

KERBS LAW OFFICE

GLENN I. KERBS & CLAYTON I. KERBS
ATTORNEYS-AT-LAW

1715 CENTRAL AVENUE
P.O. BOX 1473
DODGE CITY, KANSAS 67801
TELEPHONE (620) 225-0238
FAX (620) 225-0318

March 22, 2017

TRANSMITTED VIA EMAIL

Mr. Doug Bonney
ACLU Foundation of Kansas, Legal Department
6701 West 64th Street, Suite 210
Overland Park, Kansas 66202
dbonney@aclukansas.org

RE: Open Records Request / Dodge City Community College

Dear Mr. Bonney:

This is in reply to your letter dated March 14, 2017.

Your letter includes a request for records pursuant to the Kansas Open Records Act (K.S.A. 45-215 *et seq.*). Accompanying this are the following:

1. Dodge City Community College Cosmetology Student Handbook for Spring 2017;
and
2. Cosmetology Memorandum of Understanding.

It is apparent from your letter you have "received reports" which are inaccurate. Students in the cosmetology program are not required to speak English in and out of classes. The policy in the Dodge City Community College Student Handbook reads:

"Students of Cosmetology are licensed apprentice. As such, students are directed to converse in the Language of Apprentice with clients and fellow students. This means students will converse in English during school hours, unless the client receiving services indicates that she/he prefers not to converse in English. During breaks or student's own time, this rule does not apply."¹

The Cosmetology Memorandum of Understanding includes the policy language.²

¹ Page 9, Dodge City Community College Student Handbook.

² Page 6, Cosmetology Memorandum of Understanding.

We disagree with your factual conclusion, "(T)he cosmetology school's English-only rules and director's suggestion that the school will not serve non-English speakers violate the United States Constitution and Title VI of the Civil Rights Act of 1964." We believe the language policy serves appropriate educational purposes, is reasonable in scope and legally sound. Further, your allegation the program director suggested Dodge City Community College will not serve non-English speakers is false.

The Dodge City Community College Board of Trustees and administration are well aware of the demographics in our community. Providing educational opportunities to all members of our community is a high priority. We constantly strive to reach out and include in our educational programs persons of all races, including Hispanics. This may be difficult for someone who chooses to office in Overland Park, Kansas, to understand.³

Please contact me should you have any questions or require any additional information.

Very truly yours,



Glenn I. Kerbs
College Attorney

GIK:jb

pc: Dr. Harold Nolte (via email)
pc: Dr. Morris Reeves (via email)
pc: Ms. Beverly Temaats (via email)
pc: Ms. Julie Taylor-Birney (via email)
pc: Ms. Carla Patee (via email)

³ According to the 2010 United States Census the racial makeup of Overland Park, Kansas, is 84.42% White, 4.3% African American and 6.3% Hispanic or Latino.