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OHIO COMMISSION ON HISPANIC/LATINO AFFAIRS

Ohio Latino Affairs: Advise. Connect. Build.

July 2007

Director's Report

to the Honorable members of the Ohio Commission on Hispanic/Latino Affairs



Special Projects

Ohio Immigrant Legislative Initiatives: As passage of comprehensive immigration reform appears unlikely in the near future, states have taken it upon themselves to create their own proposed legislations. Immigration-related introductions in 2007 have increased by 240 % with 1,404 pieces of legislation introduced in all 50 states have been considered. Four bills have been vetoed by their respective governors and 12 are pending their governor's approval. To-date 170 immigration-related bills have become law in 41 states, more than double the rate compared to last year. These proposals comprise various policy areas such as employment, education, driver's licenses, human trafficking, law enforcement and public benefits among others. The most-recent federal policy announced in August, social security number matching, puts the burden on employers to determine the citizenship of their employees. In this same report, Secretary Chertoff stated that local law enforcement officers would also broaden their scope to ascertain legal status.

Ohio State Representative Combs and Senator Cates will reportedly introduce legislation in September to have correctional facilities determine citizenship of inmates, have public employers participate in status verification systems for worker eligibility, withhold state income taxes from businesses who fail to verify workers' status and to have public agencies verify citizenship status for public benefits. Finally, REAL ID will be implemented in 2008 to transition from driver's licenses to identification cards that will be needed to board an airplane among other "sensitive areas". The ID's will still be obtained at a local Department of Motor Vehicles but

DMV workers and not ICE officers will be determining citizenship. OCHLA will continue to monitor these legislative proposals and federal policies that can affect Latinos in Ohio.

Strategic Initiatives

OED - Safeguarding Victims of Crime Policy Initiative: In response to a constituent's concern over the proposed legislation from Sen. Timothy J. Grendell, R-Chesterland and Rep. Jim Hughes, R-Columbus to help increase sentences for multiple offenders to reduce crime in Ohio, OCHLA created a policy brief regarding Habitual Offender Laws ("3 Strikes" legislation). The legislators state that by increasing sentences for multiple offenders, crime will be reduced. The proposal also allows judges to decide whether to double the sentence for a third-time felon or to impose the maximum penalties for an individual charged with three violent first-or-second degree felony. If passed, Ohio's prison population will undoubtedly increase which is already at 132% capacity.

Data was compiled from 27 state criminal justice agencies, including Ohio, to ascertain the effect this proposed law would have on Ohio's Latino population. Although a preliminary report, findings included that the Latino and African-American populations in states with 3 strikes fared significantly worse than other races/ethnicities. Those supporting this proposal argue it helps reduce crime rates while opponents stated that it is ineffective, costly and unfairly targets minorities. OCHLA will continue to monitor the progress of this proposal and others that may affect Ohio's Latinos.



WED - Economic Impact Study: A preliminary proposal was submitted in mid-June ascertaining demographic data pertaining to Latinos in Ohio. Understanding the needs of Hispanics is essential for advocacy, policy making and program development. Data used to compile this report were from the Bureau of the Census, some information is approaching 10 years old which became a limitation. In addition out-of-date data, specific questions regarding Hispanics' experiences, such as obstacles to employment, education and feelings of acceptance from the Ohio community, are not asked in the Census. Methodological considerations are also a concern when conducting Latino research. Approaches such as pencil-and-paper questionnaires are not a culturally competent approach to obtaining data on Latinos. By using a mix-methods design, quantitative and qualitative methods, the Economic Impact Study would increase in rigor. By incorporating focus groups and personal interviews, the Commission will obtain a better view of what Hispanics are experiencing in Ohio. The goal of this proposed study is to become a leader in Hispanic development and programming. This research can be used as a template for other states to promote Ohio as a pioneer in advocacy, diversity awareness and public policy. By creating a reputation as an empowering entity, the State of Ohio can not only attract new businesses but workers who are dedicated to economic development, education and family values.

Infrastructure & Tactical Initiatives

OLAnet: Meetings in late June and early July have provided the Office with an opportunity to reestablish dialogue with Northlich – formerly Interactive Ink – which has been secured by OCHLA to serve as lead technology consultants for the development of the OLAnet website, database, and web content management technology tools. After intensive launch meetings with the consultants, the Director has established 31 October 2007 as the target deadline for completion and Go-Live-Date for the full suite of OLAnet solutions.

This target date is critical, for it will enable the Director and the LCN Program Director to embark on a seven city, statewide program of training, education, and enrollment of Latino community organizations into the OLAnet system. This timeframe is bracketed by Election Day (6 November) and Thanksgiving Day (22 November). This timeframe is critical to ensure maximum exposure before the end-of-year holidays in 2007, and also to avoid any issues with inclement weather in the winter of 2007-2008.

The Director has charged the LCN Program Director with the development of a comprehensive marketing & training program. The seven cities targeted for the initial OLAnet launch include Cleveland, Lorain, Youngstown, Toledo, Dayton, Cincinnati, and Columbus. Each city will have two OLAnet sessions on business days – one during the lunch hour, and the other after business hours. Training sessions are to be hosted at local libraries, or at other facilities with computer labs available.

Each training session will include an overview presentation on OLAnet and the OCHLA Community Alliance Network model. This will be followed by a hands-on demonstration of the OLAnet technology, with local Latino community organization representatives given the opportunity to register their respective organizations into the OLAnet database, as well as the opportunity to post news and events relevant to each group's activities.

Preliminary goals include the registration of at least 50 community organizations, 50 individual events, and 50 news items. This information will drive content on the Commission's new website and calendar of events, as well as replace the outdated database which has been in use for over ten years.

The LCN Program Director will also be looking to identify local business to sponsor refreshments at each of the seven locations – as the Commission is prohibited from expending funds on food or refreshments.

RFP Policies & Procedures: In order to proceed with obtaining requests for proposals, creating a formal set of policies and procedures is essential to an efficient process. Included in the initial report are policies already implemented by various government agencies within the State of Ohio. Particular guidelines included procedures regarding funding announcements, expectations for applications including the letter of intent, budget, deliverables and the applicant's own evaluation plan. Upon receipt of the application, benchmarks for the evaluation process from the review committee and announcement of their decision were also suggested.



National Council of Latino Affairs: On July 10 & 11, the Director participated in the National Conference of the League of United Latin American Citizens (LULAC) in Chicago. The purpose of OCHLA's participation was to partner with sister Latino Affairs commissions from Indiana and Washington State to deliver a conference workshop called "Working with State Government".

This presented a tremendous opportunity to increase and enhance the visibility of OCHLA with the Latino community at the National level, as well as to continue the ongoing partnership with other Latino Affairs commissions from other states. For this particular session, the workshop was a product of collaboration with Amy Mendoza, Executive Director of the Indiana Commission on Hispanic/Latino Affairs, and Uriel Iniguez, Executive Director of the Washington Commission on Hispanic Affairs. All three Directors (Indiana, Washington and Ohio) had additional opportunities to meet with national-level Latino leaders, and to continue the practice of sharing ideas, cross-pollinating program concepts, and promoting the mutual use of best practices.

At this time, due to a change of leadership for the Kansas Hispanic & Latin American Affairs Commission, Director Mendoza of Indiana has stepped up in her collaboration with the Utah Latino Affairs agency to plan for a 2007 Summit of Latino Affairs Commissions in Utah this December. Additional information is forthcoming.

Office Infrastructure: With the beginning of the 2008 Fiscal Year, the Director began immediate implementation of the Office Infrastructure components of the Biennial Strategic Plan (formerly GROh-21). These include the acquisition of new office equipment, the reconfiguration of the OCHLA office space, and the hiring of a new Community Liaison Officer to serve as the Program Director for the Latino Community Network.



After careful study, securing various quotes from state-approved vendors, and developing several transition plans, purchase orders were released for the acquisition of four computers, one printer, a conference table, a small work table, and chairs. In addition, vendors were contracted to reconfigure the existing cubicles and workspace of the office, reactivate dormant phone and internet lines, and improve the electrical wiring – bringing it up to a safer standard than previously existed. In every case, vendor selection was made easy by the State Term Schedule and predetermined procedures established by the Department of Administrative Services. At this point, the Director anticipates expenditures to be at or below the Budget Plan of \$11,670.

After publicizing the Position Description for the Community Liaison Officer, the Director went through a process of screening and interviewing, with the full support, consultation, and endorsement of Commission Chair Humberto Gonzalez and Commission Member Ramona Reyes, both members of the ad-hoc OCHLA Infrastructure Committee. The month began with an initial set of informal interviews with 14 candidates. Seven of the 14 candidates were invited to a second round, consisting of work and writing samples, which included translations and press-release development. Finally, two candidates were invited to a final round of formal interviews. On Monday, 23 July, the Director extended an offer to Ms. Lilleana Calderon Cavanaugh to begin work as Community Liaison of the Ohio Commission on Hispanic/Latino Affairs effective 6 August 2007.

Short Term Projects

Multi-Party Agreement for Emergency Death Fund: Carol Valdez of Schoedinger Funeral Home came to the Office in May 2007 seeking assistance in establishing an Emergency Death Fund to help offset the high cost of transporting deceased family members of immigrants in the event of an untimely death. The Director has determined that this exercise would be a valuable for the following reasons:

1. With a successful arrangement, OCHLA will have helped address a critical community need.
2. An effective agreement can be used as a template to be proposed and implemented in various Latino communities state wide.
3. The exercise will prove to be a valuable one in coordinating organizations, securing assistance from other state agencies, and synthesizing parallel concerns into a singular compact between organizations in a problem-solving way.

A draft of the sample Emergency Death Fund mechanism has been prepared by the Director, to be submitted to stakeholder organizations in August. Said draft is attached to this report. To date, the Director has spent no more than 5 hours of time and effort on the development of this plan.

2007 Biennial Audit: As is the two-year custom, the biennial audit of OCHLA began this spring under the leadership of a new team from the Office of the Auditor of State. Of particular note, it is interesting that the Auditor has determined that our audit should cover the current fiscal year in addition to the three previous fiscal years. In the past, it was customary to only audit the two, closed, previous fiscal years. In other words, this year the audit covers fiscal years 2004, 2005, 2006, and 2007. As a consequence, any and every identified concern for fiscal year 2004 – which has already been identified in the 2005 Audit – will once again come to light, regardless of any and all remedial action which has already been taken.



It appears that the auditing team will finish the work sometime in August. However, at this time, it is now possible to anticipate some of the issues and concerns for the Commission. Of special note are the following:

- ❖ Need for Documentation of Procedures – in previous years, and until the 2005 Audit, the Office lacked proper documentation of procedures. This issue was identified in 2005 and has since been remedied. The OCHLA Policy Source Book is a “living document” which continues to evolve as the Office better documents practices, procedures, and policies pertinent to the Commission. All of these policies are in some way, shape, or form, endorsed or approved by a vote of the Board of Commissioners. In spite of this remedial action, the 2007 Audit will reiterate this concern.
- ❖ Procedures with Voucher Paperwork – up until the 2007 fiscal year, there has been some inadequacy with the Office procedures in reconciliation of certain figures and paperwork, especially as it pertains to segregation of duties. Up until the 2007 fiscal year, the Office has only had two full-time employees. Furthermore, the paperwork under consideration will be eliminated by the

new OAKS system in fiscal years 2008. All the same, the audit will remark upon this inadequacy. The Office will take all steps necessary to apply lessons learned from this critique to all new systems and procedures brought in by OAKS, and the increase in OCHLA staff.

- ❖ Late Payment of Invoices – auditors have identified a number of invoices which were subject to late payment. After clarifying some “false positives” identified by the auditors, only a handful remained. Of these, some were related to technology projects in which practice called for vendors to pre-date invoices to the beginning of the project, leading to a multi-month lag time between billing and payment. Other invoices were paid late due to circumstances outside the control of the Office – specifically, delays in processing in other agencies such as Central Services, Administrative Services, and Budget & Management. In all cases, the Office will improve its documentation steps, especially those involving unique invoicing procedures, and those involving extra-OCHLA delays.
- ❖ Travel Policy Compliance – in its initial review, the auditors believed to have identified non-compliance by OCHLA with regards to state travel policies. After demonstrating that the Office fully engages all proper practices and procedures, documentation, and complies with all proper legal and ethical exemptions when applicable, it appears that the auditors will amend their report to affirm the Commission's proper compliance with travel policy.
- ❖ Annual Reports – the auditors have correctly identified a deficiency of the Commission, namely the regular submission of formal, written annual reports by the Director. The Commission may recall that the development of the 2004, 2005, and 2006 annual reports began last fall was put on hold in order to enable the Director to focus on the successful promotion of the GROh-21 proposal and defense of the Commission's budget during the biennium budget process in the House and the Senate. The Director will promptly resume work on these matters and has established the deadline of 31 December for the completion of the 2006 annual report. 2005 and 2006 annual reports will follow, and the 2007 annual report will be delivered to the Commissioners on the proper, normal timeframe of March/April 2008.



Upon completion of the audit, the Office of the Auditor will send a Management Letter to the Office of Hispanic/Latino Affairs, and to the home address of each Commissioner. Upon receipt, the Director shall offer a formal Response to the Management Letter, clarifying any extenuating circumstances and offering planned resolution steps for any discrepancies or deficiencies in the operation of the Commission.

Director's Calendar

Meetings with Policy Makers – “Advise”: The Director participated in meetings the following with Legislators, Officials & Government Agencies:

- Meet with Ohio Civil Rights Commission (2 July)
- Meet with Melissa Cardenas of the Ohio Board of Regents (13 July)
- Meet with the Mayor of Lima and the City Police Chief of Lima (18 July – Lima)

- Participate in the local Ohio Civil Rights Commission Community Open Session (18 July – Lima)
- Meet with Raul Soto of the Ohio Department of Education (31 July)

Community Outreach – “Connect”: The Director attended/participated in the following events:

- Deliver “Working with Your State Government” Workshop Presentation at the LULAC National Conference, in collaboration with Latino Affairs Directors from Indiana and Washington State (10-11 July – Chicago)
- Meet with Michael Barrera, President & CEO of the United States Hispanic Chamber of Commerce, hosted by Nationwide Insurance (12 July)
- Present to the Cleveland Hispanic Roundtable (12 July – Cleveland)
- Attend the Hispanic Community Outreach Day of Big Brothers Big Sisters at Camp Oty’Okwa (14 July – Hocking Hills)
- Meet with Mercedes Moore of the Central Ohio Latino SBDC (16 July)
- Attend special recognition event for Henry Guzmán, Director of the Ohio Department of Public Safety, hosted by the Cleveland Hispanic Roundtable (16 July – Cleveland)
- Meet with Victor Mora of The Ohio State University (18 July)
- Meet with community members (24 July – Lorain)
- Participate & serve as Master of Ceremonies at the annual LULAC Dinner (25 July – Dayton)
- Meet with Joel Diaz of the Wexner Center for the Arts (31 July)



Community Investment – “Build”: The Director continues to work directly with the following organizations to assist in the various organizations’ development and capacity building as it relates to serving their respective Latino communities. This work is in lieu of the Organizations Development Center’s establishment, and provides important practical experience for the Office and the Director for when the resources become available to begin operations of the ODC.

- Board of Trustees of Big Brothers Big Sisters of Central Ohio
- Alpha Psi Lambda Co-ed Latino-interest Fraternity at The Ohio State University
- Community Advisory Board of Huntington Bank
- Advisory Committee of CAPA (Columbus Association for the Performing Arts)
- Citizens’ Academy of the Federal Bureau of Investigation

Submitted by Ezra C. Escudero, OCHLA Director, 24 August 2007

Article 1 Organization

Section I – NAME

The name of this fund shall be the “XXXXXX Emergency Death Fund” (Fund)

Section II – PURPOSE

The Fund is established to provide members of the Hispanic community in Central Ohio with emergency financial assistance in order to transport a loved one’s remains back to the family’s country of origin, especially when financial hardship is a factor.

Section III – MISSION

The mission of the Fund is to raise, administer, and disburse moneys for the purpose stated above.

Article 2 Governance

Section I – BOARD OF TRUSTEES

- A The government and policy-making responsibilities of the Fund shall be vested in the Board of Trustees, which shall exercise full authority over the Fund, including, but not limited to, establishing policies regarding its administration, settling any unresolved questions, and amending these bylaws.
- B The Board of Trustees shall be comprised of six individuals. These individuals shall be:
 - 1 Three Trustees to be appointed by the Executive Director of the Ohio Hispanic Coalition Organization
 - 2 Three Trustees to be appointed by the Executive Director of the American Red Cross of Greater Columbus
- C The Trustees shall serve for three year, staggered terms. Each year, one trustee shall be appointed from the Ohio Hispanic Coalition Organization, and one trustee from the American Red Cross of Greater Columbus. For the first year of the Fund, lots shall be drawn to determine which two Trustees shall serve for one year, which two shall serve for two years, and which two shall serve for three years. There is no limit to the number of terms an individual may serve as a Trustee of the Fund.
- D In any proceeding in which voting by the Trustees is called for, each trustee in good standing shall be entitled to cast one vote. Voting by written proxy shall not be permitted.

- E For any action of the Board of Trustees to be binding, it shall be adopted by no less than a vote of at least four (4) of the Trustees voting in the majority. A tie vote does not constitute a majority. Other actions of the Trustees such an amendment of the Bylaws of the Fund may require a super-majority vote of five votes.

Section II – EXECUTIVE POWERS

- A The ex officio Chair of the Board of Trustees shall be the Executive Director of the Ohio Hispanic Coalition Organization.
- B The Chair shall be vested with the authority to raise, administer, and distribute moneys of the Fund within the guidelines and policies established by the Trustees.
- C The Chair shall preside at all meetings of the Board of Trustees.
- D The Chair shall not be entitled to vote at meetings of the Board of Trustees. The Chair shall not be entitled to break any ties in voting.
- E The Chair shall provide quarterly written reports to the Trustees regarding the State of the Fund, including revenues, disbursements, and balances.
- F The Chair shall have the responsibility to maintain all records of the Fund, minutes of all meetings of the Trustees, and other executive duties as determined by the Trustees. The Chair may delegate duties and responsibilities to staff members of the Ohio Hispanic Coalition Organization.

Section III – MEETINGS OF THE TRUSTEES

- A Regular Meetings - The Board of Trustees shall meet no less than two times per calendar year. The Chair shall provide at least two weeks notice to all Trustees.
- B Special Meetings – The Board of Trustees may be called to a special meeting by the Chair at any time, or upon the petition in writing of any two (2) Trustees in good standing. Notice (including purpose of the meeting) shall be communicated in writing to each trustee at least five (5) days prior to such a meeting.
- C At any duly called meeting, representation of at least five of the Trustees (not including the Chair) shall constitute a quorum.

Article 3 Membership

Section I – PARTICIPATING FAITH BASED COMMUNITIES

Any established faith-based community in Franklin County and the surrounding, contiguous counties in Central Ohio shall be eligible for Membership to the Fund without regard to faith tradition, sect, or denomination.

Section II – REQUIREMENTS OF MEMBERSHIP

In order to be a participating Member Community of the Fund, an established faith-based community shall be duly registered with the Fund according to documentation as proscribed by the Board of Trustees, and shall contribute no less than \$2,000 per calendar year to the Fund. Member Communities shall be required to maintain records of individuals registered to the church, temple, synagogue, mosque, etc., but shall not be required to divulge said records to the Fund. Member Communities are only required to confirm that an individual is a registered congregant of said faith-based community at the time of disbursement of moneys to said individual.

Article 4 Disbursement

Section I – DISBURSEMENT TO MEMBERS

- A Eligibility Circumstances
- B Procedures for Disbursement
- C Maximum Amount
- D Allowable Usage
- E Extenuating Circumstances – Financial Hardship

Section II – DISBURSEMENT TO NON-MEMBERS

- A Eligibility Circumstances
- B Application Processes
- C Procedures for Disbursement
- D Maximum Amount
- E Allowable Usage
- F Extenuating Circumstances – Financial Hardship

Article 5 Administration

Section I – MONEYS OF THE FUND

Moneys of the Fund

Section II – BALANCES

- A Minimum Balances
- B Maximum Balances
- C Reporting Requirements

Section III – INVESTMENTS

Investments

Article 6 Fund Raising

Article 7 Financial Standards

Section I – FISCAL YEAR

The fiscal year of the Fund shall close on December 31st.

Section II – BOOKS & RECORDS

Books & Records

Section III – BUDGET

The Board of Trustees shall adopt the budget for the coming Fiscal Year no later than December 1st.

Section IV – REPORTING

Reporting

Section V – AUDITS & ANNUAL REVIEW

Annual Review

Article 8 Parliamentary Authority

The current edition of Robert's Rules of Order shall be the final source of authority in all questions of parliamentary procedure when such rules are not inconsistent with the Bylaws of the Fund

Article 9 Amendments

The Bylaws may be amended or altered by a super-majority vote of five (5) of the Trustees in good standing at any Regular or Special Meeting of the Board of Trustees. Any proposed amendments or alterations shall be submitted to the Trustees in writing, at least ten (10) days in advance of the meeting at which they are to be acted upon.

Article 10 Dissolution

The Fund shall use its moneys only to accomplish the purposes and mission specified in these Bylaws, and no part of said funds shall inure, or be distributed to individuals who are board members of the Ohio Hispanic Coalition Organization or of the American Red Cross of Greater Columbus. On dissolution of the Fund, any moneys remaining shall be distributed in equal parts to all faith-based organizations which are duly registered Member Communities of the Fund in good standing at any point during the twelve (12) months preceding the official date of dissolution.