



**OFFICE OF AUDITOR OF STATE**  
STATE OF IOWA

David A. Vaudt, CPA  
Auditor of State

State Capitol Building  
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

NEWS RELEASE

FOR RELEASE

August 31, 2011

Contact: Andy Nielsen  
515/281-5834

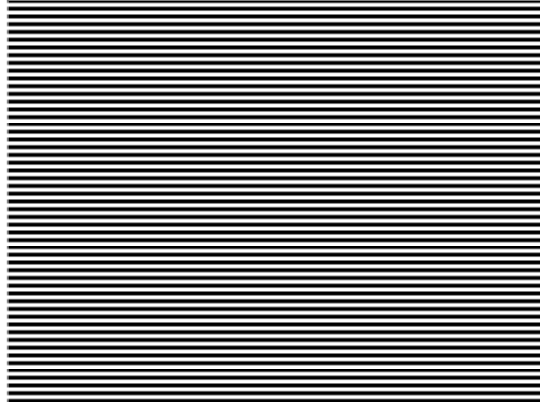
Auditor of State David A. Vaudt today released a report on the Iowa State Civil Rights Commission for the year ended June 30, 2010.

The Iowa State Civil Rights Commission is charged with investigating, holding hearings and rendering decisions on any complaints of unfair or discriminatory practices in public accommodations, employment, credit, housing, apprenticeship programs, on-the-job training programs and vocational schools on the basis of age, race, creed, color, sex, religion, national origin or disability and with planning and conducting programs designed to eliminate racial, religious, cultural and intergroup tensions.

A copy of the report is available for review at the Iowa State Civil Rights Commission, in the Office of Auditor of State and on the Auditor of State's web site at <http://auditor.iowa.gov/reports/1160-1670-0R00.pdf>.

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**REPORT OF RECOMMENDATIONS TO THE  
IOWA STATE CIVIL RIGHTS COMMISSION**

**JUNE 30, 2010**

Office of  
**AUDITOR  
OF STATE**  
State Capitol Building • Des Moines, Iowa



**David A. Vaudt, CPA**  
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August 25, 2011

To Beth Townsend, Director of the  
Iowa State Civil Rights Commission:

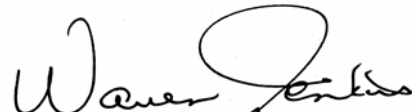
The Iowa State Civil Rights Commission is a part of the State of Iowa and, as such, has been included in our audits of the State's Comprehensive Annual Financial Report (CAFR) and the State's Single Audit Report for the year ended June 30, 2010.

In conducting our audits, we became aware of certain aspects concerning the Commission's operations for which we believe corrective action is necessary. As a result, we have developed recommendations which are reported on the following pages. We believe you should be aware of these recommendations, which include recommendations pertaining to the Commission's internal control and compliance with statutory requirements and other matters. These recommendations have been discussed with Commission personnel and their responses to these recommendations are included in this report. While we have expressed our conclusions on the Commission's responses, we did not audit the Iowa State Civil Rights Commission's responses and, accordingly, we express no opinion on them.

This report, a public record by law, is intended solely for the information and use of the officials and employees of the Iowa State Civil Rights Commission, citizens of the State of Iowa and other parties to whom the Iowa State Civil Rights Commission may report. This report is not intended to be and should not be used by anyone other than these specified parties.

We would like to acknowledge the many courtesies and assistance extended to us by personnel of the Commission during the course of our audits. Should you have questions concerning the above matters, we shall be pleased to discuss them with you at your convenience. Individuals who participated in our audits of the Commission are listed on page 6 and they are available to discuss these matters with you.

  
DAVID A. VAUDT, CPA  
Auditor of State

  
WARREN G. JENKINS, CPA  
Chief Deputy Auditor of State

cc: Honorable Terry E. Branstad, Governor  
David Roederer, Director, Department of Management  
Glen P. Dickinson, Director, Legislative Services Agency

Report of Recommendations to the  
Iowa State Civil Rights Commission

June 30, 2010

**Findings Reported in the State's Single Audit Report:**

No matters were noted.

**Findings Reported in the State's Report on Internal Control:**

No matters were noted.

**Other Finding Related to Internal Control:**

Payroll – The Commission processes and records payroll and personnel information on the Human Resource Information System (HRIS). One employee can utilize an online P-1 document to initiate and approve payroll actions, such as adding new employees and recording pay raises. This individual also has the ability to initiate and approve timesheets.

Recommendation – To strengthen controls, the Commission should develop and implement procedures to segregate the duties of the Human Resources Associates from the duties of payroll.

Response – The Executive Director will now be the final approval authority for payroll actions to ensure proper control and review of payroll information.

Conclusion – Response accepted.

**Findings Related to Statutory Requirements and Other Matters:**

- (1) Donations in Lieu of Fines – During the fiscal year, the Commission utilized a practice of soliciting donations to the Commission in lieu of the Commission filing charges for certain civil rights violations. Three of forty-two receipts tested included receipts which appeared to be voluntary contributions. These receipts had a “pre-determination settlement” agreement attached, essentially stating the charges would be dropped if the business in question would voluntarily give a donation to the Commission. There is nothing in the Code of Iowa, agency rules or case law which expressly gives the Commission authority to seek voluntary monetary contributions as part of the mediation or pre-determination process.

Recommendation – The Commission should no longer solicit voluntary monetary contributions in lieu of filing charges for noted violations.

Response – Historically when negotiating settlement agreements in cases with housing providers, the Commission occasionally sought voluntary monetary contributions. During this time, and after consultation with the Attorney General's office, the Commission relied upon its statutory authority to receive, administer, dispense and account for any funds voluntarily contributed to it, believing this was a legally authorized term for settlement of cases under the Iowa Civil Rights Act. The contributions were generally in the range of \$100-\$300 and the amounts were then used to provide fair housing training. The practice was the subject of an Ombudsman's complaint in early 2011. Upon review of the practice and further consultation with the Attorney General's office, it was decided the Commission would no longer seek voluntary contributions as a term of settlement and ceased doing so in February 2011.

Report of Recommendations to the  
Iowa State Civil Rights Commission

June 30, 2010

Conclusion – Response accepted.

- (2) Meeting Minutes – The Commission conducts meetings in person and through conference calls. Commission policy is to approve prior Commission meeting minutes at a following meeting which is in person. After minutes are approved, the minutes are signed by the Commission's Executive Secretary. The Commission held meetings on August 20, 2009, October 7, 2009, December 10, 2009 and February 4, 2010. However, minutes could only be found for three of the four quarterly meetings for fiscal year 2010.

Recommendation – The Commission should ensure meeting minutes are properly retained.

Response – The Commission had minutes from all previous years except late 2009 and part of 2010. The Executive Director will now maintain a file copy of all minutes of Commissioner meetings to be available for future review.

Conclusion – Response accepted.

Report of Recommendations to the  
Iowa State Civil Rights Commission

June 30, 2010

**Staff:**

Questions or requests for further assistance should be directed to:

Marlys Gaston, CPA, Manager  
Alison Herold, Staff Auditor  
Andrew E. Nielsen, CPA, Deputy Auditor of State

Other individuals who participated on the audits include:

Brooke Lytle, Assistant Auditor