

Iowa Civil Rights Commission

PERFORMANCE REPORT

Performance Results Achieved for
Fiscal Year 2007/2008

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INTRODUCTION

I am honored to present the Iowa Civil Rights Commission's performance report for fiscal year 2008 (July 1, 2007 - June 30, 2008). This report tells our story to Iowans, informs Iowans about the role and responsibility of the Commission, and invites Iowans to partner with the Commission to achieve our mission.

To increase consumer satisfaction, improve agency credibility and prevent future instances of discrimination, ICRC will continue its strong education, training, and outreach efforts. To stretch resources, ICRC has partnered with local human rights commissions, volunteer lawyer programs, Drake Law School, VISTA, and various college internship programs.

Continuing its history of strong working relationships with the federal government—HUD and EEOC, the Iowa Civil Rights Commission continued to contract to investigate cross-filed housing and employment cases and perform education and outreach to Iowans on fair housing and fair employment issues.

Most recently, in a competitive application process, ICRC received from HUD one of only two Fair Housing Improvement Program (FHIP) grants awarded nationwide to state agencies.

Continuing its partnerships with local government, ICRC successfully expanded its VISTA program to provide capacity building assistance for local governments with local civil or human rights agencies.

In addition, the Commission will be assisting the Iowa Department of Economic Development in meeting its federal block grant requirements to reduce impediments to fair housing.

In FY 08 we completed processing and closed 2007 cases. During the same period 2003 new complaints were received; of those 1806 were deemed to be jurisdictional. Our education and outreach programs reached 11,213 people, with over 89% positive evaluations, and distributed 25,821 materials.

Key strategic challenges the agency is working to address are: a limited budget, the lack of understanding of our role and responsibilities and the services we provide, and the gap in understanding of the future benefits of a diverse and welcoming Iowa. Other challenges identified by our customers include: reduced case processing time; increasing the profile of civil rights enforcement; and the importance of explaining that the need is as great today for civil rights work, as it was in the 1950's and 1960's.

ICRC invites all stakeholders to work with us to end discrimination, to raise the profile of Civil Rights, to better streamline our process, to assist in reducing case delays, and to truly make Iowa a OneIowa, in form and substance.

Sincerely,

Ralph Rosenberg
Director

AGENCY OVERVIEW

The Iowa Civil Rights Commission is a state administrative agency, enforcing the Iowa Civil Rights Act (“Chapter 216,” Iowa Code). Under contracts with the federal government, we are required to assist in enforcement of housing and employment discrimination laws. 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). Effective July 1, 2007, sexual orientation and gender identity were added to the bases covered by the Iowa Civil Rights Act in all areas. Effective July 1, 2008, the statute of limitations for filing a complaint with the Iowa Civil Rights Commission increased from 180 to 300 days.

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:

“A state free from discrimination.”

The **mission** is:

“Enforcing civil rights laws through compliance, mediation, advocacy, and education.”

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

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

The Iowa Civil Rights Commission provides three main products:

- 1) Removal of barriers to opportunities for all Iowans in the areas of employment, housing, credit, education, and public accommodations
- 2) Working to create an environment that values and protects diversity

- 3) Supporting a climate of freedom from discrimination and a sense of security and human dignity

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

- 1) Law enforcement and case resolution through intake, screening, mediation, investigation, conciliation, and hearings.
- 2) Education and training of business, community, governmental, and stakeholder groups
- 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 29 individuals. The Iowa Civil Rights Commission has five informal divisions:

- Administration/budget
- Education/outreach
- Mediation
- Housing investigations, intake, and screening
- All other investigations (employment, public accommodations, credit, and education)

There are five members on the informal management team: the executive director, the human resources associate, the supervisor of housing and screening, the manager of education and outreach, and the administrative law judge. There are 4 supervisory positions, 21 professional positions, and 4 administrative support positions. All but two of the professional positions are represented by the Iowa United Professionals. The four 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 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, receive training, and 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.
- The Iowa Department of Economic Development, with whom the agency partners to enforce fair housing laws and provide fair housing training throughout Iowa.
- 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 eleven of the twenty-seven 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.
- VISTA (Volunteers in Service to America), with whom the agency partners to provide capacity building to local human and civil rights groups throughout Iowa.

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

The biggest challenge the agency faces is society's perception that civil rights in Iowa is no longer an urgent, nor compelling issue, because "the problem" is getting better, resolved, or non-existent. This resulted in a four-year slide in funding for the agency (approximately a 1/3 reduction in state funding) which was reversed by actions of the 05, 06, and 07 legislature and the Governor's office. The slide was reversed due to Gubernatorial and legislative support and the explicit expression by many in business and industry that diversity and civil rights initiatives represent important values for Iowa. However, the Iowa Civil Rights Commission faces other strategic challenges as well, including a misunderstanding of our roles and responsibilities and unstable federal funding support.

Approximately fifty per cent (50%) 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. 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; we continue to review work product on an individual basis and with evaluations and surveys; we identify trends; and we remain open to receiving and 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. Next, 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 2007/2008 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.

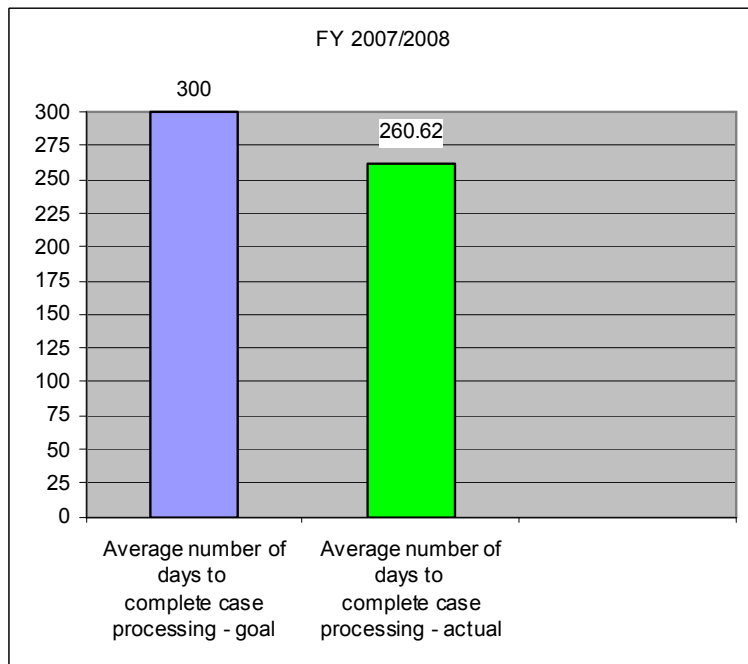
Measures/Results

Performance Measure:

Average number of days to complete case processing – 300 days

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 for FY 07/08 indicated that the Iowa Civil Rights Commission averaged 260.62 days to process a case from date of filing to closure.

Analysis of results: Case processing time was reduced 32.87 days/case from the previous fiscal year.

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, Expanding Access to Health Care and Other Vital Services, and Safe Communities.

Strategy 2:

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

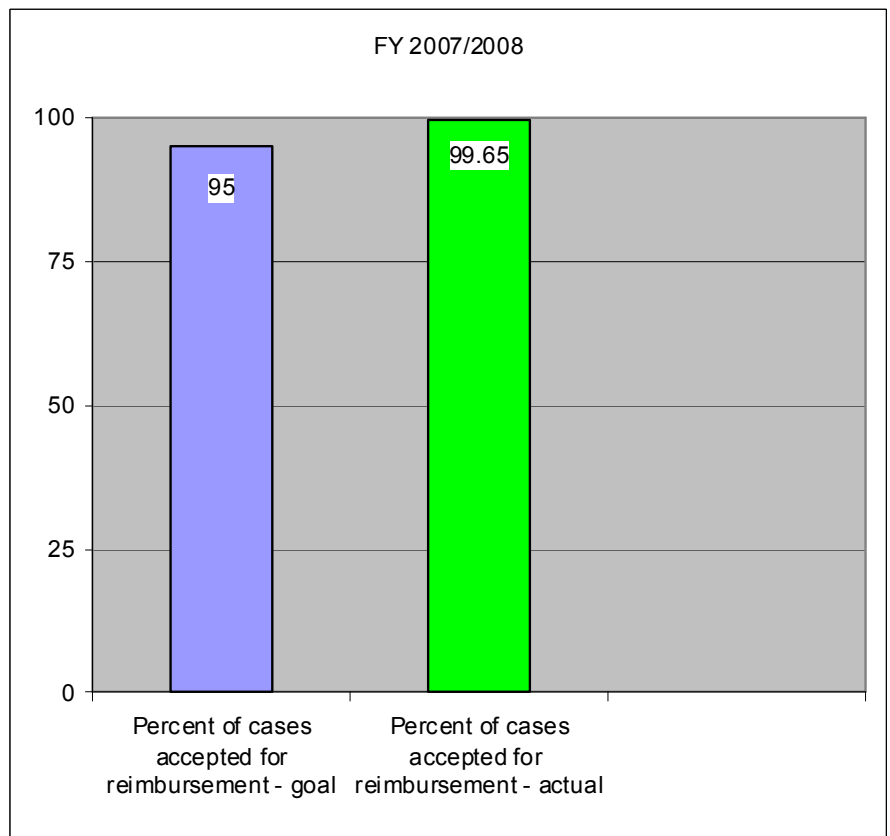
Measures/Results

Performance Measure:

95 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 95% goal, with a 99.65% acceptance rate.

Analysis of results: Federal contracting agencies find the work of the Iowa Civil Rights Commission consistently meets their quality standards. This figure remained essentially unchanged from last fiscal year.

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, Expanding Access to Health Care and Other Vital Services, and Safe Communities.

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

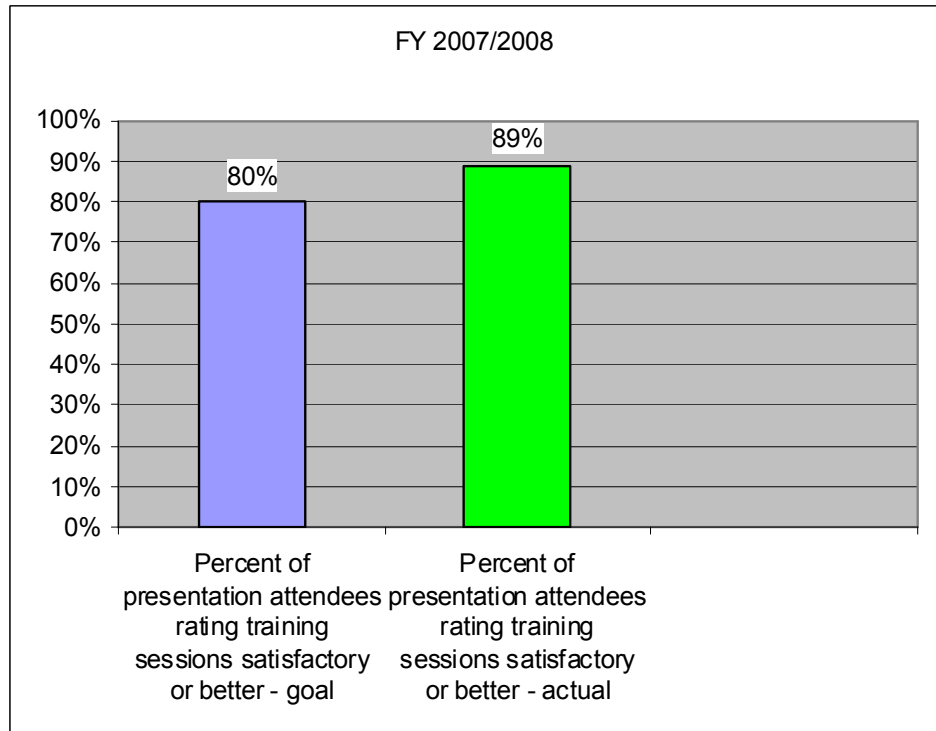
Strategy:

- Providing satisfactory educational services.

Measures/Results

Performance Measure:
Percent of presentation attendees rating training sessions satisfactory or better – 80%

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



Data Reliability: The data is obtained via surveys 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 rate the sessions as satisfactory or better. Actual performance was 89.27%. There was a 5.79% increase over last fiscal year.

Analysis of results: Actual performance continued to improve.

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, Expanding Access to Health Care and Other Vital Services, and Safe Communities.

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.

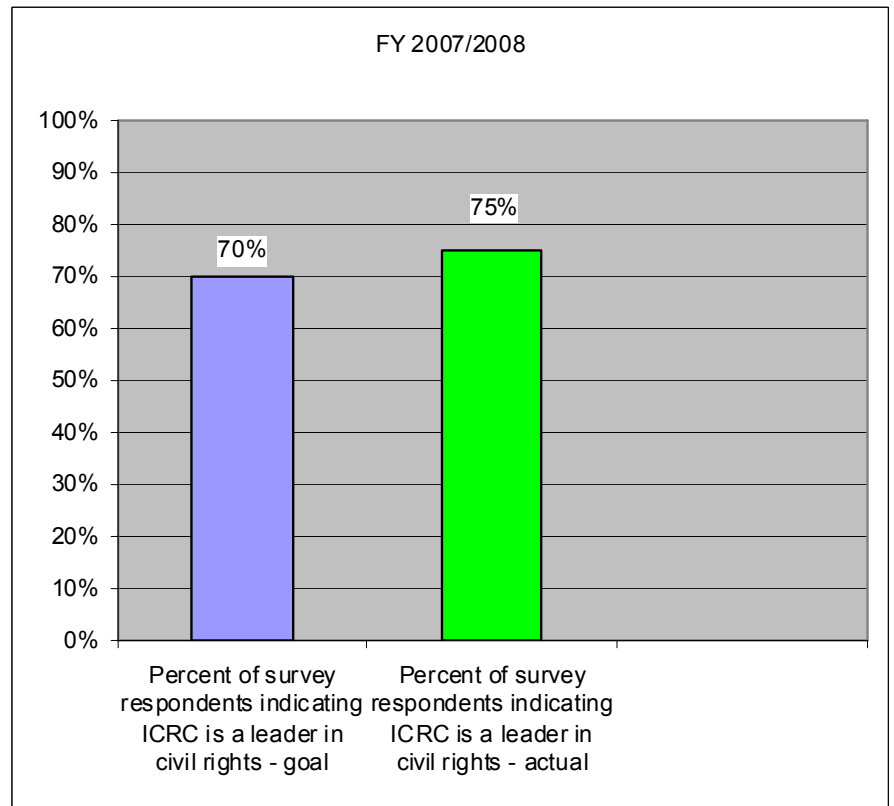
Measures/Results

Performance Measure:

70 percent of survey respondents indicating the Iowa Civil Rights Commission is a leader in civil rights

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: The goal for this measure was modified upward from 50% in FY 2006 to 70% in FY 2007. Actual performance this past year was 75.04%.

Analysis of results: There was an increase of 3.11% from last year.

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, Expanding Access to Health Care and Other Vital Services, and Safe Communities.

Strategy 2:

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

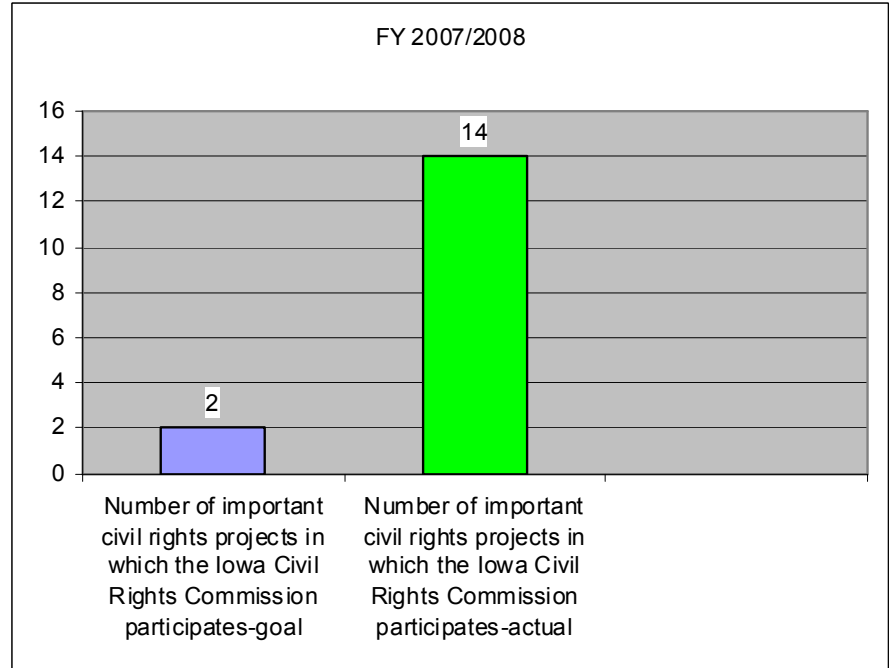
Measures/Results

Performance Measure:

Number of important civil rights projects in which the Iowa Civil Rights Commission participates/collaborates - 2

Data Sources:

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



Data Reliability: The data is contained in 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 14.

Analysis of results: Actual performance greatly exceeded expectations.

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, Expanding Access to Health Care and Other Vital Services, and Safe Communities.

PERFORMANCE PLAN RESULTS

CORE FUNCTIONS

Name: Iowa Civil Rights Commission

List of Core Functions:

1. Adjudication/dispute resolution
2. Advocacy
3. Education, training, and outreach
4. Investigation

Core Function Goals/Measures/Results: The Iowa Civil Rights Commission integrates its strategic goals and core functions. Measures which are most important for strategic goals are mirrored in the most important core functions and 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.

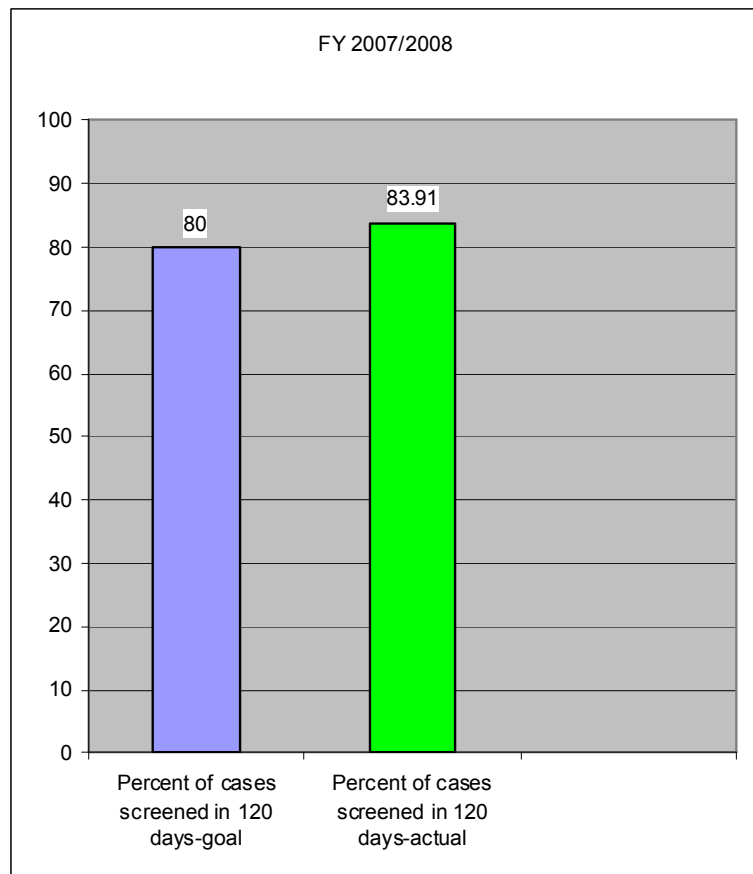
Results

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: 83.91% of cases were screened in less than 120 days.

Analysis of results: We were able to exceed our goal of 80%.

Factors affecting results: The use of legal interns helped a great deal in this area during the last fiscal year.

Resources used: Additional resources will continue to be needed to keep this % above 80%.

Name: Mediation (Adjudication/dispute resolution core function)

Description: Cases should be mediated within 90 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.

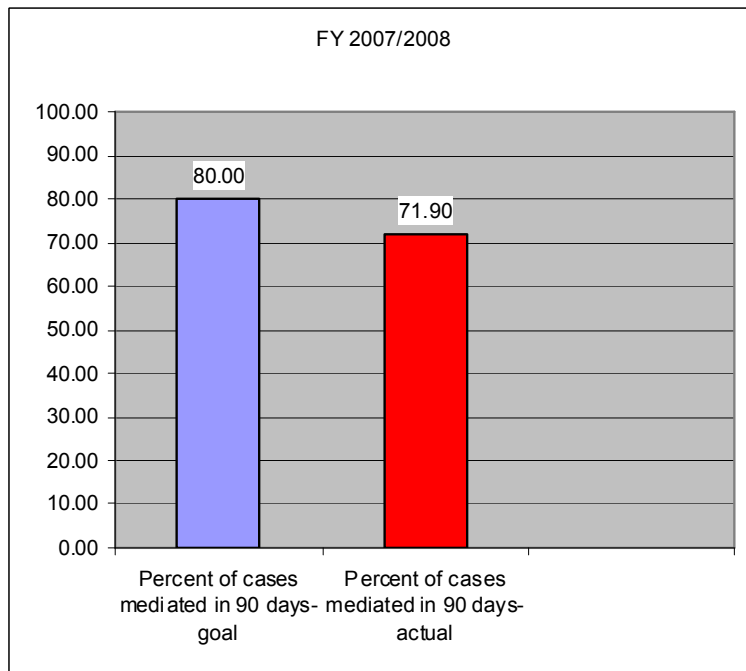
Results

Performance Measure:

Number of cases mediated within 90 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: 71.9 % of cases were mediated within 90 days of date of assignment. This is 8% below our goal.

Analysis of results: This goal should be modified or additional resources added to mediation.

Factors affecting results: Lack of staff has meant not being able to achieve this goal in less than 90 days.

Resources used: At least one additional staff person is 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 to ensure evidence is not jeopardized by the length of time that elapses before a case is completed.

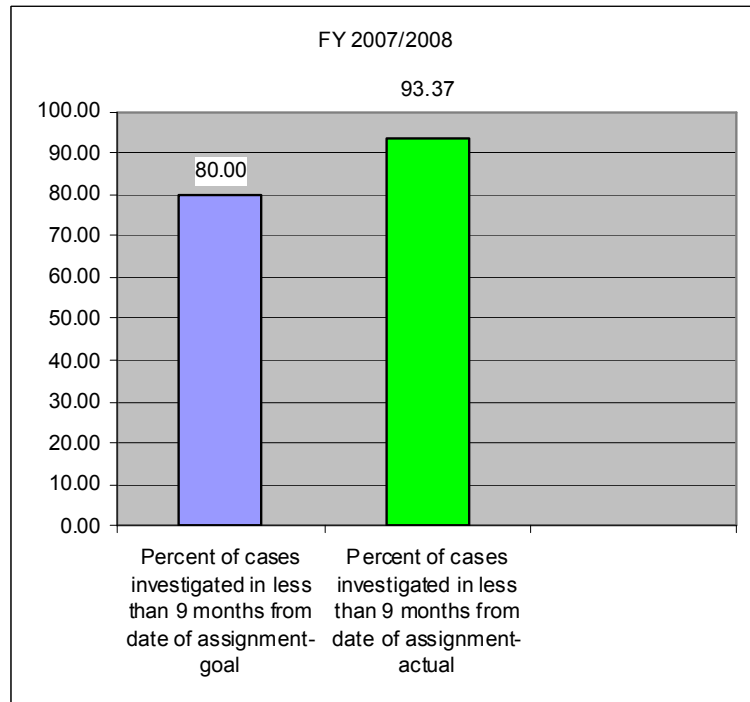
Results

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: 93.37% of the cases investigated, were investigated within 9 months from date of assignment.

Analysis of results: We exceeded our goal in this area; however we should try to decrease the 9 month goal. Results are relatively unchanged from the previous fiscal year.

Factors affecting results: Although the goal has been met for this measure, a goal of 6 months would be preferable.

Resources used: Two additional staff are needed in this area if the goal is to be reduced.

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 2007/2008. 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 2007/2008.

**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	300	260.62
Measure 2: Percent of cases accepted for reimbursement by federal agencies	95%	99.65%
Strategic Goal 2 – Providing satisfactory educational services		
Measure 1: Percent of customers rating the service satisfactory or better	80%	89.27%
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 a leader in civil rights	70%	75.04%
Measure 2: Number of civil rights projects ICRC participates/collaborates in	2	14
Core Function 1: Adjudication and Dispute Resolution		
Measure 1: Number of days to complete various stages of the process	300	260.62
Measure 2: Percent of cases accepted for reimbursement by federal agencies	90%	99.65%
SPA 1: Screening		
Measure 1: Percent of cases screened in less than 120 days	80%	83.91%
SPA 2: Mediation		
Measure 1: Percent of cases mediated in less than 90 days from assignment	80%	71.90%
SPA 3: Investigation		
Measure 1: Percent of cases investigated in less than 9 months from date of assignment	80%	93.37%
Core Function 2: Advocacy		
Measure 1: Percent of survey respondents indicating ICRC is a leader in promoting civil rights	70%	75.04%
SPA 1: Participation		
Measure 1: Number of civil rights projects ICRC participates/collaborates in	2	14
SPA 2: Commissioner hours		
Measure 2: Number of hours/month commissioners spend on civil rights	8	20
Core Function 3: Education		
Measure 1: Percent of Customers indicating they will use educational info	80%	87.15%
SPA 1: Timeliness		
Measure 1: Number of complaints regarding timeliness of requests	0	0
SPA 2: Education satisfaction		
Measure 1: Percent of customers rating service satisfactory or better	80%	89.27%
Core Function 4: Investigation (see Core Function 1 – Adjudication and Dispute Resolution)		

