

Iowa Civil Rights Commission

PERFORMANCE REPORT

Performance Results Achieved for
Fiscal Year 2004

TABLE OF CONTENTS

| <i>SECTION</i> | <i>PAGE</i> |
|---|-------------|
| INTRODUCTION..... | 1 |
| AGENCY OVERVIEW..... | 2 |
| STRATEGIC PLAN RESULTS..... | 6 |
| Goal 1 – People receive timely, quality resolutions | 6 |
| Measure 1 | 6 |
| Measure 2 | 8 |
| Goal 2 – People are knowledgeable about civil rights | 9 |
| Measure 1 | 9 |
| Goal 3 – ICRC is recognized as a leader in civil rights | 10 |
| Measure 1 | 10 |
| Measure 2 | 11 |
| Measure 3 | 12 |
| PERFORMANCE PLAN RESULTS/CORE FUNCTIONS | 13 |
| SPA 1 - Screening | 14 |
| SPA 2 - Mediation | 15 |
| SPA 3 - Investigation | 16 |
| AGENCY CONTACTS | 17 |
| Appendix | 18 |

INTRODUCTION

I am honored to offer the Iowa Civil Rights Commission's AGA Performance Report for fiscal year 2004 (July 1, 2003- June 30, 2004). This report helps tell our story to Iowans and informs Iowans about the role and responsibility of the Commission.

Accomplishments of the year must all be put in the context of limited financial resources. Efforts to reduce case backlog and case processing time contribute to both increased consumer satisfaction, and greater agency credibility. What remains noteworthy is that efforts were achieved during FY04 – a year that represents the lowest expenditure levels in four years.

In continuing its history of strong working relationships with the federal government—HUD and EEOC—the Commission completed grants to assist immigrants and persons who relocate to Iowa find housing opportunities.

In addition, the Commission assisted the Iowa Department of Economic Development in meeting its federal block grant requirements to produce the Analysis of Impediments to Fair Housing study. The Commission also assisted the Iowa Finance Authority in its work with first-time home buyer programs.

The Commission, despite major cuts in budgets and staff, maintained or increased FY04 performance levels as

compared to FY03. Cases were screened within 120 days from date of filing, 92.5% of the time; were mediated within 60 days from date of assignment, 74.2% of the time; and were investigated within 9 months from date of assignment, 95% of the time. Our education and outreach programs reached 5,891 people, with over 82% positive evaluations.

Key strategic challenges the agency is working to address are a limited budget, the lack of understanding of our role and responsibility, and the gap between what the future holds for a diverse Iowa and the steps being taken for a successful future.

Simultaneously, key challenges identified by our customers are decreased case processing time; a need to increase the profile of civil rights enforcement; a need to explain that the importance is as great today for civil rights work, as it was in the 1950's and 1960's; and that the upcoming 40th anniversary of the Iowa Civil Rights Act should be both a celebration and a call for action and giving greater voice to the cause of diversity.

ICRC invites all stakeholders to work with us to better streamline our process, better utilize lawyers and law students to assist in reducing case delays, and to raise the profile of Civil Rights.

Sincerely,

Ralph Rosenberg
Director

AGENCY OVERVIEW

The Iowa Civil Rights Commission was created in 1965. It is a state administrative agency, enforcing the Iowa Civil Rights Act (“Chapter 216,” Iowa Code). The Act prohibits discrimination in the areas of employment, housing, credit, public accommodations, and education. Discrimination is prohibited based on the personal characteristics of race, color, creed, national origin, religion, sex, pregnancy, physical disability, mental disability (in all areas but credit), age (in employment and credit only), familial status (in housing and credit only), and marital status (in credit only).

The **purpose** of the Iowa Civil Rights Commission is:

“To provide access to opportunities for all Iowans in the areas of employment, education, housing, credit, and public accommodations through the promotion and enforcement of Iowa civil rights law.”

The **vision** of the Iowa Civil Rights Commission is:

“Freedom from discrimination.”

The **mission** is:

“Guaranteeing civil rights through enforcement, mediation, advocacy, and education.”

To accomplish the mission, the values the Iowa Civil Rights Commission holds most important are:

- Diversity
- Respect for all
- Collaboration
- Champions of civil rights
- Customer focus
- Process improvement
- Empowerment
- Enhancing results
- Recognition and rewards

The Iowa Civil Rights Commission provides two main products:

- 1) It removes barriers to opportunities for all Iowans in the areas of employment, housing, credit, education, and public accommodations
- 2) It helps create an environment that supports diversity

The mechanisms the Iowa Civil Rights Commission uses to provide these products are:

- 1) Enforcement through intake, screening, mediation, investigation, conciliation, and hearings.
- 2) Education
- 3) Networking links and collaborative activities
- 4) Commissioner advocacy

The Iowa Civil Rights Commission has one location at the Grimes Building, 400 East 14th Street, in Des Moines. This agency employs 27 individuals; one assistant attorney general is also assigned to and located in the office. The Iowa Civil Rights Commission has five divisions:

- Administration/budget
- Education
- Mediation
- Housing investigations, intake, and screening
- All other investigations

There are seven members on the management team: the managers of the divisions, the executive director, the administrative law judge, and the assistant attorney general. There are 3 supervisory positions, 19 professional positions, and 5 administrative support positions. All but four of the professional positions are represented by the Iowa United Professionals. Three of the five administrative support positions are represented by the American Federation of State, County and Municipal Employees Union. The educational level of the staff varies from high school diplomas to law degrees.

The laws that affect most businesses also affect the Iowa Civil Rights Commission. However, there are some additional regulations that impact how the agency does business. The Iowa Civil Rights Commission is subject to open meetings and open records laws. The department is subject to “Chapter 68B” of the Iowa Code, pertaining to conflicts of interest. The agency is bound by the rules and regulations of other state entities such as the Iowa Department of Administrative Services, the Iowa Communication Network, the Iowa Department of Justice, and the Iowa Department of Inspections and Appeals. In addition, the section of the Iowa Code that the department enforces, as well as the agency’s administrative rules and federal contracts, place additional restrictions on how functions are performed.

The Iowa Civil Rights Commission serves all the people of Iowa, including the parties to complaints and stakeholder, constituency groups. Often these customers have competing interests. However, there are some key expectations that these customers hold in common. These include:

- Due process
- Fairness and equity
- Accurate information
- Timeliness
- Accessibility to staff and the process
- Thorough job knowledge and performance of our duties
- Flexibility

- Clear and direct communication

The Iowa Civil Rights Commission's major partners are:

- The federal Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, with whom the agency partners to process cases, to receive training, and to share information. The Iowa Civil Rights Commission receives funding from the Equal Employment Opportunity Commission via a case-processing contract. The Commission also receives funding from the U. S. Department of Housing and Urban Development in the form of a case-processing contract and grants.
- Local human and civil rights commissions, with whom the agency partners to process cases, sponsor training, share information, and provide office space. Each community in Iowa with at least 29,000 inhabitants is required by law to have a local human or civil rights commission. The Iowa Civil Rights Commission works cooperatively with these local commissions and has case-processing contracts with ten of the twenty-four local commissions.
- Iowa Civil Rights Commissioners, who are appointed by the Governor and with whom the agency partners to advocate on behalf of civil rights efforts and to make decisions in cases that have gone to public hearing.
- Iowa Department of Justice, with whom the agency partners to provide legal representation of the Commission's interests at public hearings or in court.
- Friends of Iowa Civil Rights, Inc., with whom the agency partners to sponsor special events, including the annual *I'll Make Me a World in Iowa* celebration of African American arts and culture and the statewide diversity conference.
- Iowa Department of Human Rights, with whom the agency partners on a number of collaborative projects

The main mechanisms the Iowa Civil Rights Commission uses to communicate with partners and the main supplier are the telephone, e-mail, mail, fax, newsletters, the Communicator, press releases, the agency website, publications, and presentations.

The biggest challenge the agency faces is the public and private perception that civil rights in Iowa is not an urgent issue, that the problem is getting better, resolved, or non-existent. For some, civil rights initiatives are viewed as hassles versus good work for Iowa. This has resulted in a four-year slide in funding for the agency (approximately a 1/3 reduction in state funding). The Iowa Civil Rights Commission faces other strategic challenges as well. The agency is painted with the same brush as other regulatory agencies and therefore viewed negatively by some groups. Over the past three years, the agency has suffered a 34% cut in general funding and a subsequent loss of 10 of its 34 staff positions. The lack of funding has also resulted in an inability to train and retain quality staff and to upgrade the agency's computer system to one that performs adequately. The agency is plagued by out-of-date hardware and replacement and reliability problems. In transitioning from the old computerized case management system to one being developed by the Department of Administrative Services, additional funds will need to be expended to correct problems with the new system or the agency will have to rely on the old system that is losing functional ability. Because of reductions in general funding, the agency has had to increase dependence on federal funding that has to be earned. Approximately sixty per cent (60%) of the Iowa Civil Rights Commission's budget is

dependent upon the contracting relationship with the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development. These contracts contain time constraints, required numbers of case resolutions, training requirements, and case file format requirements. The agency has human resource staff challenges. With early-outs and retirements, there has been a loss of institutional memory and knowledge. As the agency looks to the future, changing demographics foreshadow an increase in case filings, while federal budgetary conditions will most likely result in reduced federal funding for the agency.

At the enterprise level, the Iowa Civil Rights Commission is active in the Accountable Government Initiative, the Enterprise Planning Team, and the Purchasing Results Initiative. From an individual agency perspective, the Iowa Civil Rights Commission has a diverse workforce committed to civil rights and the enforcement of civil rights laws. We systematically address performance issues by first identifying places for improvement. We do this by asking stakeholder groups, staff, and partners for their input; by continually reviewing work product on an individual basis and with evaluations and surveys; by identifying trends; by knowing the expected norms and identifying deviations; and by being open to evaluating unsolicited input. Once performance issues are identified, they are addressed through several mechanisms. First and foremost, the executive director sets the tone that the agency needs to raise its profile and that improvement can always be made. Group and individual problem solving techniques are used to study the issues and determine proper courses of action. These are then communicated at the individual or group level depending on the particular issue being addressed. Receiving and giving training are seen as essential components in continuously improving performance.

STRATEGIC PLAN RESULTS

Key Strategic Challenges and Opportunities:

For FY 2004 the Iowa Civil Rights Commission faced strategic challenges regarding being able to produce timely, quality resolutions, ensuring that people in Iowa are knowledgeable about civil rights laws and issues, and being recognized as a leader in promoting civil rights. As a result, the Iowa Civil Rights Commission set the following strategic goals and measures:

Goal #1: People involved in civil rights complaints receive timely, quality resolutions.

Strategy 1:

- Reduce the number of days to complete various stages of the process.

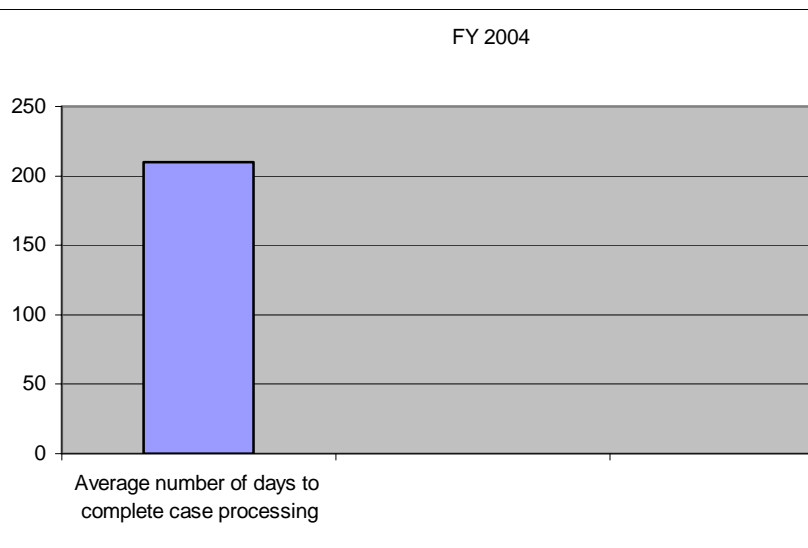
Measures/Results

Performance Measure:

Average number of days to complete case processing – because this was not being tracked a baseline was set in FY 2004

Data Sources:

Iowa Civil Rights Commission case closure reports



Data Reliability: The data is maintained by the staff person at the Iowa Civil Rights Commission responsible for case closures. Number of days to process each case is calculated by a computer program.

What was achieved: The data displayed is the baseline from which future analysis will proceed. The data for FY 2004 indicated that the Iowa Civil Rights Commission averaged 210 days to process a case from date of filing to closure.

Analysis of results: Now that a baseline has been established, future goals can be set. The goal for this measure for FY 2005 is 200.

Link(s) to Performance Plan: Same as Measure 1 for Core Functions 1 and 4.

Links(s) to Enterprise Plan: Transforming the Iowa Economy, Continuous Improvement of Education, and Expanding Access to Health Care and Other Vital Services

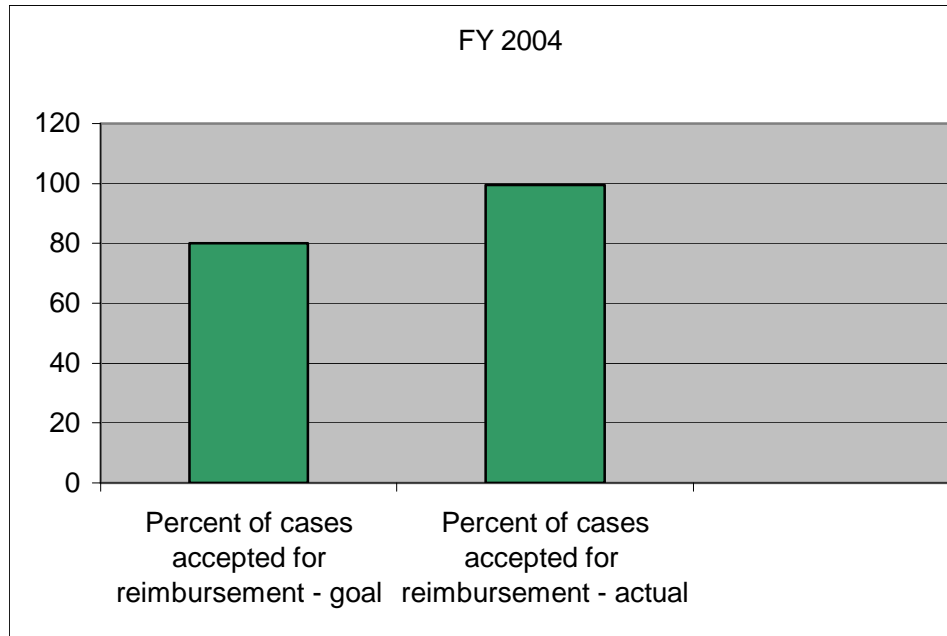
Strategy 2:

- Consistently meet the quality standards set out by the federal agencies that contract with the Iowa Civil Rights Commission to process cases.

Measures/Results

Performance Measure:
Percent of cases accepted for reimbursement by federal agencies

Data Sources:
Payment data from the Equal Employment Opportunity Commission and HUD



Data Reliability: The data is received from the federal Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development. The data is crosschecked against our records of transmittals to these contracting agencies.

What was achieved: The data displays that the Iowa Civil Rights Commission far exceeded the 80% goal.

Analysis of results: Federal contracting agencies find the work of the Iowa Civil Rights Commission consistently meets their quality standards.

Link(s) to Performance Plan: Same as Measure 2 for Core Functions 1 and 4.

Links(s) to Enterprise Plan: Transforming the Iowa Economy, Continuous Improvement of Education, and Expanding Access to Health Care and Other Vital Services

Strategic Goal #2: People are knowledgeable about civil rights laws and issues.

Strategy:

- To provide educational materials and information that are useful to people.

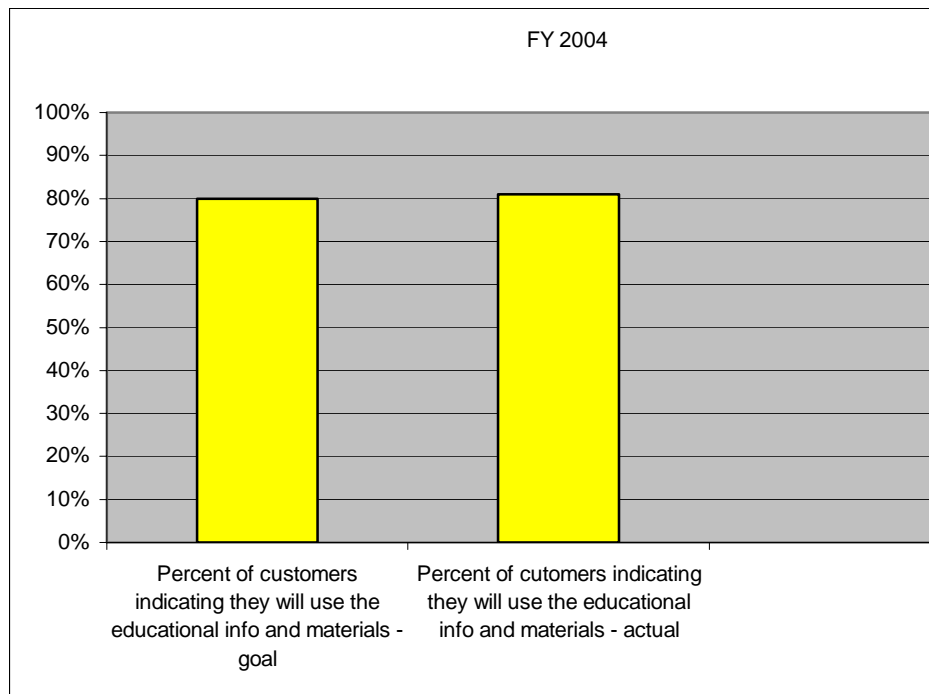
Measures/Results

Performance Measure:

Percent of customers indicating they will use the educational info and materials they receive

Data Sources:

Iowa Civil Rights Commission survey data of participants at educational workshops conducted by ICRC staff



Data Reliability: The data is obtained via survey of participants at Iowa Civil Rights Commission educational sessions. These surveys are then entered into a computer program that compiles and averages data regarding educational services during the fiscal year.

What was achieved: This year the goal was for 80% of the participants at educational presentations to indicate they felt the educational information and materials were useful. Actual performance was 81%.

Analysis of results: Actual performance was very close to desired results. Further study will be needed to determine how to increase this percentage.

Link(s) to Performance Plan: Same as Measure 1 for Core Function 3.

Links(s) to Enterprise Plan: Transforming the Iowa Economy, Continuous Improvement of Education, and Expanding Access to Health Care and Other Vital Services

Strategic Goal #3: The Iowa Civil Rights Commission is recognized as a leader in promoting civil rights.

Strategy 1:

- Get people to perceive the Iowa Civil Rights Commission as a leader in civil rights, as indicated by their willingness to recommend the Iowa Civil Rights Commission to others.

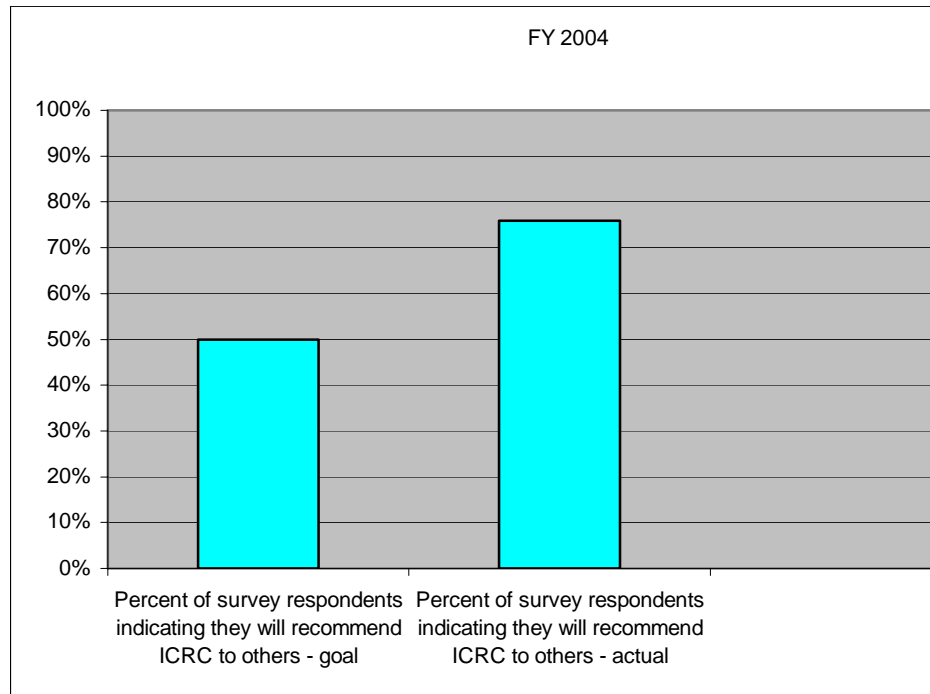
Measures/Results

Performance Measure:

Percent of survey respondents indicating they will recommend the Iowa Civil Rights Commission to others

Data Sources:

Iowa Civil Rights Commission survey data sent to all parties for all cases closed during the fiscal year



Data Reliability: The data is obtained from survey responses to surveys sent to all parties on cases closed during the fiscal year.

What was achieved: This year the goal was for 50%; but actual performance was 75.9%.

Analysis of results: Actual performance greatly exceeded anticipated results. The Iowa Civil Rights Commission may want to look further at this goal for modification in the future.

Link(s) to Performance Plan: Same as Measure 1 for Core Function 2.

Links(s) to Enterprise Plan: Transforming the Iowa Economy, Continuous Improvement of Education, and Expanding Access to Health Care and Other Vital Services

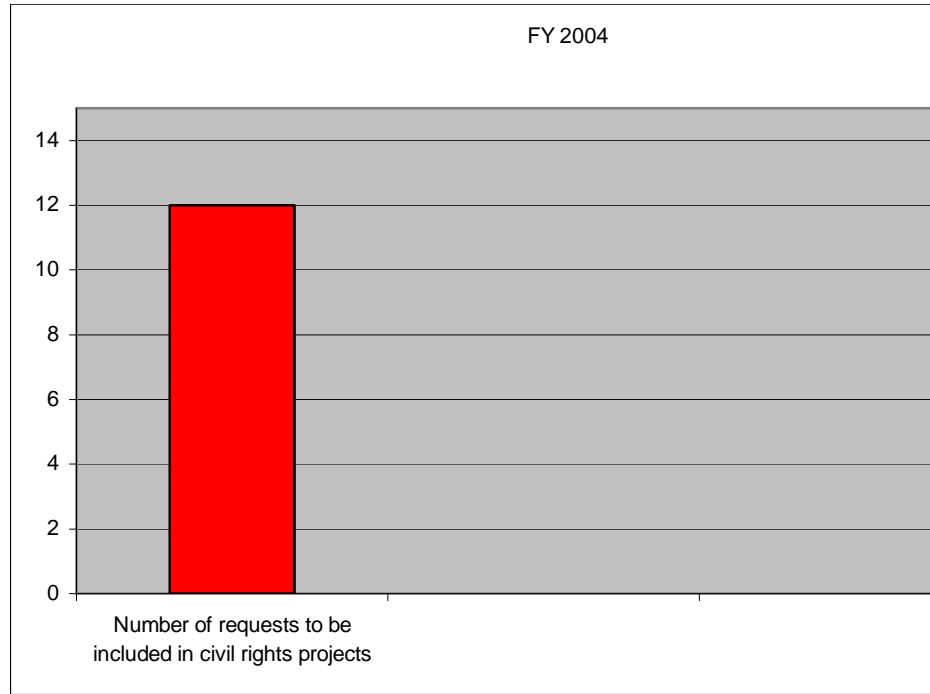
Strategy 2:

- To be seen as an entity that others want to be involved in important civil rights projects.

Measures/Results

Performance Measure:
Number of requests to be included in civil rights projects

Data Sources:
Records and mental recollections of staff and commissioners



Data Reliability: This data is not as reliable as other data in this report since it is based on some written information, but to a great extent mental recollections.

What was achieved: This year the baseline was set for this goal.

Analysis of results: Better data collection needs to happen, with all requests documented or the measure might be dropped due to no link to performance plan.

Link(s) to Performance Plan: None.

Links(s) to Enterprise Plan: Transforming the Iowa Economy, Continuous Improvement of Education, and Expanding Access to Health Care and Other Vital Services

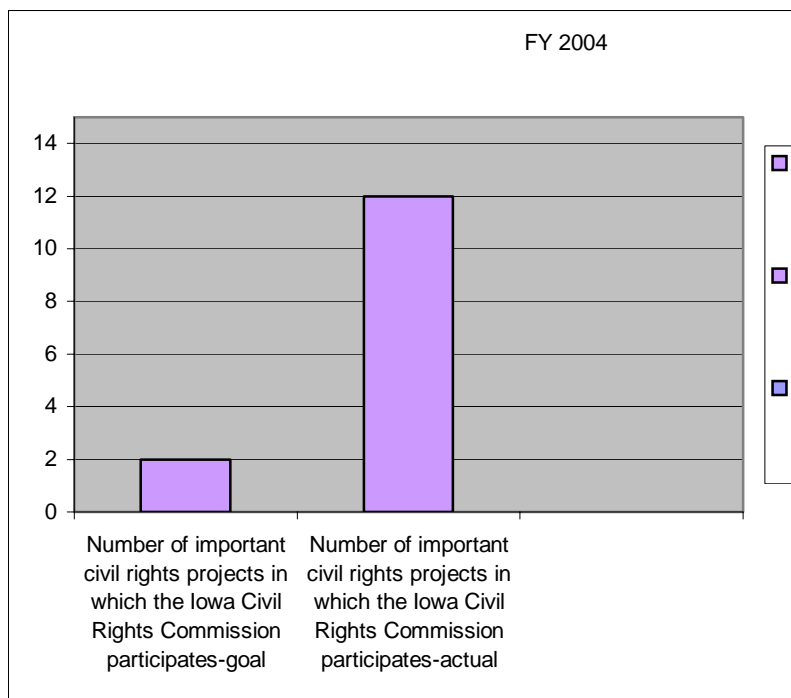
Strategy 3:

- To be active in a number of important civil rights projects.

Measures/Results

Performance Measure:
Number of important civil rights projects in which the Iowa Civil Rights Commission participates

Data Sources:
Written records of projects in which the Iowa Civil Rights Commission participates



Data Reliability: The data via written records (articles, meeting minutes, budget data) regarding projects in which the Iowa Civil Rights Commission participated.

What was achieved: The goal for this past fiscal year was 2; but actual performance was 12.

Analysis of results: Actual performance greatly exceeded expectations. The Commission may want to consider increasing this measure.

Link(s) to Performance Plan: Same as Measure 1 for SPA 1 for Core Function 2.

Links(s) to Enterprise Plan: Transforming the Iowa Economy, Continuous Improvement of Education, and Expanding Access to Health Care and Other Vital Services

PERFORMANCE PLAN RESULTS

CORE FUNCTIONS

Name: Iowa Civil Rights Commission

List of Core Functions:

1. Adjudication/dispute resolution
2. Advocacy
3. Education
4. Investigation

Core Function Goals/Measures/Results: The Iowa Civil Rights Commission integrates its strategic goals and core functions. Those measures which are most important for strategic goals are mirrored those which are also most important for core functions; and therefore, have been addressed in the previous section.

PERFORMANCE PLAN RESULTS

SERVICES/ PRODUCTS/ ACTIVITIES

Name: Screening (Investigation core function)

Description: Cases should be screened within 120 days from date of filing.

Why we are doing this: What we're doing to achieve results: Statute requires that cases be screened within 120 days. We assign staff, as needed, to achieve this result.

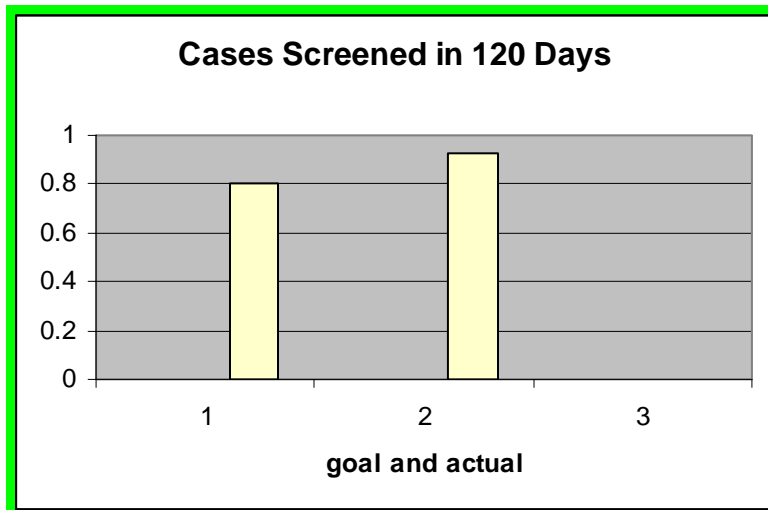
Results

Performance Measure:

Number of cases screened within 120 days of filing

Performance Target: 80%

Data Sources: Iowa Civil Rights Commission records of number of days from date of filing until screening decision is made.



Data reliability: Data is kept by individual staff for each case screened.

Why we are using this measure: It is required by statute and it assists the agency in meeting the larger goal of reducing the time to process cases.

What was achieved: 92.50% of cases were screened in less than 120 days.

Analysis of results: Although we exceeded our goal, 100% of cases should be screened in less than 120 days.

Factors affecting results: Lack of staff has meant a reduction in the percentage of cases that can be screened in less than 120 days.

Resources used: Two additional staff are needed in this area.

Name: Mediation (Adjudication/dispute resolution core function)

Description: Cases should be mediated within 60 days from date of assignment.

Why we are doing this: What we're doing to achieve results: Mediation is more successful if accomplished early in the process. Cases should not languish in mediation.

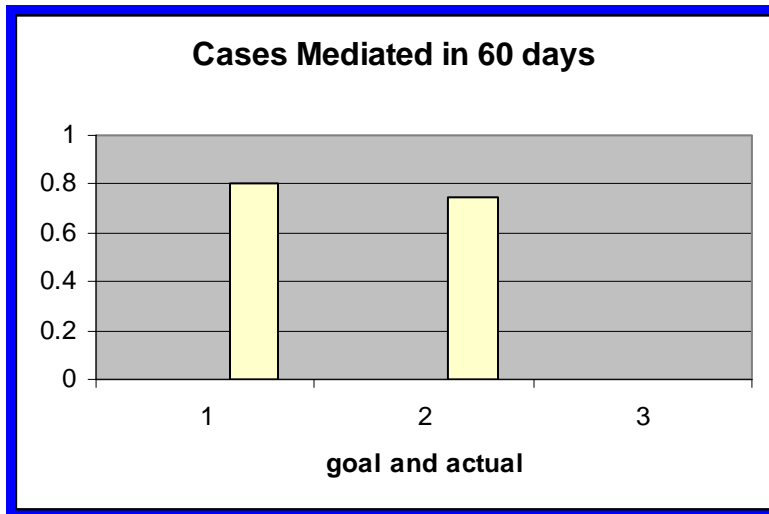
Results

Performance Measure:

Number of cases mediated within 60 days of assignment

Performance Target: 80%

Data Sources: Iowa Civil Rights Commission records of number of days from date of assignment until date mediation is completed.



Data reliability: Data is kept by individual staff for each case mediated.

Why we are using this measure: It assists the agency in meeting the larger goal of reducing the time to process cases.

What was achieved: 74.20% of cases were mediated within 60 days of date of assignment.

Analysis of results: We were not able to meet our goal. This goal should be reevaluated for the next fiscal year.

Factors affecting results: Lack of staff has meant not being able to achieve this goal.

Resources used: Two additional staff are needed in this area.

Name: Investigation (Investigation core function)

Description: Cases should be investigated within 9 months from date of assignment.

Why we are doing this: What we're doing to achieve results: Investigation of civil rights cases must be completed in a timely fashion. The zoom process has been utilized to make investigation more efficient.

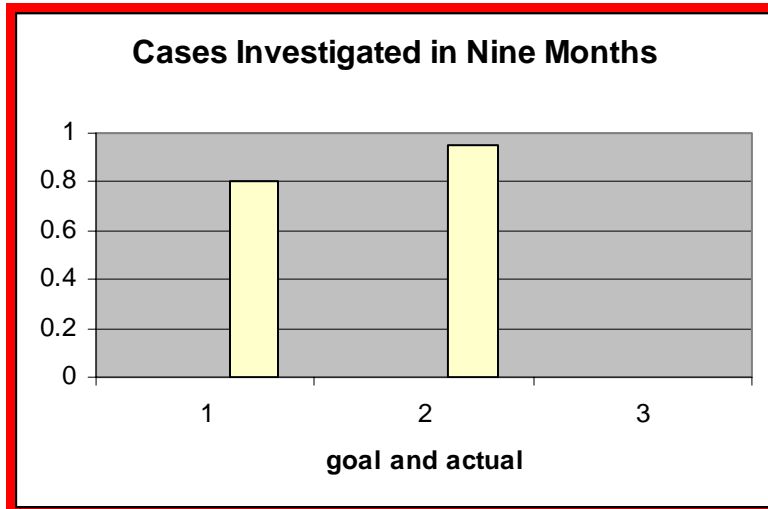
Results

Performance Measure:

Number of cases investigated within 9 months of assignment

Performance Target: 80%

Data Sources: Iowa Civil Rights Commission records of number of days from date of assignment until date investigation is completed.



Data reliability: Data is kept by the manager of the investigative unit.

Why we are using this measure: It assists the agency in meeting the larger goal of reducing the time to process cases.

What was achieved: 95% of the cases investigated, were investigated within 9 months from date of assignment.

Analysis of results: We exceeded our goal in this area and should consider modification of the goal.

Factors affecting results: Although the goal has been met for this measure, a large inventory of investigations remains to be assigned.

Resources used: Two additional staff are needed in this area.

AGENCY CONTACTS

Copies of Iowa Civil Rights Commission's Performance Report are available on the ICRC website www.state.ia.us/government/crc

Copies of the report can also be obtained by contacting the Iowa Civil Rights Commission at 1-800-457-4416.

Iowa Civil Rights Commission
Grimes Building, First Floor
400 E. 14th Street
Des Moines, IA 50319

(515) 281-4121 or 800-457-4416

www.state.ia.us/government/crc

Appendix

The preceding report has highlighted the Iowa Civil Rights Commission's Key Measures for FY 2004. The following two pages contain all the goals, measures and actual performance for the measures for all strategic goals, core functions, and SPA's for the Iowa Civil Rights Commission for fiscal year 2004.

**Iowa Civil Rights Commission:
Strategic Goals, Core Functions, and SPA's**

| | | Goal | Performance |
|--|---|--------------------|-------------|
| Strategic Goal 1 - People involved in civil rights complaints receive timely, quality resolutions | | | |
| | Measure 1: Number of days to complete various stages of the process | baseline being set | 210 |
| | Measure 2: Percent of cases accepted for reimbursement by federal agencies | 80% | 99.60% |
| Strategic Goal 2 - People are knowledgeable about civil rights laws and issues | | | |
| | Measure 1: Percent of customers indicating they will use the educational info and materials they receive | 80% | 81% |
| Strategic Goal 3: The Iowa Civil Rights Commission is recognized as a leader in promoting civil rights | | | |
| | Measure 1: Percent of survey respondents indicating ICRC is an effective leader - would recommend ICRC | 50% | 75.90% |
| | Measure 2: Number of requests to be included in civil rights projects | baseline being set | 12 |
| | Measure 3: Number of civil rights projects ICRC participates in | 2 | 12 |
| Core Function 1: Adjudication and Dispute Resolution | | | |
| | Measure 1: Number of days to complete various stages of the process | baseline being set | 210 |
| 167_01_001 | Measure 2: Percent of cases accepted for reimbursement by federal agencies | 80% | 99.60% |
| 167_01_002 | SPA 1: Screening | | |
| 167_01100_001 | Measure 1: Percent of cases screened in less than 120 days | 80% | 92.50% |
| | SPA 2: Mediation | | |
| 167_01100_002 | Measure 1: Percent of cases mediated in less than 60 days from assignment | 80% | 74.20% |
| | SPA 3: Investigation | | |
| 167_01100_003 | Measure 1: Percent of cases investigated in less than 9 months from date of assignment | 80% | 95% |
| Core Function 2: Advocacy | | | |
| | Measure 1: Percent of survey respondents indicating ICRC is a leader in promoting civil rights - would recommend ICRC | 50% | 75.90% |
| 167_04_001 | SPA 1: Participation | | |
| 167_04100_001 | Measure 1: Number of civil rights projects ICRC participates in | 2 | 12 |
| | SPA 2: Commissioner hours | | |
| 167_04100_002 | Measure 2: Number of hours/month commissioners spend on civil rights | 8 | 20 |

| | | |
|--------------------------------|---|------------------------|
| Core Function 3: Education | | |
| 167_25_001 | Measure 1: Percent of Customers indicating they will use educational info SPA 1: Timeliness | 80% 81% |
| 167_25100_001 | Measure 1: Number of complaints regarding timeliness of requests SPA 2: Education satisfaction | 0 0 |
| 167_25100_002 | Measure 1: Percent of customers rating service satisfactory or better | 80% 82.40% |
| Core Function 4: Investigation | | |
| 167_31_001 | Measure 1: Number of days to complete various stages of the process | baseline being set 210 |
| 167_31_002 | Measure 2: Percent of cases accepted for reimbursement by federal agencies SPA 1: Screening | 80% 99.60% |
| 167_31100_001 | Measure 1: Percent of cases screened in less than 120 days SPA 2: Mediation | 80% 92.50% |
| 167_31100_002 | Measure 1: Percent of cases mediated in less than 60 days from assignment SPA 3: Investigation | 80% 74.20% |
| 167_31100_003 | Measure 1: Percent of cases investigated in less than 9 months from date of assignment | 80% 95% |