing my second
13 involvement with the supervision of our Hispanic
14 office. The first time that I had that
15 responsibility, this is the time when we really put in
16 place the various steps to get our parents involved,
17 as I said, through the home visits, going to the
18 schools, counselors working directly with our parents
19 and try to make sure that everyone understood.

20 I -- and I wish I could say that we were
21 100 percent successful. We may not have been.
22 However, I think the effort and all the attention to
23 making sure the parents are aware of the testing
24 procedure were put in place. So -- and I know that
25 probably Mrs. Mejia can -- will -- can embellish on

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1 what I just said somewhat.

2 But the idea has really been to make sure
3 that parents understand.

4 MR. TOURE: I seem to be just -- and
5 perhaps I'm the only person here missing this. I
6 have -- I'm having some difficulty understanding the
7 rationale -- the basic rationale for exempting a large
8 segment of the population. Then what appears to be a
9 pressure -- and just from the viewpoints of some
10 parents who have spoken represent -- of having a child
11 exempted without regard to whether or not they can
12 take the test.

13 And then it seems to be, from our reading,
14 some tension on school districts to get the test
15 scores up. So what --

16 DR. MOORE: Yes.

17 MR. TOURE: -- is the interplay between
18 all --

19 DR. MOORE: I'd be more than glad to tell
20 you about this. This is an area that, obviously,
21 we're very concerned about, too. And we had some
22 schools this year that is on our local forming list,
23 as you probably know, through our state testing. And
24 as we have gone back and looked at that, it's because
25 we tested youngsters who had previously in previous

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1 years were exempted.

2 So when I say that we have taken every
3 step in the district to make sure that youngsters are
4 tested -- if the parents what those youngsters tested,
5 they're tested and regardless of what happens with the
6 end result. And, obviously, that could mean low test
7 scores.

8 And we have that. And I think that's
9 really through the direction of our superintendent to
10 make sure that our youngsters were tested. If there
11 are some things happening with our parents where
12 parents do -- are being pressured to sign waivers for
13 the exemption, it's without the knowledge of the
14 people responsible for conducting the testing.

15 It's without the knowledge of Mrs. Mejia
16 in her responsible with Dr. Fazon. And his
17 responsibilities are mine. Because I can assure you
18 that we will not allow any principal to do anything to
19 prevent parents from having those youngsters tested if
20 they want them tested. You know, they can all be
21 concerned about low test scores if they want to.

22 But preventing a youngster from being
23 tested is not the way to go about that. And until our
24 State Department changes some of the guidelines and
25 procedures for the testing, we'll just have to adhere

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1 to the process. But it's always been our intent to
2 make sure that those waivers are signed only if the
3 parent is willing and wants to do that.

4 Now, it requires us, again, as I said, to
5 take a lot of time to make sure that parents are
6 aware. And I think we have done that. I think we are
7 doing a better job of making sure that we explain the
8 procedure than maybe we had at one time. But again,
9 if there's any violation of this procedure, it's an
10 individual decision, rather than any direction coming
11 from my office or the central office.

12 MS. MORALES: Are all the schools on-site
13 base management?

14 DR. MOORE: No. They are not, Ms.
15 Morales. I wish I could say that they all are, but
16 there are many of them that are not. And frankly
17 speaking, the terminology site-based management, many
18 schools have things that they're responsible for
19 doing. But you can really determined a site-based
20 managed school when they control the entire budget

21 They do all of their own staffing. They
22 have an in-building committee that really determines
23 how they operate. Now, we have gone through training
24 with several of our building administrators who have
25 various aspects of site-based management in place.

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1 But many of them do not have nearly to the extent that
2 they should in order to be identified as site-based.

3 We -- as you know, we're doing a lot of
4 work in the enterprise schools --

5 MS. MORALES: Uh-huh.

6 DR. MOORE: -- area, but that's not the
7 site-based management.

8 MS. MORALES: Okay. When you're going
9 towards site-based management, how will the
10 administration over -- central office maintain
11 oversight to keep from -- the site-based managers from
12 abusing this policy to the site-based managers'
13 advantage?

14 DR. MOORE: Very good. Basically, for us
15 to do that is through information that they're
16 required to send us so that we can monitor monthly --
17 periodically, site-based visits from central office
18 personnel to our various sites to make sure that the
19 guidelines that are set out and approved by the Board
20 are in place.

21 And we have taken time for those
22 individuals who we, for lack of a better term, suspect
23 of maybe not following consistently with the
24 guidelines set out by the Board to make sure that we
25 give those individuals a little bit more time through

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1 observations than we have with other schools.

2 So there are ways where we can do that.
3 Sometimes it gets very difficult, given the
4 geographical layout of our district.

5 MS. MORALES: Uh-huh. Uh-huh.

6 DR. MOORE: However, when you really think
7 in terms of providing educational opportunities for
8 youngsters, this is where we have to go.

9 MR. HERNANDEZ: Madam Chair?

10 Yes. Dr. Moore, there was in 1994 a
11 compliance review that dealt with the limited English
12 proficient program.

13 DR. MOORE: Yes, sir.

14 MR. HERNANDEZ: And there was also a -- it
15 was closed, based on a voluntary resolution agreement
16 that was submitted by the school district. And part
17 of that agreement, or at least a responsibility of the
18 U.S. Department of Education Office of Civil Rights
19 was to monitor that agreement. Could you describe to
20 what extent the OCR has monitored that agreement
21 since?

22 And then given that at least -- there's
23 also been at least one case of a LEP complaint that it
24 was formal and made directly to the OCR in Dallas.

25 DR. MOORE: Mr. Hernandez, I am aware of

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1 the OCR report. I am also aware that we put in place
2 a procedure to comply. And there was an agreement
3 that various steps would be done. And I know that
4 several steps have been taken to comply with the
5 agreement.

6 The monitoring that was designed or was to
7 take place from the Office of Civil Rights, I am not
8 real sure. And the reason why I'm not is that I -- at
9 the time of that agreement, I moved from that area to
10 the deputy superintendent's position and kind of lost
11 contact directly.

12 That is not a situation where we can't
13 provide some information. I just did not bring that
14 here. And I have not had any direct contact. I'll
15 have to meet with the other administrators responsible
16 for that compliance in order to provide that response
17 to you. But I'll be more than glad to do that.

18 MR. HERNANDEZ: Okay. And one other
19 following question was you talked about how to some
20 extent you don't want -- you don't agree or at least
21 there is no pressure from these school districts to
22 have waivers from the exemption for the limited
23 English proficient student.

24 Yet the school district, I think, for this
25 year filed an application for deregulation for a

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1 fourth year, which makes it just another addition to
2 trying to get the student to keep from taking the
3 test.

4 DR. MOORE: Well, the idea behind that --
5 and I want to make sure that I make a distinction
6 between those two issues. The issue that I referred
7 to -- and I stand behind it -- there is no pressure to
8 us to provide pressure on parents to sign waivers to
9 exempt students.

10 However, when you really look at what we
11 are trying to do instructionally in our instructional
12 program with youngsters who come to us completely
13 monolingual and cannot handle the English language at
14 all and cannot really manipulate any of the English
15 requirements, that sometimes it takes a little bit
16 more time for those youngsters than we have available
17 to us.

18 That's one of the issues. The other issue
19 is the way the law reads, it says four years in the
20 State of Oklahoma. If a youngster comes to us, say,
21 in the first or second grade without having any
22 English ability, and we start to process instruction
23 and the youngster moves away to go some other part of
24 the state -- some other part of the school out of
25 Oklahoma City Public School District but stay in the

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1 state and then come back to us, then we have a
2 responsibility of picking up that instructional
3 requirement.

4 So if the youngster was not provided any
5 training or any instructional opportunities, one of
6 the things that we have found is if you look at a
7 three-year cut-off time, we haven't done our job,
8 because the three years have expired. So for that
9 reason -- that's one of the things that we were
10 concerned about when we asked for the state to give us
11 that one year exemption.

12 And that was not to apply any pressure.
13 And I hope that doesn't come across to the Commission
14 that that's what we were attempting to do.

15 MR. HERNANDEZ: Okay. And does your
16 school district have a method in terms of the -- your
17 fiscal responsibility in terms of monitoring the money
18 for special programs such as the LEP program in terms
19 of tracing that money to make sure that it goes for
20 that particular purpose?

21 DR. MOORE: Oh, yes. Yes. We have --
22 through our budget preparation office, we have
23 individuals who have responsibility for making sure
24 that those funds are spent accordingly. One of my
25 responsibilities, Mr. Hernandez, is to make sure that

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1 when the requests are coming in for the various
2 payment and purchases that that budget sheet is
3 approved through my office.

4 So, yes, sir. I think we have a very good
5 internal process to make sure that those funds are
6 accounted for and distributed to the various entities
7 according to policy.

8 MR. HERNANDEZ: . And you can make that
9 available to us. Right?

10 DR. MOORE: Sure. Absolutely.

11 MR. HERNANDEZ: Thank you.

12 MS. MORALES: What accountability do you
13 have for the school site administration -- the
14 managers -- if they are found to abuse the exemption
15 policy?

16 DR. MOORE: The way we're set up
17 organizationally is that there is a director. For
18 every school that we have in the school district,
19 there's a director. The assistant superintendent of
20 educational services is the -- is responsible for the
21 director. And then it gets into our area -- the
22 deputy superintendent and Dr. Fazon and Ms. Mejia.

23 When we find that there are violations of
24 implementing the Board policies -- of any Board
25 policies, then these areas would obviously fall into

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1 that category. The building administrators are
2 disciplined. And our discipline is progressive and it
3 goes all the way through, you know, warnings,
4 instruction, training to more serious disciplinary
5 action as it relates to reprimands that can,
6 obviously, be placed in individuals' files.

7 MS. MORALES: Is there a provision to
8 prevent retaliation to that family?

9 DR. MOORE: Yes. And the retaliation
10 issues are always difficult. One of the things that
11 we indicate to everyone, that, you know, students,
12 parents, teachers, administrators -- everyone has
13 rights. And when those individuals exercise those
14 rights, that's within their purview to do that.

15 And someone who has been the result -- or
16 impacted as a result of that decision does not have
17 any recourse for retaliation. Three years ago, our
18 Board put into place a very strong policy. And it
19 basically said that no one can retaliate against
20 anyone in the event that it's necessary to provide
21 information that may lead to disciplinary action on
22 that person.

23 I think in the political arena, they
24 probably refer to it kind of like a whistleblowers
25 policy. And we have that in place solely for that

1 reason.

2 MS. BORREGO: Is there -- in the exemption
3 policy, is there something published to the parents or
4 in the students' handbook stating parental rights and
5 what the decision is and what the process is for?

6 DR. MOORE: I know we provide that in our
7 student handbook. As it relates to the specifics, let
8 me turn to Sandra.

9 Is that provided, also, within those
10 guidelines --

11 MS. MEJIA: Yes.

12 DR. MOORE: -- to training?

13 Yes, those are.

14 MS. BORREGO: Are they provided to the
15 parents -- the handbook?

16 DR. MOORE: Yes, they are.

17 MS. BORREGO: Okay.

18 DR. MOORE: Yes. We have a parent
19 handbook that describes our procedures.

20 CHAIRPERSON HUDSON: Does anybody else
21 have any questions?

22 MR. TOURE: I do. I want -- I don't want
23 to monopolize all the time. Dr. Moore -- and I should
24 know this, but just help me with the two different
25 types of tests --

1 DR. MOORE: Yes.

2 MR. TOURE: -- the one's administered in
3 the third and seventh grades are the criterion-
4 reference tests.

5 DR. MOORE: Yes.

6 MR. TOURE: What is a criterion-reference
7 test?

8 DR. MOORE: Well, there's a -- those are
9 in-district tests that we believe that every youngster
10 should be in a certain level by grade level. And we
11 refer to them as criterion-reference tests. We're
12 saying that every youngster -- say a second-grader.
13 If you're in the second grade, here are all the skills
14 that you should know.

15 And we provide that test to make sure that
16 those youngsters are performing at that level. If
17 they're not performing at that level, it provides us
18 a blueprint of what we need to do to get the
19 youngsters up to that level. So that's basically
20 criterion-reference testing.

21 MR. TOURE: And that's -- I'm sorry --
22 that's the fifth, eighth and eleventh grade.

23 DR. MOORE: Right.

24 MR. TOURE: The norm-reference tests.
25 What are those in the --

1 DR. MOORE: Now, that --

2 MR. TOURE: -- third and seventh grade?

3 DR. MOORE: Yes, sir. Those are the ITBS.

4 And that's the nationally-ranked standardized test
5 that is given to everyone throughout the state.
6 That's the state-identified test.

7 MR. TOURE: Okay. That's the Iowa test.

8 DR. MOORE: That's the Iowa test.

9 MR. TOURE: Okay. So the --

10 DR. MOORE: Yes, sir.

11 MR. TOURE: -- the third grade test, which
12 is the one that everyone seems to jump up and down
13 about is the one that's administered in the elementary
14 school, and that's where all the exemptions are. Can
15 you tell what -- if the exemptions are for the Iowa
16 test or for the criterion-reference testing? Do you
17 have that broken down?

18 DR. MOORE: I don't have it broken down,
19 but I would imagine that -- and we can provide that.
20 But it's going to be the ITBS. This Iowa basic skill
21 test where people are -- where the exemptions take
22 place. And it's primarily at that third grade area.

23 And we are compared not only to the
24 nation's third graders, but we're also compared to the
25 state's third graders when it comes to the

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1 standardized test that's promoted by the State
2 Department of Education. Now, a few years ago, we had
3 the CAT, which was California achievement test.

4 And we have been now with ITBS, I think,
5 the -- five years. So we're probably -- the state
6 will have to make a decision in the next year of
7 whether we're going to stay with ITBS or if they're
8 going to come with another nationally reference --
9 nationally normed test for our students. And the
10 thing that concerns us, when they do that, invariably
11 the test scores go down.

12 So, you know, it's -- I know it's
13 inevitable and I know it's going to occur. But I
14 would -- I know that's one of the areas that we're
15 concerned about.

16 MR. TOURE: Well, I -- could I ask one
17 last question?

18 DR. MOORE: Yes.

19 MR. TOURE: I asked the -- an activist, if
20 you will, with the Advisory Committee -- Hispanic
21 Advisory Committee, about his viewpoint recommending
22 that the exemption provision or law be removed,
23 understanding that generally, the exemption's only for
24 two broad categories -- those with English-speaking
25 deficiencies, if you will, and those who have some

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1 handicap disability students.

2 So the LEP exemption and the handicap
3 exemption don't apply to others who are natives of
4 this country but don't speak English very well or so
5 forth. Would you -- what would be your point as an
6 educator in terms of removing the exemption?

7 DR. MOORE: This is being recorded, too,
8 isn't it?

9 MR. TOURE: I won't repeat it out of --

10 DR. MOORE: That's a very interesting
11 question, and I know that there are many educators
12 that would probably share my point of view in that I
13 think that we have to, as educators, provide whatever
14 necessary to provide youngsters an opportunity to
15 learn and to take whatever steps we need to do to get
16 them up to what I consider to be the appropriate
17 levels, whether it's reading, it's writing, it's
18 verbal skills or whatever it takes.

19 But there's a realism that you have to
20 deal with. And that is when the youngsters come
21 without any kind of preparation at a certain level --
22 in the middle schools or high upper grades -- to
23 assume that that's going to take place in a one year's
24 time with everything else that you have going on is
25 somewhat unrealistic.

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1 So I like the idea of being able for that
2 youngster to achieve some success. And if that
3 youngster's not achieving success because they cannot
4 manipulate the language, yes, you're going to cause
5 some problems and eventually have youngsters dropping
6 out of school. So I think we should provide the
7 opportunity to help those youngsters who are having
8 those kinds of problems.

9 And I guess you can kind of get into my
10 other area of the social promotion Dr. Fazon is
11 involved in. But it's not -- it is really to try to
12 make sure that youngsters have some basic foundations
13 that they can build on as they progress through the
14 educational setting. So a roundabout way to answer
15 the question is, I'm for youngsters being able not to
16 be exempt.

17 But I also understand that realistically,
18 you've got to have another way, then, of addressing
19 the fact that youngsters come to you without the
20 ability to manipulate the language. So some
21 exemptions, I think, would probably be more in line
22 with urban education. But I don't want us to get
23 locked into it to say that that's the only thing that
24 we can do for youngsters is hold them into this
25 pattern for a long period of time.

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1 We all still have a responsibility of
2 moving youngsters through the educational setting as
3 quickly and with as much skill as we possibly can. So
4 I think that's what we need to be about.

5 MR. HERNANDEZ: Well, I was thinking one
6 question for you, but I think you kind of touched on
7 it pretty good. But just for the record and for
8 clarification, what is the rationale for the exempting
9 the students? And I think you said it --

10 DR. MOORE: It's -- yes.

11 MR. HERNANDEZ: -- in a word, I guess.

12 DR. MOORE: Well, the idea behind
13 exemption is to provide youngsters an opportunity for
14 more specific training so that they can fit better
15 into the mainstream.

16 MS. MORALES: I appreciate that the
17 district has more than one foreign language to deal
18 with as far as children having other native languages
19 other than English. But acknowledging that and that
20 the Hispanic student population is to much larger than
21 any of the other minority languages, what is the
22 prohibition -- or why isn't it considered to test
23 Spanish-speaking students in their native language,
24 provided that they have a foundation --

25 DR. MOORE: Hm.

1 MS. MORALES: -- in their native language?
2 Because I realize that some of them don't have even a
3 foundation in their native language.

4 DR. MOORE: Yes. This is the argument
5 of -- argument -- the concern that continues to come
6 to us, Mr. Morales. One of the concerns that we have
7 is to make sure we can get the people on board to do
8 what we need to have done in that area. Basically,
9 what I'm referring to is more immersion programs where
10 you actually are working with the youngsters in their
11 native language.

12 And we do not have a bilingual program in
13 Oklahoma City. It's English as a second language.

14 MS. MORALES: Right.

15 DR. MOORE: It is not teaching Spanish.
16 I think there are several things that must happen
17 before we're able to do it. Number one is to make
18 sure we have enough staff people to provide the
19 specific kind of instruction that we need to have and
20 then adjusting and shifting budget funds to accomplish
21 that.

22 And right at this point, we have not. So
23 I think that's maybe some direction.

24 Yes, ma'am?

25 MS. RAMIREZ-HELTON: Do you have a

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1 recruiting program?

2 DR. MOORE: Yes, we do.

3 MS. RAMIREZ-HELTON: How often do you go
4 out and recruit?

5 DR. MOORE: We go out -- in our certified
6 personnel area, each -- we have the normal recruiting
7 with all the colleges and universities. And then we
8 have recruiting that -- that recruiting goes on the
9 entire year where we go to all the universities to see
10 students who are in the educational departments so we
11 can recruit them for Oklahoma City.

12 Now, we know that there are several areas
13 outside of Oklahoma that we also have to go to. Linda
14 Brown, who is our employment director, will spend time
15 in certain parts of Texas and Arizona trying to
16 recruit Hispanic personnel to come to Oklahoma to
17 receive the -- a cut in pay.

18 MS. RAMIREZ-HELTON: That's right.

19 DR. MOORE: Unfortunately, our salaries
20 are not competitive with those areas. But to say that
21 we still don't go out in the field, we try to attract
22 them by trying to sell the city, the school district
23 and other things to get individuals into the district.
24 And I hope that our state will eventually put salaries
25 in place to the extent where people will want to come

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1 to Oklahoma City without having -- taking a cut in
2 pay.

3 MS. RAMIREZ-HELTON: Well, have you had
4 any luck with your support personnel locally for
5 Hispanics?

6 DR. MOORE: Not to the extent that I would
7 like. And I don't want to place blame. One of our
8 drawbacks there in increasing the salaries for our
9 support personnel is more contractually than anything
10 else. We've had funds that we wanted to put on the
11 table -- put into certain areas. But because of our
12 negotiation procedures, the money has been diverted to
13 other areas.

14 MS. RAMIREZ-HELTON: In other words, they
15 fall under the union contracts. Is that it?

16 DR. MOORE: That's correct.

17 MS. RAMIREZ-HELTON: I see.

18 CHAIRPERSON HUDSON: Dr. Moore, I want to
19 thank you very much for being willing to stay well
20 beyond your 20 minutes.

21 DR. MOORE: It's my pleasure. It really
22 is.

23 CHAIRPERSON HUDSON: And I want to thank
24 you for providing the material --

25 DR. MOORE: Okay.

1 CHAIRPERSON HUDSON: -- that you're
2 providing to us.

3 DR. MOORE: If I could get a little
4 clearer on an occasion of what you like for us to
5 provide, we'll be glad to do that.

6 CHAIRPERSON HUDSON: Thank you very much.
7 The next person that we have scheduled is
8 Johnny Charqueno. And let me go ahead and give a
9 little information about Mr. Charqueno. Do we have
10 some? I thought we did. Here it is right here. Mr.
11 Charqueno is an eleventh grade student at Northwest
12 Classon --

13 MR. CHARQUENO: A senior.

14 CHAIRPERSON HUDSON: -- High School.

15 MR. CHARQUENO: I'm a senior.

16 CHAIRPERSON HUDSON: You're a senior now.
17 In Oklahoma City. He was recommended to a State
18 Advisory Commission member as a knowledgeable person
19 because of his demonstrated leadership skills in the
20 Latino Leadership Club and he has taken leadership
21 training courses. And he'll make a statement about
22 the educational services he has received from the
23 school district.

24 MR. CHARQUENO: You all know my name --
25 Johnny Charqueno. I'm a senior at Northwest Classon

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1 High School. And I wanted to talk to you about the
2 exemptions from the Iowa test -- the -- some
3 advantages and disadvantages that I got some opinions
4 from some students about at the schools.

5 Well, advantages -- many students didn't
6 give me any advantages -- or teachers. The only
7 advantages they would give me would be, like, I don't
8 have to take the test; I get to go to a classroom and
9 watch a movie for, like, a week. That's the only
10 advantages they mainly gave me. But mostly
11 disadvantages they gave me is -- I have two or three
12 friends that would tell me that, Oh, I can't go to
13 Classon because I didn't take that test; they didn't
14 let me take the test, and they wanted to see my
15 records, so I wasn't accepted.

16 Because for me, in seventh grade, I was
17 exempted from the test. And I was born here in
18 Oklahoma. And I was exempted. But I had to take it
19 later on that year when they found out -- because I
20 had advanced classes. I had honors classes and they
21 had exempted me from that test.

22 What they do is they give you a letter to
23 send to your parents asking if you wanted to be exempt
24 or if you wanted them to take the test. But many
25 students don't even take the letter home to their

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1 parents. They just -- Oh, I just don't want to take
2 the test so I won't have my mom sign it. And that's
3 why mainly none of them take the test.

4 And some advantages my counselor told me
5 they had was that the percentage goes up -- the scores
6 go up because if they had Hispanics that don't speak
7 English taking the test, well, it will mess up the
8 scores; most of them will flunk. That's some things
9 the counselor was telling me about.

10 CHAIRPERSON HUDSON: So your counselor was
11 telling you some information about --

12 MR. CHARQUENO: Yes.

13 CHAIRPERSON HUDSON: -- the test?

14 MR. CHARQUENO: He was telling me some
15 information about it. I asked many other teachers.
16 They wouldn't give me no -- they really didn't see any
17 advantages except for the fact that the scores would
18 go down if they did take the test. And the students
19 would say that they get to watch movies for a week.

20 And other students, you know, they really
21 wanted to take the test. And they kind of felt, like,
22 dumb when they didn't get to take the test, because
23 they'd sit in a room and people would pass by and, Ah,
24 look. That kid looks retarded. He don't get to take
25 the test. Yes. And --

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1 MS. BORREGO: Did your parents sign the
2 waiver, or you were just exempt?

3 MR. CHARQUENO: My parents signed it
4 because it just said, No. I don't want my student
5 taking the test or yes, I want my student taking the
6 test. But my mom signed it. And I think they lost
7 it. I'm not sure. Because they really don't take
8 good care of the things.

9 CHAIRPERSON HUDSON: Did you explain to
10 your parents whether you wanted to take the test or
11 not after what your counselor had told you?

12 MR. CHARQUENO: Really, I -- at first, I
13 didn't want to take the test. But then I figured it
14 out, because I kind of wanted to go to Classon. And
15 when -- because they were telling me about it. And I
16 think I took it in my eighth grade year.

17 CHAIRPERSON HUDSON: How did you figure
18 out that you needed to take the test to go to Classon?

19 MR. CHARQUENO: My counselor told me.

20 CHAIRPERSON HUDSON: Your counselor told
21 you that you needed to --

22 MR. CHARQUENO: Yes. Because I had
23 advanced classes. And he had asked me if I had taken
24 it. And I was, like, No. I hadn't taken it.

25 CHAIRPERSON HUDSON: Did he ask you why

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1 you hadn't taken the test?

2 MR. CHARQUENO: He asked me. But I just
3 told him that I didn't return the letter -- that I
4 returned it, but I guess they lost it.

5 MS. RAMIREZ-HELTON: I wonder. Do you
6 know whether -- say you're an Hispanic student but you
7 have an Anglo last name. Do they still send the
8 letter home for the student's parents to sign?

9 MR. CHARQUENO: They mainly give a letter
10 to all the Hispanic students or --

11 MS. RAMIREZ-HELTON: The ones with the
12 Hispanic signs?

13 MR. CHARQUENO: Yes. The ones with the
14 Hispanic last names. But most of them, they don't
15 want to take the test, so they really don't take it
16 home. They really don't take it home. And they just
17 literally exempt you if you don't bring it back.

18 MS. BORREGO: Bring it back.

19 MS. RAMIREZ-HELTON: If you don't bring it
20 back.

21 CHAIRPERSON HUDSON: That's my question.
22 Do you take the test if you don't bring the letter
23 back?

24 MR. CHARQUENO: No. Most of the people
25 that don't bring the letter back have never taken the

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1 test. They either -- they're either on the list to
2 take the test and they don't go and they just tell the
3 teachers that they don't want to take it. Or they're
4 just not on the list and don't take the test.

5 CHAIRPERSON HUDSON: And so from what you
6 know, there's some students who don't take the test
7 but didn't bring the letter back from their parents?

8 MR. CHARQUENO: Yes. Yes.

9 MS. RAMIREZ-HELTON: Apparently, there's
10 no follow-up.

11 MS. BORREGO: Right. No contacting.

12 No --

13 MR. CHARQUENO: No. No contacting.

14 MS. RAMIREZ-HELTON: No follow-up on it.

15 Okay.

16 CHAIRPERSON HUDSON: Anything else you
17 want to add? Okay. Let me see if anybody else has
18 any questions.

19 MR. CHARQUENO: Any other questions?

20 MR. HERNANDEZ: One quick question -- what
21 can you tell us about the dropout problem in the
22 Oklahoma City public schools at the high school
23 level --

24 MR. CHARQUENO: Many --

25 MR. HERNANDEZ: -- the Hispanic.

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1 MR. CHARQUENO: The Hispanic? Many
2 Hispanic -- many of my friends, well, they drop out
3 mainly because they've been suspended a long time and
4 for a parent conference. And many parents don't come
5 back because usually they just speak Spanish and
6 nobody translates and they're scared of talking to a
7 principal, because they wouldn't understand.

8 And as the days go by, they still become
9 unexcused absences. And I think it's six unexcused
10 absences, and you fail the semester. So many of my
11 friends tell me that they haven't come back because
12 they felt that there's no point in coming back.

13 And many of the students that are getting
14 suspended are usually freshman Hispanics that want to,
15 like, be recognized in school that are peer-pressured
16 by older students that are being told, Hey, do this,
17 do that and you'll be cool and you can hang around
18 with us. That's mainly the students that are being
19 suspended.

20 And by the time they get to the tenth
21 grade, they just literally don't come back. They just
22 don't come back no more, because they say there's no
23 point -- that they're just getting suspended and
24 getting into trouble all the time.

25 MS. RAMIREZ-HELTON: Those students that

1 usually a lot of them just don't pass them out.

2 MR. HERNANDEZ: Yes. Well, just to
3 clarify, there is the parent-student handbook that I
4 think you're talking about.

5 MR. CHARQUENO: Yes.

6 MR. HERNANDEZ: And then in the LEP
7 program, there's also a parent handbook that's in
8 Spanish. And sometimes it gets --

9 MR. CHARQUENO: Uh-huh.

10 MR. HERNANDEZ: -- it's supposed to get to
11 the parent, I guess.

12 MS. RAMIREZ-HELTON: It's ridiculous.

13 CHAIRPERSON HUDSON: Any other questions?

14 I want to thank you, Mr. Charqueno. And
15 you did a great job. Thanks.

16 MR. CHARQUENO: All right. Thanks.

17 MS. MORALES: Thank you.

18 MS. RAMIREZ-HELTON: Thank you.

19 MS. BORREGO: Good luck. Finish school.

20 One more year and then college.

21 CHAIRPERSON HUDSON: Do we have Wayne
22 Thompson here?

23 MR. THOMPSON: Yes.

24 CHAIRPERSON HUDSON: Great. You can go
25 ahead.

1 MR. THOMPSON: But --

2 CHAIRPERSON HUDSON: We're ready for you.

3 MR. THOMPSON: -- Ruth needs to leave and
4 so I'm going to defer to her, since I was a little bit
5 late.

6 CHAIRPERSON HUDSON: Okay. We've got Ruth
7 Mazaheri. And she is the director of programs at the
8 Latino Community Development Agency. She has a master
9 in psychology from Purdue University and has worked in
10 community mental health since 1980.

11 In 1997, she observed that African-
12 Americans have the greatest number of dropouts in the
13 district and no one said a word. The Hispanic
14 students are also endangered in the Oklahoma City
15 Public School District dropout count. And she claims
16 that there are not enough parents involved in school
17 activities.

18 MS. MAZAHERI: Good morning. Good
19 afternoon, maybe. Distinguished Advisory Members to
20 the U.S. Commission on Civil Rights. My name is Ruth
21 Baraz Mazaheri, and I have been a resident of Oklahoma
22 for the past 17 years. I work at the Latino Community
23 Development Agency.

24 The Agency has been active in the
25 community providing education advocacy and social

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1 services to the Latino community in Oklahoma City.
2 Since 1991, the Agency has work with the Oklahoma City
3 public schools providing a substance abuse prevention
4 program to the Latino students at the elementary,
5 middle school and high school level.

6 This year, we're in the process of
7 initiating services in over 13 Oklahoma City public
8 schools with a large number of Hispanic students. A
9 couple of years ago, we presented some concerns to the
10 Commission regarding the ITBS test. This test, as
11 explained previously, is intended to assess where the
12 students are academically.

13 However, in some schools, it has become
14 the grading for how well the school is doing. A few
15 months ago, one of the schools that we have had
16 increasing concerns about the large number of students
17 that have been exempted from taking the test was
18 applying to become an enterprise school. This school
19 is Columbus Elementary.

20 We are supportive of the excellent
21 opportunities and resources that an enterprise school
22 would provide to the students. However, we strongly
23 oppose the track record of events that have not been
24 favorable to the Hispanic students within the past
25 years. Let me provide you with some information from

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1 the 1996-1997 Oklahoma City Public School Management
2 Information Services, a statistical file published in
3 September 1997.

4 And I'm going to give you some copies. I
5 may be referring to some of these. This profile
6 reflects that the total student body at the Columbus
7 Elementary in 1997 was 650 students. 439 or 67.5 of
8 the students were of Hispanic origin. 398 of the
9 second, third and fourth and fifth graders were
10 eligible to take the Iowa test. However, only 139, or
11 34 percent of the students, were given the test last
12 year.

13 214, or 49 percent of the Hispanic
14 students, were exempted from taking the test. This
15 was last year's figures. Fifty-four percent of the
16 eligible second, third, fourth and fifth grade
17 students were exempted from taking the Iowa test.
18 This is one of the largest schools that we're seeing
19 that continues to exempt students from taking the
20 test.

21 In the community, Columbus Elementary
22 School has been represented as one of the leader
23 schools with high performance in the Iowa test.
24 However, the real truth is if the community and
25 everyone else knew the reality of the numbers I just

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1 read to you -- as I just read to you, they would
2 realize that the high performance is related to the
3 high number of exemptions.

4 In other words, the students were being
5 exempted and paying the price or not being assessed
6 adequately so that they can begin to achieve
7 academically up to their potential. The numbers that
8 I presented -- that I am presenting are indicative
9 that only hand-picked students are being tested. And
10 we object to this process strongly.

11 We have done this two years ago. They
12 continue to do it. And today, I want the record for
13 everybody to know that we continue to object to this
14 project. How is it that a school with a large
15 representation of Hispanic students exempt 49 percent
16 of the same group? I would like to present to you a
17 graphic which represents two figures obtained from the
18 same source that I quoted earlier.

19 And later on, I would like to leave you
20 with a copy of this. It is in colors, and I think
21 that you would really be able to see some of that.
22 Okay. The first school that I'm going to present to
23 you -- the first one represents the number of the
24 schools that have a large representation of Hispanic
25 students and a high rate of exemptions from the ITBS

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1 test.

2 Let's take elementary -- Lee Elementary
3 School. We have a total number of 505 students.
4 Okay. I'm beginning with this one. Out of 316
5 Hispanic students in this school, 107 were exempted.
6 The next one on the list is Shidler Elementary with a
7 total student body of 316 students. Out of 171
8 Hispanic students, 51 were exempted.

9 The next one on the list is Herononville
10 with a total body of 350 students. Out of 281
11 Hispanic students, 65 were exempted. And this can go
12 on and on. So you can see over here what it is. And
13 I'd just like you -- now, let's take a look at schools
14 such as Westwood, Capitol Hill, Lafayette and Linwood.
15 These are smaller set-up schools.

16 However, I want to see the -- I'd like for
17 you to see the contrast from the same school system
18 how some schools are being able to not exempt a large
19 number of students. And what is it about that
20 school -- that the principals in those schools have
21 chosen to still give the ITBS test to the students.
22 And although the scores for the whole grading on the
23 school may be lower, it still -- they continue to work
24 with the students, because they want these students to
25 achieve academically.

1 At Westwood, the total student body is 160
2 students. And I'm right here on this one. This is
3 Columbus. The first one that I'm presenting over here
4 is Columbus. The next one is Westwood. Out of 103
5 Hispanic students, only 24 students were exempted. At
6 Capitol Hill Elementary, the total student body is
7 330. Out of 163 Hispanic students, 46 students were
8 exempted.

9 At Lafayette Elementary, the total student
10 body is 142. Out of 88 Hispanic students, 24 were
11 exempted. The last one that I have is at Linwood
12 Elementary. The total student body of 178 students --
13 117 Hispanic students, only 22 of them were exempted.
14 So I'd like to give you this information so you can
15 see a contrast between some schools that have a high
16 rate of exempting Hispanic students from taking the
17 test.

18 And you have available the source that I
19 quoted for the statistical data that I got this
20 information from. You can look at those schools over
21 there and how they are showing that the ITBS
22 performance for the school is, which in many of these
23 schools is going to show that the rating is much
24 higher. So what I'm trying to present to you that is
25 that some schools are choosing to take this method as

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1 a way to showing that the school is doing better at
2 the expense of the Hispanic students not taking that
3 test.

4 As our student over here mentioned
5 earlier, one of the things that is happening in the
6 schools is that when they are given the waivers for
7 the parents, the parents are not really explained what
8 is the purpose of that test. And that is the
9 information that needs to be given to those parents.

10 What is the purpose of the test? It is to
11 assess how the child is doing academically so that the
12 school will be able to help them. What they're told
13 is that your child is going to flunk if they take that
14 test. And the parents are fearful that their child is
15 going to flunk, so they say, Okay. Let me sign that
16 waiver. That is misrepresentation. And I think that
17 is one thing that we're strongly opposed to.

18 The second aspect that I wanted to discuss
19 today is the disciplinary and suspension actions taken
20 by some schools. I'm going to change hats at this
21 point. I am going to introduce myself as a parent of
22 Putnam's City school -- Middle School child whom last
23 year, while he was in school, some of the disciplinary
24 methods that they have within the school is that they
25 give the child -- the children marks.

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1 To my surprise, when I began with African-
2 Americans in the first line, it says that the
3 percentage of African-Americans who are in the school
4 is 13 percent. However, the percent of suspensions
5 was double -- more than double that number. And that
6 alarmed me. On the Hispanic aspect, it was pretty
7 level and pretty balanced.

8 However, I think that my question, and
9 today, the reason that I'm bringing this up here is
10 because at that time, I got alarmed because I really
11 felt that if today we don't start doing something
12 about the Hispanic student being suspended from the
13 school, within the next three to five years, our
14 numbers are going to look just like the ones that
15 we're seeing over here for the African-Americans.

16 It is going to double the number of
17 suspensions. And I think that we are doing a
18 disservice to the kids when we are seeing that the
19 numbers of kids that are being suspended from the
20 school system. I requested information -- the rate of
21 suspension by race by the Oklahoma City public
22 schools. However, they did not have that information
23 broken down by race. So I could not get that
24 information.

25 One thing that I would like to ask from

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1 the Commission today is to see if there is any way
2 that we might be able to get that information broken
3 down by race, because I think that's the only way that
4 we would be able to continue to advocate for kids who
5 are from a different race that are being largely
6 represented by suspension grades that would be able to
7 do something about this.

8 That the schools -- I am an advocate, and
9 they know that when something that I see is something
10 that is questionable, I would go over there. However,
11 in our community, one of the things that happens is
12 that many of our parents will not question that. Many
13 of our parents are fearful. They don't have the
14 language skills that -- and they feel that they may be
15 threatened by the authority figures and they don't ask
16 this information.

17 So, you know, one thing that's real
18 important is that all of this information be given
19 plain and clear to the parents. What is an ITBS for?
20 Not that your child is going to flunk. Give them the
21 right information. Don't tell them that your child is
22 going to flunk, because nobody wants -- as a parent,
23 you don't want your child to flunk.

24 So we need to have the schools to be
25 accountable for this. When Dr. Moore was over here a

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1 few minutes ago, one of the things that he mentioned
2 is that they -- as an administration, they do not want
3 to have some of the students be exempted. However,
4 they don't have to be accountable to those principals.
5 The principals have to be accountable to the
6 administration to see that high rate.

7 The quotes that I make over here -- the
8 information that I presented over there, they have
9 that information. That comes from the school. They
10 see that. What I presented to you about Columbus
11 Elementary, they have that information. Have they
12 made the Columbus Elementary principal accountable for
13 that? I don't think so.

14 Up to this point, I don't think that
15 Columbus Elementary school principal has been
16 accountable for exempting these students. And we
17 don't want to continue to see that. So, you know, two
18 years ago, we came over here. We are here today. And
19 if we come back next year, we'd like to see a
20 different scenario that, you know, the school is
21 really showing accountability for the number of
22 exemptions.

23 And you can see the contrast over there.
24 So that's why I wanted to give you that information.

25 MS. RAMIREZ-HELTON: May I ask a question?

1 Have you attempted to go before the School Board?

2 MS. MAZAHERI: Yes, we have. At the time
3 when the enterprise school came, we went over there
4 because we wanted to let them know that we were not
5 opposed to an enterprise school concept and that we
6 were supportive of the enterprise school's concept.
7 However, we very much were opposed to the practices
8 that that school had done.

9 They promised us that there were things
10 that were going to change. They promised us that
11 there were going to be representatives from our
12 community -- from our Agency that were going to be on
13 the Board. Up to now --

14 MS. RAMIREZ-HELTON: Nothing.

15 MS. MAZAHERI: It has been about two or
16 three months. We haven't heard anything. So
17 whether -- you know, I think there can be a lot of
18 promises. But until you don't see it in black and
19 white, that's not going to happen.

20 MS. RAMIREZ-HELTON: That's true.

21 CHAIRPERSON HUDSON: Anybody have any
22 questions?

23 MS. MAZAHERI: Any other questions?

24 MS. MORALES: Is there some way that we,
25 as a body -- or the staff -- maybe Ascension can ask

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1 the district for the suspension rate by race?

2 MR. HERNANDEZ: Yes. I think we can. And
3 I think --

4 MS. MORALES: I know they furnished us a
5 suspension rate, but it's listed by school, not by
6 race.

7 MR. HERNANDEZ: Okay.

8 MS. MORALES: I think it's from -- I guess
9 that's a --

10 MS. MAZAHERI: And I think the importance
11 of have that by race is that, you know, as you can see
12 it, when the Putnam City schools -- they do keep that
13 information by race. You can see very clearly, you
14 know, percentage of population by race and what is the
15 suspension. And many times, it may be important.

16 You know, as teachers -- maybe there are
17 too many teachers that are coming from -- I think that
18 culturally -- there may be some people that may be
19 culturally biased. And maybe -- one thing that I have
20 learned by working with different people -- sometimes
21 I have had friends -- African-American friends that
22 may be much louder than I am.

23 And that is okay. That is part of their
24 personality. And I think that we need to learn to,
25 you know, respect some of these differences that we

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1 have. You know, when you are -- so I think that -- I
2 don't know if it is part of that, but I think that
3 there are -- there is something that needs to be done
4 about that. So I just --

5 MS. MORALES: As I look at -- this is a
6 memo that was in our packet that's address to Dr.
7 Giasconzo [phonetic] from Mr. Richard Foreman
8 [phonetic] from Oklahoma City public schools. And the
9 last page is titled, suspension second quarter, and it
10 does have a racial breakdown. So I don't -- how can
11 we address this to the district? Because I do --

12 MR. HERNANDEZ: Well --

13 MS. MORALES: There are some -- it does
14 raise some questions here.

15 MR. HERNANDEZ: The information should be
16 there. And it's a matter of just asking them for
17 specific information for the school year. Yes. The
18 only thing I requested was suspension reports. And
19 this is what they sent. But I can be more specific in
20 the follow-up information.

21 MS. MORALES: Okay.

22 MR. BETTIS: One question. Where did you
23 get this information from --

24 MS. MAZAHERI: I got that information --

25 MR. BETTIS: -- the schools?

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1 MS. MAZAHERI: -- when I sent a letter to
2 the superintendent of the Putnam City schools. He
3 sent me that information. So that was -- that
4 information is from Putnam City schools.

5 MR. BETTIS: Okay.

6 MS. MAZAHERI: So when I saw that --

7 MR. BETTIS: I do --

8 MS. MAZAHERI: -- and I saw the big
9 difference, I started to think, Gee, you know. That
10 is something over here. How about Oklahoma City
11 schools. That's information I have not been able to
12 obtain.

13 MR. BETTIS: Numbers but no names.

14 MS. MAZAHERI: Right.

15 CHAIRPERSON HUDSON: Any other questions?

16 Okay. Thank you very much.

17 MS. MAZAHERI: Thank you.

18 CHAIRPERSON HUDSON: And I think we're
19 ready for our last presentation -- Wayne Thompson.
20 And Mr. Thompson is the executive director of the
21 Oklahoma Health Care Project. He has attended
22 colleges in California and Makerere University in
23 Uganda. Mr. Thompson is a consultant for Integras
24 Health Services in the State of Oklahoma, Office of
25 Juvenile Affairs.

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1 He administers a youth leadership program
2 that brings together bright at-risk cross-cultural
3 students from the school district and prepares them to
4 become entrepreneurs. Okay.

5 MR. THOMPSON: Thank you very much. And
6 I'm -- I'd like to apologize for my tardiness this
7 morning. I'm not sure if you can tell, but I almost
8 didn't make it because I had a -- caught a cold on
9 yesterday. And I told the kids that I wanted them to
10 come and do this and read a statement, because I had
11 spoke with Mr. Hernandez and we thought it was really
12 important to get this information to you.

13 And as the morning wore on around 10:30,
14 I said, I've got to do this. So I wound up rewriting
15 my remarks and it's very -- much shorter than the ones
16 the kids would have read. But I'm really happy to be
17 here with you today. I -- and thanks for the
18 opportunity to speak with you.

19 Of the 7,260 inmates received for
20 processing by the Oklahoma Department of Corrections
21 in 1998, 64 percent of those inmates have not
22 completed high school -- 64 percent. Twenty percent
23 of those inmates had a fifth grade or lower reading
24 level. Now, who are these inmates and where do they
25 come from?

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1 Well, 58.2 percent were white. Now -- but
2 I want you to stay with me, because I'm going to
3 eventually get back to where -- get back to this
4 program material. But it's just going to take me a
5 second. The -- 31.1 percent were black, 6.7 percent
6 were Native American and 4.6 percent were Latinos and
7 about 0.3 percent was a category for others -- Asians,
8 Pacific Islanders, et cetera.

9 These numbers represent the offspring of
10 what many in our -- in communities of color consider
11 a shotgun wedding between the public schools by way of
12 their discipline policy and the prison. And we're
13 calling it prison and industrial complex. And you
14 will see where I'm going with this, because I think it
15 bears directly on the testimony that you've heard
16 today from some of my colleagues about the suspension
17 policies, about the test exemptions and all of that.

18 Because more than 70 percent of the
19 inhabitants of the U.S. prisons and jails are people
20 of color. Between 1985 and 1995, the Latino prison
21 population, or Hispanic, if you will, exploded. It
22 went from 10 percent of all the state and federal
23 inmates to 18 percent. In 1995, 47 percent of all the
24 state and federal prisoners in this country were
25 African-Americans.

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1 Keep it in mind that only about 16 percent
2 of the whole population of the country is African-
3 American. But more importantly, Asian and Pacific
4 Islanders and Native Americans, they make up 2 percent
5 of the almost two million prisoners, which -- and
6 we're excluding probationers and parolees. We're
7 talking about people actually in prison cells.

8 Although the white population of this
9 country is almost 74 percent of the general
10 population, they represent only 35 percent of the
11 state and federal prison population. Oklahoma's
12 prison population mirrors these statistics. Oklahoma
13 City Public Schools District's 1996-97 suspension
14 statistics appear to confirm the districts collusion
15 in this unholy matrimony -- this shotgun wedding, if
16 you will.

17 And this is done by the way -- by the
18 application of their disciplinary policy in a manner
19 which disproportionately impacts on students of color.
20 In the 1996-97 school year, 3,747 students of color
21 were suspended in the Oklahoma City public schools
22 versus 1,549 white students. Now, these numbers are
23 for middle and high school combined.

24 When we go to high schools, 1,003 students
25 of color were suspended in the district during that

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1 year in high schools versus 335 white students. It's
2 not our intention to indict or single out the Oklahoma
3 City Public School District. As the statistics
4 suggest, this is a national crisis we're faced with.

5 And what we wanted to do today was to sort
6 of sound the alarm and yell, Fire, in a crowded
7 theater, if you will, because we think it's important
8 for the public in general to understand that this is,
9 indeed, a crisis. Now, we believe that there is a
10 direct relationship, as indicated by statistics -- all
11 of them.

12 We didn't bring tons of statistics,
13 because we knew you were going to get them, about the
14 suspension rate, the dropout rate and all of that. I
15 wanted to talk to you about the prison -- where our
16 young people are going. Particularly, you know, the
17 young African-American, Latino, Native Americans --
18 people of color are going to prison.

19 There are significant political
20 implications. I digressed from my notes for a minute.
21 There are significant political implications, also.
22 As you know, once you are a convicted felon in this
23 country, you cannot vote. What that means -- if the
24 rate that we are going with these numbers -- it means
25 that our children, as they reach 17, 18, 19 years old,

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1 go to the prison system, they're going to be
2 disenfranchised.

3 In many states, Oklahoma being one where
4 we are apparently considering a law that requires for
5 the crimes that our young people are most likely to be
6 in prison for, they're going to have to do 85 percent
7 of these sentences -- 85 percent. Now, I'm not soft
8 on crime. That's not what I'm talking about.

9 I'm suggesting to you that there's a
10 disproportionate application of disciplinary policies
11 in schools starting in elementary, middle and high
12 school which almost acts as a direct funnel of certain
13 groups of young people to the prison system. This is
14 borne out by the statistics and it's borne out by all
15 of the demographics over the last ten to 15 years.

16 Now, our contention, of course, is that
17 the political implications are just as acute for the
18 majority population in this country as it is for the
19 communities of color. Why do we say this? We say
20 this because most of us are probably old enough to
21 remember what it was like in this country when we had
22 two countries. And some of you would probably suggest
23 that we still have two or three countries.

24 But theoretically, we have one country
25 with many people. If you disenfranchise at this rapid

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1 rate, the young people -- millions -- hundreds of
2 thousands of young people -- eventually, you have an
3 explosion. You wind up with a situation that we are
4 now watching in television in Croatia and all of these
5 other places where the ethnic rivalries tear our
6 country apart.

7 So I think while -- I'm here today to call
8 your attention officially and publicly on the record
9 to our concerns about this relationship between public
10 school districts and their discipline policy, as well
11 as all of these so-called -- these laws that have dual
12 applications. Say schools -- one strike you're out,
13 which is a HUD law, which means that if you make a
14 mistake, you can never have access to public housing
15 if you make a mistake as a 16- or 17-year-old.

16 It means that if you -- and these young
17 people are going to answer questions about that, if
18 you have a few. So I'm going to quit shortly. But I
19 want you to understand that these laws that the public
20 school systems are using as an excuse for their
21 application of the discipline policy, I think those
22 laws are basically good. They're meant to help to
23 keep our schools safe.

24 And I'm for that. My children go to
25 school and I want them to be safe. And I want the

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1 teachers and all of the folk in the public school
2 system and other social institutions to be safe.

3 But what I don't want is I don't want a --
4 these public schools systems to be applying discipline
5 policies in a way that disproportionately impacts on
6 students and families of color, because I think our
7 country should be color-neutral, if you will,
8 particularly as it relates to public schools.

9 So as I said, it's not our intention to
10 indict or single out the Oklahoma City Public School
11 District, because it's a national crisis. And that
12 being the case -- and locally, in 1995, the Oklahoma
13 Health Care Project, in collaboration with the Texas
14 Health System -- we embarked on a local initiative
15 that we call the basic entrepreneur empowerment
16 program.

17 And there are some young people present
18 today who are members of BEEP, as well as survivors of
19 the Oklahoma City public schools' discipline policy.
20 You're reading some of their histories as we talk.
21 They are true survivors of this process. Now, not all
22 of the young people in that book made it.

23 But what we're happy to say is about 78
24 percent of the young people that we started out with,
25 they made it. We believe that these young people and

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1 their cohorts will not become \$42-per-day witches in
2 punishment for profit private prison business. Now,
3 they're ready and they will answer any questions that
4 you have. And they welcome the opportunity to dialog
5 with you on the Committee, as well as the Commission
6 staff. Thank you.

7 CHAIRPERSON HUDSON: Thank you.

8 MR. THOMPSON: Yes.

9 MS. MORALES: This is an eye-opener.
10 Okay. I knew that felons lost their right to vote.
11 I assumed that once they served their time or, you
12 know, were back into the mainstream that they got
13 their right to vote -- was returned --

14 MR. THOMPSON: Yes, ma'am. Let me tell,
15 you how that works. You -- when your sentence
16 expires -- so what that means, now, that's different
17 than serving your time. Currently, if you get
18 sentenced to 15 years --

19 MS. MORALES: Uh-huh.

20 MR. THOMPSON: -- and you get two years
21 in -- to do in jail, you have 13 years left. And then
22 you can vote. You can't vote after you do the two
23 years in prison and get out. Your sentence has to
24 expire. And typically, what happens is if you start
25 out -- and in this state now, it's possible to be a

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1 felon at 14 years old.

2 MS. MORALES: Uh-huh.

3 MR. THOMPSON: And in this state now, we
4 have more 15-, 16-year-olds in the adult system than
5 we have in the youth system. So what happens is if
6 you start out convicted as a felon at that early age,
7 you are not even old enough to vote. And you never
8 establish a civic or a social sort of respect for the
9 ballot box, which --

10 MS. MORALES: Right.

11 MR. THOMPSON: -- you know, which is part
12 of what we're all concerned about. Because typically,
13 if you can't go to the ballot box and think that you
14 have any way to influence public policy, you go to the
15 streets. Which is why we have so many problems with
16 gangs and all of the other kinds of social formations.

17 MS. MORALES: Uh-huh.

18 MR. THOMPSON: But it's not when you do
19 your time. It's when your sentence expires. And as
20 you all know, the sentences are getting longer and
21 longer. I mean, we have kids who are going to prison
22 being sentenced at 16, 17, 18 years old to 15 and 20
23 years for non-violent crimes, as well as violent ones.

24 And again, I'm not soft on crime. I do
25 gang intervention. I can't be soft on crime. I mean,

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1 I see it every day. I'm a realist. I'm a realist.
2 But I think we have to be fair, because if we don't,
3 we're not going to be able to live in this country.
4 And this is politics. It is not just a lot of bad,
5 you know, children of color.

6 And I'm not saying that all of these kids
7 are saints or anything, and I'm not saying that when
8 people do terrible crimes, they don't deserve
9 punishment. So let the record be clear. I'm not
10 saying that and the young people don't say that. What
11 they do say is that when you make mistakes in school,
12 you know, that you should get a chance, you know, over
13 and over again, because that's part of youth.

14 You know, that's part of being young and
15 experiment.

16 MS. MORALES: Uh-huh.

17 MR. THOMPSON: You shouldn't be
18 permanently punished. And that's what takes place.
19 I'm sorry.

20 MS. MORALES: Okay.

21 MR. HERNANDEZ: As you spoke and you talk
22 about, you know, the -- this being part of politics,
23 in terms of, let's say, the average citizen or the
24 parent, or let's just say group, where is the pressure
25 point in terms of trying to change this design that is

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1 discriminatory in nature -- in other words, where it
2 impacts the minority student more than others?

3 MR. THOMPSON: I think it's a number of
4 places. I think one is at the state level where a lot
5 of the legislative -- the laws are -- generally, where
6 the laws are made that have -- that drive the engine
7 at the state and the federal level -- that drive the
8 engine for school districts.

9 But more importantly, which is why this
10 whole political question is so important -- more
11 importantly, it is at the local level. Because that's
12 where all politics start. In civics, we all learned
13 that. This is at School Board elections where our
14 young people and their families -- many of them are
15 disenfranchised by the very institutions that should
16 be encouraging their participation -- at the school
17 level.

18 And let me tell you, if I might, what I --
19 let me give you an example of what I mean by that.
20 Both the last five or six years, there has been a
21 movement of many majority families and students to
22 private schools and to suburban schools. I mean --
23 and I think that the statistics and the demographics
24 are very clear on that.

25 Well, there's been a move of the students,

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1 but the School Board representation has remained the
2 same -- very few young people or people of color.
3 Look at Oklahoma City public schools' School Board in
4 relationship to the numbers. There is no Latino or
5 Hispanic folk on the Board. There isn't any. Look at
6 the numbers.

7 There is one African-American on the
8 Board. That's what I mean by politics -- this
9 disenfranchisement -- this alienation of the
10 population or patrons from the school district.
11 That's the political question. And I think that's the
12 danger that we have to be concerned about and look out
13 for, because if this trend continues, you will have
14 two separate education systems that are even more
15 sharply defined now.

16 And it will be akin to what they have --
17 what they had in South Africa. It will be two
18 systems -- one for the haves and have-not. But this
19 will be different, because what will happen is that
20 the people who are controlling the policy or the
21 legislative body for the school districts won't
22 represent the patrons and the students.

23 So they won't be able to vote their
24 interest. Even if they're well-meaning and
25 progressive and so forth and so on, they won't be able

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1 to represent the interests of the patrons. Because
2 this is America. This is a representative democracy.
3 And it doesn't work. It doesn't work if the people
4 who are elected to legislative positions at the local
5 level first -- that doesn't happen, doesn't work,
6 we're in trouble.

7 I'm sorry. I -- you had a question?

8 MR. TOURE: I have one.

9 MR. THOMPSON: Yes.

10 MR. TOURE: Wayne -- Wayne is a good
11 friend of mine, so I call him Wayne -- you focus on
12 the dropout and a rate -- the discipline rate,
13 rather --

14 MR. THOMPSON: Uh-huh.

15 MR. TOURE: -- and how that connects with
16 the incarceration rate.

17 MR. THOMPSON: Yes.

18 MR. TOURE: One of the things that you
19 didn't mention or didn't discuss was the inability for
20 occupational opportunities once you've been convicted
21 and what that means.

22 MR. THOMPSON: Well, I didn't mention
23 that, because I was hopeful that someone would ask the
24 question. Because herein lies, you know, the next
25 rung in the ladder with respect to disenfranchisement

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1 and the second class citizenship nature that begins
2 with the application of school disciplinary policies
3 with respect to, you know -- if you don't do well in
4 school, if you get suspended, if you're a
5 troublemaker, you get, you know, multiple short-term
6 or one long-term suspension.

7 The likelihood that you're going to wind
8 up in prison, first of all, increases dramatically.
9 Secondly, if you do wind up in prison as a convicted
10 felon, that eliminates almost every professional
11 opportunity that you might have in civil society -- if
12 you want to be a teacher, if you want to be -- these
13 days, if you want to be a truck driver, you know, if
14 you want to be -- if you want to have an opportunity
15 to make a living.

16 So once again, we're at -- there -- it
17 becomes a political question, if you will. What is
18 our public policy going to be toward folk who are
19 marginalized by the -- in the beginning this
20 application of school discipline policies that follows
21 these young people into the prison system and out of
22 the prison system.

23 Ultimately, we have to do something with
24 these young people. Now, the numbers I have -- and I
25 need to say this. The statistics come from the

1 Department of Justice, Oklahoma City public schools
2 and the Oklahoma Department of Corrections. And what
3 I'd like to do, as a matter of fact, if I answered
4 your question -- I'd like to defer to these two young
5 people.

6 There were three of them. And the one who
7 left is my son. He's in that book. So this is
8 personal with me. My son was long-term suspended from
9 Oklahoma City public schools for a year. He went from
10 being an A student -- in one semester from being an A
11 student to being a D student transferred from one
12 district into Oklahoma City public schools.

13 Now, hear me out -- an A student to being
14 a D student in one semester and carrying weapons to
15 school -- Eisenhower Middle School. He was long-term
16 suspended, carrying weapons. He admitted it. He did
17 it. Everybody had one. They were jumping him every
18 day. He said, Dad, when you were in Vietnam when you
19 got off the plane, you always tell us how you were
20 scared because when you walked off the plane at
21 Tensmet Airport, everybody had a gun but you.

22 And he said that's the way it felt. So,
23 yes, I did it. Now, what happened to him? Then I'll
24 be quiet, Corina, so you guys can talk. What happened
25 to him? He was long-term suspended. They called me.

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1 They said, Well, Mr. Thompson, gang expert, consultant
2 to the Office of Juvenile Affairs, you're kids here.
3 He's got a knife.

4 There was going to be a fight in the gym.
5 So what are we going to do with him? We're got to
6 suspend him. I went through the process. I said,
7 Well, he's a good kid -- good student. You know, he's
8 never had any problems. Said, No. The policy says
9 he's suspended. Not only did he get suspended, but no
10 other school district would take him.

11 There was nothing. They have -- all had
12 agreements. There was nothing he could do.
13 Fortunately, we had friends, which is, you know, just
14 because of what I did and all of that and who I knew,
15 who went with us to a private school -- McGinness.
16 And they said, We will take him under these
17 circumstances and for this amount of money, which
18 exceeds the amount of money that I currently pay for
19 him to go to OSU, incidentally. Okay?

20 So that's what happened to my son. He
21 went from being an A student -- perfect kid -- to
22 being a confirmed Grape Street Crip in one semester.
23 So it can happen to your grandchildren, your son --
24 anybody, because I'm supposed to be the guy that knows
25 about this. And I was seeing him every day.

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1 This is the danger. This is the danger.
2 So it's personal.

3 MR. HERNANDEZ: I would like to have one
4 of your students identify themselves and ask -- so we
5 can ask them questions, I guess.

6 MS. RAMIREZ: Hi. My name is Corina
7 Ramirez. I'm in that book. And as you can see, since
8 we're talking about the school systems and everything,
9 I have a little bit to say about that. I think that
10 the reason we have so much problem is because the
11 teachers don't care anymore. They don't put enough
12 effort for caring to their students.

13 And even though we want to think that we
14 have equal rights, we do not. There's still
15 discrimination in our schools. What happened to our
16 freedom of speech, freedom of rights? I mean, just
17 because we wear our pants a little bit bigger than
18 other people, we're gang members? They classify us.

19 Who are they? Who are they to judge a
20 book by its cover, you know? That's who -- has a lot
21 to do because of the way people dress. I used to wear
22 my pants size 40. People said I was a gang member,
23 this and that, which I was. But, I mean, you know, I
24 was an A student, you know. I never got in trouble.

25 I did get suspended because I was late to

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1 school five minutes. And the board member -- I mean,
2 the director of school -- Roman -- Mr. Roman -- he was
3 the one that suspended me. You know what he told me?
4 He told me, Well, if you don't -- if -- I was talking
5 back to him. He told me, Well, if you keep on talking
6 back to me, I'll suspend your boyfriend.

7 I told him, What does he have to do with
8 this? I'm the one being late, not him. And so I
9 think there's still discrimination, even though we
10 don't want to believe there is. But there is. And,
11 I mean, as I was telling Wayne, I attend OSU OKC at
12 this time. They have their support -- student support
13 services.

14 I filled out my application like I was
15 supposed to do. I did everything. They never got
16 back in contact with me. They did not do a follow-up.
17 Once I made it on the dean's honor roll the first
18 semester that I attended college, then they started
19 sending me letters and packages and other things. And
20 I think, You know, I accomplished this on my own. Now
21 they want to take credit?

22 I said, I don't think so. I mean, so
23 there's still a lot of discrimination. There really
24 is. And the reason people -- parents don't get
25 involved is because most of the parents -- I mean, we

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1 get the parent guides, you know -- handouts. I throw
2 them in the trash. I always threw mine in the trash.
3 I didn't want to carry a book home to my mother.

4 So most of the information that's supposed
5 to go home to our parents goes in the trash. I think
6 most -- all the schools should have more PTA meetings
7 and send out more papers -- more flyers, you know, or
8 have the parents come in. When they come in, hand
9 them the handbook, not to us.

10 You know, most parents don't get the
11 information they should, so that's why they're not
12 aware of what's going on with their students -- with
13 their children at school or anywhere else. And, I
14 mean, I attended Northwest Classon. There's a
15 whole -- you know, there's a whole bunch of white
16 people smoking cigarettes over here, a lot of Hispanic
17 and blacks over here.

18 They go over there instead of going of
19 here. It's okay for them to smoke, but we can't
20 smoke. What's wrong with the picture, you know? I
21 would get in trouble -- I mean, even though I was late
22 most of the time -- five minutes is not enough time to
23 get your books from your locker and go to your
24 classroom. That's not enough time, you know.

25 So I was late all the time. But, I mean,

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1 just because of that, I shouldn't be punished, you
2 know. So there's a lot of things wrong with our
3 system. There really is. Even though we would like
4 to think it's perfect, but it's not. There's a lot of
5 racial issues and discriminations not only about race,
6 but about sex, you know. So maybe one day, we'll --

7 MS. BORREGO: Were you ever exempt from
8 any testing? Did you ever go through the --

9 MS. RAMIREZ: No, I was not. Because
10 I've --

11 MS. BORREGO: You've always been pretty
12 smart.

13 MS. RAMIREZ: I was born here in Oklahoma
14 City. But, I mean, even though my parents were
15 Hispanic, you know, they would always get involved in
16 my school and stuff and what was going on and
17 everything, you know. But there's a lot of people
18 that don't have parents like I did, you know.

19 They don't know, because they don't speak
20 English very well. And they tell -- the people at
21 school -- the administration tells them, Well, bring
22 an interpreter. What if you can't? What if you don't
23 have one? Why don't you have one at school so they
24 can have access to one?

25 MS. RAMIREZ-HELTON: That's right.

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1 MS. RAMIREZ: You know? And then most
2 parents don't go because then they'll start talking
3 about immigration. There's many Mexicans here --
4 Hispanics in the United States that are illegal, you
5 know. And there's another issue there, you know. If
6 you don't have money, then you cannot become a citizen
7 or a resident of the United States.

8 There are so many things that contribute
9 to the problems that we have in our school systems.
10 But if everybody closes their eyes and starts filling
11 up prisons -- to put them in the prisons instead of
12 building more schools or funding more education
13 things. They spend more money building jails for
14 what -- to put them in there?

15 Make more programs. Make more -- you
16 know, make more schools. If a child gets in trouble
17 for being late, you know, make them get to school a
18 little bit earlier the next day to make up for the
19 five minutes they were late for school. You know,
20 stay after school. Do your homework. Do something --
21 a before and after school program.

22 Don't just say, Well, you're suspended for
23 being late five minutes. You're taking away from my
24 education. You know, that's five -- you know, a day
25 that I miss for being late five minutes, you know, I

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1 could be learning something. And the teachers, they
2 don't really care anymore. They give the assignment.
3 If you understand it, fine. If you don't, Oh, well.
4 It's your problem, not theirs anymore.

5 And that's -- you know, teachers don't
6 care anymore. I think there should be seminars,
7 programs or something that they should be required to
8 attend, you know, so many hours. So that way, they
9 can still, you know, have that caring feeling towards
10 their students, you know, not, like, I don't give a
11 damn anymore, you know.

12 And I don't think the people at school --
13 our teachers, our principals should judge the way we
14 dress, because we have the right to do that, you know.
15 That's why they made the freedom of speech, freedom of
16 rights. So --

17 MS. RAMIREZ-HELTON: Would you be in favor
18 of having uniforms in the public school system?

19 MS. RAMIREZ: I think that would be a
20 perfect idea. I have a two-year-old. And it's better
21 that -- wear uniforms. It might cost a little bit
22 more, but it will prevent a lot of the problems that
23 we're having at this time. It really would. I mean,
24 if you can spend thousands and thousands on prisons,
25 why not spend it on school and education uniforms?

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1 MS. RAMIREZ-HELTON: That's right.

2 MS. RAMIREZ: And one of the problems that
3 would be is some parents wouldn't be able to afford
4 the uniforms, so the schools should be able to provide
5 the uniforms --

6 MS. RAMIREZ-HELTON: Right.

7 MS. RAMIREZ: -- for the parents that
8 cannot afford them.

9 MS. RAMIREZ-HELTON: That still would be
10 cheaper than what we're providing.

11 MS. RAMIREZ: It would be cheaper than
12 putting a person in jail for so long. I mean, it
13 comes out cheaper.

14 MS. RAMIREZ-HELTON: And there's always
15 the system where you outgrow the uniform, turn it into
16 the school so that the kid coming up that can't afford
17 it could use the uniform.

18 MS. RAMIREZ: Yes. Pass downs. There's
19 nothing wrong with that, you know. I prefer my
20 daughter to wear the same thing every day. That way,
21 it keeps me from having the problem, Well --

22 MS. RAMIREZ-HELTON: What are you going to
23 wear tomorrow?

24 MS. RAMIREZ: -- your daughter's suspended
25 because she was wearing her pants too low or getting

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1 shot because she's wearing the wrong color.

2 MS. MORALES: Uh-huh.

3 MS. RAMIREZ: You know?

4 MS. MORALES: You mentioned that now that
5 you're an honor student that you're finally getting
6 attention. Now, were you referring to when you were
7 in Oklahoma City public schools or now that you're
8 in --

9 MS. RAMIREZ: No.

10 MS. MORALES: -- that you're in college?

11 MS. RAMIREZ: Even though when I was in
12 high school. I mean, they only --

13 MS. MORALES: You didn't get attention
14 from --

15 MS. RAMIREZ: No.

16 MS. MORALES: -- anybody until you made
17 the honor --

18 MS. RAMIREZ: From anybody. I mean, they
19 pay more attention to the people that have -- even
20 though I had a good grade point average, they didn't
21 pay attention to me because of the way I dressed --

22 MS. MORALES: Uh-huh.

23 MS. RAMIREZ: -- because of the way I
24 looked. But, I mean, they didn't take me for who I
25 really was. They took -- you know, they judged me on

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1 what I looked like. And I think that's wrong, because
2 right now, I am in the International Honor Society.
3 I can't pronounce that -- ALPO -- whatever it is.

4 But I'm -- you know, I was invited to join
5 in the International Honor Society.

6 MS. MORALES: Very good.

7 MS. RAMIREZ-HELTON: Where are you going
8 to school right now?

9 MS. RAMIREZ: OSU --

10 MS. RAMIREZ-HELTON: OSU?

11 MS. RAMIREZ: -- OKC at this time. So, I
12 mean, you know, I was given a chance. Many others are
13 not. I made a difference in my life -- a very great
14 difference. And today, I work at a before-and-after
15 school program where I'm going to right now, and I
16 work with elementary children at Greenville Elementary
17 in the Western Heights district. So --

18 MS. RAMIREZ-HELTON: Is Ms. Longoria from
19 OSU related to any of the work that you do?

20 MS. RAMIREZ: No.

21 MS. RAMIREZ-HELTON: She's one of their
22 new Hispanic --

23 MS. RAMIREZ: Yes. No.

24 MS. RAMIREZ-HELTON: -- directors with the
25 International --

1 MS. MORALES: No. She's
2 [indiscernible] --
3 MS. RAMIREZ-HELTON: Oh, I see.
4 MS. MORALES: -- city campus.
5 MS. RAMIREZ: I'm here at the --
6 MS. RAMIREZ-HELTON: Okay.
7 MS. RAMIREZ: -- extension. Yes. So --
8 but I think we have a lot of work to do on our
9 systems, but not only on our schools but with our
10 parents and the prison, you know, the --
11 MS. RAMIREZ-HELTON: What is your major?
12 MS. RAMIREZ: My major is health care
13 management. And with that, I'm going to work with
14 juvenile delinquencies and youth at risk.
15 MS. RAMIREZ-HELTON: That health care is
16 very important. I did translations for the Health
17 Department in Tulsa as a volunteer, and I can see
18 where --
19 MS. RAMIREZ: Yes. Well, I have an --
20 MS. RAMIREZ-HELTON: -- needed.
21 MS. RAMIREZ: I have an internship at
22 Baptist Hospital --
23 MS. RAMIREZ-HELTON: Good.
24 MS. RAMIREZ: -- at this time, also.
25 So --

1 MS. MORALES: That's great.

2 MS. RAMIREZ: -- you know, I look forward
3 to working with young people and hope that I can make
4 a difference in their lives, also.

5 MS. RAMIREZ-HELTON: I'm sure you will.
6 Well, thank you.

7 CHAIRPERSON HUDSON: Thank you.

8 MR. NGUYGN: I guess Ms. Corina Ramirez
9 covered everything I had. So --

10 MS. BORREGO: Well, what is your name?

11 CHAIRPERSON HUDSON: Yes. State your
12 name.

13 MR. HERNANDEZ: What is your name?

14 MR. NGUYGN: I'm Johnny Nguygn, and I'm
15 currently attending OCCC. And I am a chemistry major.

16 CHAIRPERSON HUDSON: Where did you go to
17 high school?

18 MR. NGUYGN: I got my GED due to some
19 things I'd been through before graduating. And so I
20 just go ahead and took my GED so I could hurry up and
21 go to college.

22 CHAIRPERSON HUDSON: And you're a
23 chemistry major?

24 MR. NGUYGN: Yes.

25 CHAIRPERSON HUDSON: And what do you want

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1 to do?

2 MR. NGUYGN: Chemistry -- I want to go
3 into the medical field. And I wish I had more to say,
4 but I don't.

5 MS. RAMIREZ-HELTON: With that background,
6 do you want to do forensics?

7 MR. NGUYGN: I'm sorry. Could you repeat
8 that?

9 MS. RAMIREZ-HELTON: I said with the
10 background that you're getting in chemistry, do you
11 want to do forensic?

12 MR. NGUYGN: Not really, because I want to
13 make more money.

14 MS. MORALES: What school did you attend
15 in Oklahoma City public schools?

16 MR. NGUYGN: Well, I was currently locked
17 up at -- I was currently incarcerated at Rader as
18 juvenile, so I was attending alternative school. But
19 I completed the Rader program and now I'm on my own.

20 MS. MORALES: Uh-huh.

21 MR. NGUYGN: And we don't --

22 MS. MORALES: Okay. You didn't attend
23 Oklahoma City public schools at all?

24 MR. NGUYGN: No, ma'am.

25 MS. MORALES: Okay.

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1 MR. NGUYGN: The only thing I'd like to
2 address about the public school is that there's a lot
3 of stereotype and labeling that I really don't
4 understand why. If you mess up once, they label you
5 as either good or bad. And that's the thing that I
6 faced when I was attending high school, which I went
7 to high school in Wichita, Kansas.

8 MS. MORALES: Okay.

9 MR. NGUYGN: And that's pretty much the
10 only thing that I saw besides everything else that Ms.
11 Ramirez explained.

12 MS. BORREGO: Do you feel if, when you had
13 started school and first started, I guess, getting in
14 trouble, there had been a program set up for you, you
15 know, to go with other people like you that had been
16 in trouble and special schooling, do you think you
17 would have gotten something out of it? Or --

18 MR. NGUYGN: I'm thinking during that
19 time, I was -- my mind was at a different setting.
20 And I probably wouldn't really care, because I was
21 still young thinking, I'm invincible. And now I
22 realize I'm no longer invincible and I'm only human.

23 MR. HERNANDEZ: Yes. You mentioned you
24 was incarcerated. Right now and across the nation and
25 particularly in, for instance, south Oklahoma City in

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1 the Spanish community, for sure -- but this meeting
2 has been about the Hispanic student, but in terms of
3 other minorities, including Hispanics, what is it
4 about the students that get suspended, that get
5 dropped out and hit the street -- what is the
6 attraction to the gang membership?

7 And does that -- which is a good way to
8 prevent the student from going in that direction?

9 MR. NGUYGN: When that occurs -- well,
10 when it occurred for me, I really had no hope, because
11 my life was pretty out of place. But if there's hope
12 in our life, we would have more to look forward to in
13 the future. Which I currently have hope now, because
14 there's a lot of things that is brought to my
15 attention opportunity-wise that I know will get me
16 somewhere in life.

17 MR. HERNANDEZ: Do you have any
18 suggestions for at least, let's say, the Latino
19 Community Development Agency that is trying to -- is
20 doing some work with Latino dropouts, for instance, or
21 near dropouts?

22 MR. NGUYGN: To be perfectly honest, I
23 really don't know how to -- because it varies from
24 person to person. But for me, just looking at, you
25 know, things that I could make or things that I could

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1 accomplish in my lifetime, that's what causes me to
2 want to go further on with my life.

3 CHAIRPERSON HUDSON: Thank you very much.
4 Well, we're done? I guess we're done.

5 MS. MORALES: Oh, wow.

6 MS. RAMIREZ-HELTON: Wow.

7 CHAIRPERSON HUDSON: Okay. Just for the
8 record, we want to make sure that there's nobody here
9 that wants to address the Committee in an open -- in
10 the open session.

11 (No response.)

12 Okay. Well, then we'll go ahead and
13 adjourn the meeting.

14 (Whereupon, at 2:58 p.m., the public
15 meeting was concluded.)

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CERTIFICATE

This is to certify that the foregoing transcript in the
matter of: PUBLIC MEETING

Before: US COMMISSION ON CIVIL RIGHTS

Date: SEPTEMBER 29, 1998

Place: OKLAHOMA CITY, OKLAHOMA

represents the full and complete proceedings of the
aforementioned matter, as reported and reduced to
typewriting.

