

Agency Performance Report

Iowa Civil Rights Commission
Fiscal Year 2010

Introduction

I am pleased to present the Iowa Civil Rights Commission's performance report for fiscal year 2010 (July 1, 2009 - June 30, 2010). This report 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 has expanded its outstanding education, training, and outreach programs to all stakeholder groups, including businesses and landlords. To stretch resources, ICRC has partnered with local human rights commissions, volunteer lawyer programs, University of Iowa and Drake Law Schools, Legal Aid, VISTA, and various college internship programs.

Building upon 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.

Last year, in a competitive application process, ICRC received from HUD the only Fair Housing Improvement Program (FHIP) grant awarded nationwide to a state civil rights agency.

ICRC strengthened its VISTA program to increase capacity building assistance for state agencies (Aging, Human Rights, and Cultural Affairs), ten local governments with local civil or human rights agencies, two nonprofits, and one public university. Over the course of the year, our program had 31 year-round VISTA members and 19 Summer Associates.

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

In FY 10, we completed processing and closed 1,953 cases. During the same period, 1,905 new complaints were received; of those 1,818 were deemed jurisdictional. Our education and outreach programs reached 17,693 people and distributed 29,894 materials.

Key strategic challenges facing the agency are: a limited budget, the lack of understanding of our role and responsibilities and the services we provide, and the gap in understanding the benefits of a diverse and welcoming Iowa. Other challenges identified by our customers include reducing case processing time; increasing the profile of civil rights enforcement; and the importance of explaining how the need continues today for an independent civil rights agency.

ICRC invites all stakeholders to work with us to end discrimination, raise the profile of Civil Rights, further streamline our process, to assist in reducing case delays, and to truly make Iowa a state which respects both the contributions and dignity of all Iowans.

Sincerely,



Ralph Rosenberg, Executive Director

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Agency Overview

The Iowa Civil Rights Commission is the agency charged with enforcing the Iowa Civil Rights Act (“Chapter 216,” Iowa Code). Under contracts with the federal government, the Commission is also required to assist in enforcement of housing and employment discrimination laws. The Act prohibits discrimination in the areas of employment, housing, credit, public accommodation, and education. Discrimination is prohibited based on the personal characteristics of race, color, creed, national origin, religion, sex, sexual orientation, gender identity, 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, 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 Commission is: “A state free from discrimination.”

The **mission** is: “Enforcing civil rights laws through compliance, mediation, advocacy, and education.”

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, outreach, and collaborative activities
- 4) Commissioner advocacy

The Commission is located on the first floor of the Grimes Office Building, 400 East 14th Street, in Des Moines. This agency employs 28 individuals. The Commission has five informal units: 1) Administration/budget, 2) Education/outreach, 3) Mediation, 4) Housing investigations, intake, and screening, and 5) All other investigations (employment, public accommodations, credit, and education).

There are three members on the informal management team: the executive director, the supervisor of the administrative unit, and the supervisor of housing and screening. There are 2-3 supervisory positions, 21 professional positions, and 3 administrative support positions. All but two of the professional positions are represented by the Iowa United Professionals. Two of the three administrative support positions are represented by the American Federation of State, County and Municipal Employees Union, as is the administrative law judge. The educational level of the staff varies from high school diplomas to law degrees.

The laws that affect most businesses also affect the Commission. However, there are some additional regulations that impact how the agency does business. The 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.

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 equality
- 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 nine of the twenty-six 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.
- Iowa Department of Administrative Services – Human Resource Enterprise / Performance and Development Solutions, with whom the agency partners to provide civil rights and diversity education for all state employees.
- 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 the public and its customers are the telephone, e-mail, mail, fax, newsletters, press releases, the agency website, the League of Iowa Human & Civil Rights Agencies website, Facebook, several blogs, 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. A four-year slide in funding for the agency (approximately a 1/3 reduction in state funding) was partially reversed by actions of the 07 and 08 legislatures 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. Current state cuts threaten the compromise advances achieved in the past three years.

About forty per cent (40%) of the Iowa Civil Rights Commission's budget is dependent upon contracting relationships 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 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. We systematically address performance issues by identifying places for improvement. We ask stakeholder groups, staff, and partners for their input; we 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 Goals, Core Functions, and Services / Products / Activities (SPA)

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.

Strategic Goals

- 1. People involved in civil rights complaints receive timely, quality resolutions.**
 - a. Measure 1: Number of days to complete various stages of the process
 - b. Measure 2: Percent of cases accepted for reimbursement by federal agencies
- 2. People are knowledgeable about civil rights laws and issues.**
 - a. Measure 1: Percent of customers rating the service satisfactory or better
- 3. The Iowa Civil Rights Commission is recognized as a leader in promoting civil rights.**
 - a. Measure 1: Percent of survey respondents indicating ICRC is a leader in civil rights
 - b. Measure 2: Number of civil rights projects ICRC participates/collaborates in

Core Functions

- 1. Adjudication/Dispute Resolution**
 - a. Measure 1: Number of days to complete various stages of the process
 - b. Measure 2: Percent of cases accepted for reimbursement by federal agencies
 - c. SPA 1: Screening
 - i. Measure 1: Percent of cases screened in less than 120 days
 - d. SPA 2: Mediation
 - i. Measure 1: Percent of cases mediated in less than 90 days from assignment
 - e. SPA 3: Investigation
 - i. Measure 1: Percent of cases investigated in less than 9 months from date of assignment
- 2. Advocacy**
 - a. Measure 1: Percent of survey respondents indicating ICRC is a leader in promoting civil rights
 - b. SPA 1: Participation
 - i. Measure 1: Number of civil rights projects ICRC participates in or collaborates on
 - c. SPA 2: Commissioner hours
 - i. Measure 1: Number of hours/month commissioners spend on civil rights
- 3. Education, Training, and Outreach**
 - a. Measure 1: Percent of customers indicating they will use educational info
 - b. SPA 1: Timeliness
 - i. Measure 1: Number of complaints regarding timeliness of requests
 - c. SPA 2: Education satisfaction
 - i. Measure 1: Percent of customers rating service satisfactory or better
- 4. Investigation** (see Core Function 1 – Adjudication and Dispute Resolution)

Strategic 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:

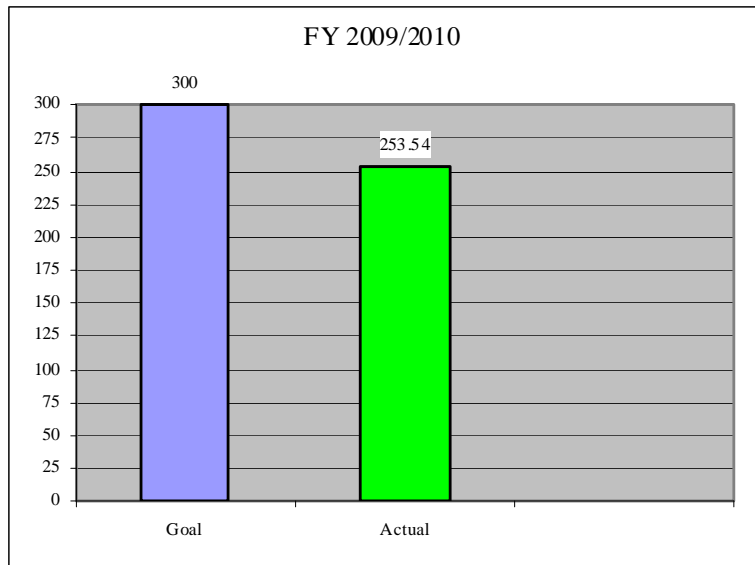
Average number of days to complete case processing –

Performance Target: 300 days

Actual: 253.54 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 09/10 indicated that the Iowa Civil Rights Commission averaged 253.54 days to process a case from date of filing to closure.

Analysis of results: Case processing time decreased 46.46 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.

Strategic Goal 1: People Involved in Civil Rights Complaints Receive Timely, Quality Resolutions.

Strategy 2: Consistently meet the quality standards set out by the federal agencies that contract with the Commission to process cases.

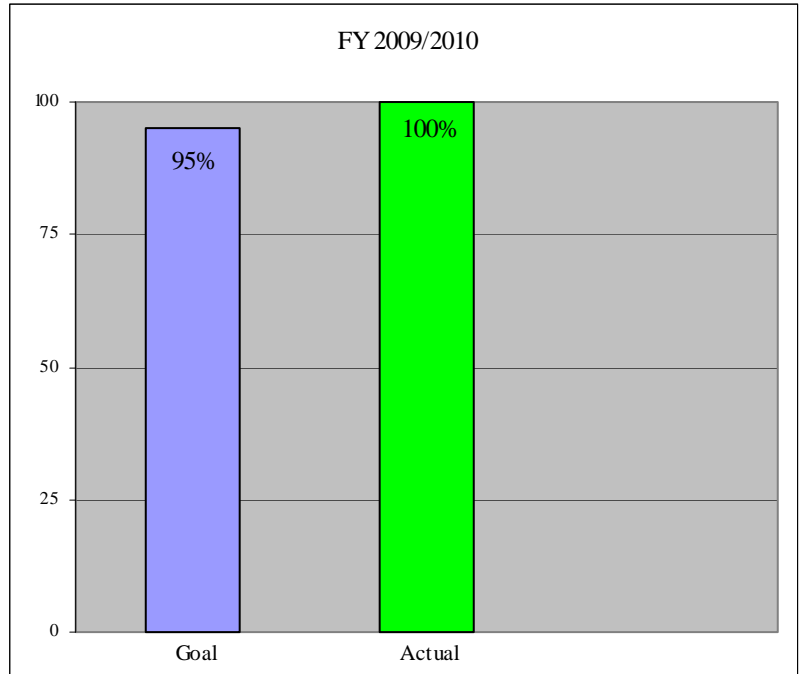
Measures/Results

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

Performance Target: 95%

Actual: 100%

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 cross-checked against our records of transmittals to these contracting agencies.

What was achieved: The Iowa Civil Rights Commission had 100.00% acceptance rate, the same as rate as last year.

Analysis of results: Federal contracting agencies find the work of the Iowa Civil Rights Commission consistently meets their quality standards. This figure increased slightly 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 1: Providing satisfactory educational services

Measures/Results

Performance Measure:

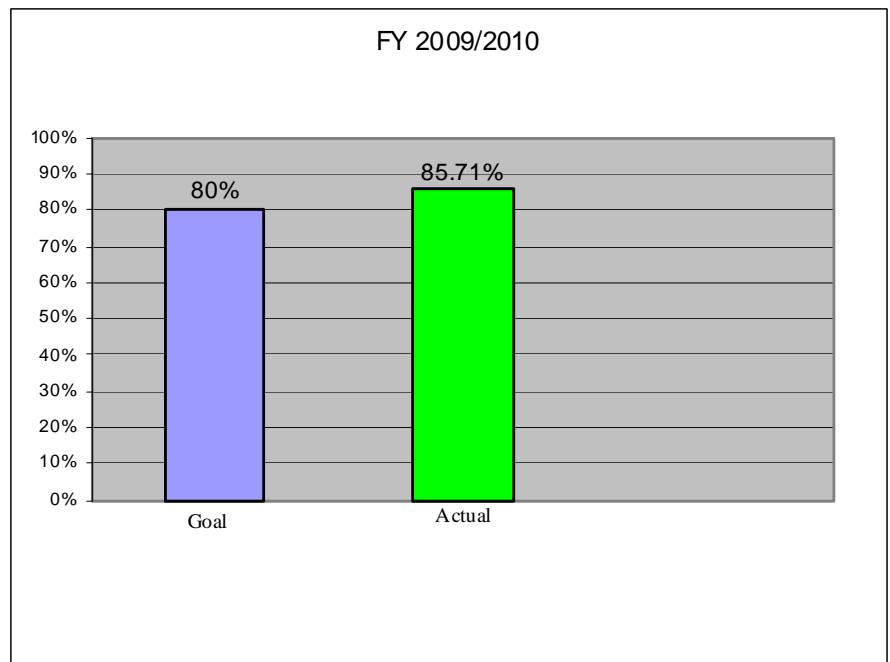
Percent of presentation attendees rating training sessions satisfactory or better

Performance Target: 80%

Actual: 85.71%

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 85.71%.

Analysis of results: This year's percent increased by 0.48%.

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.

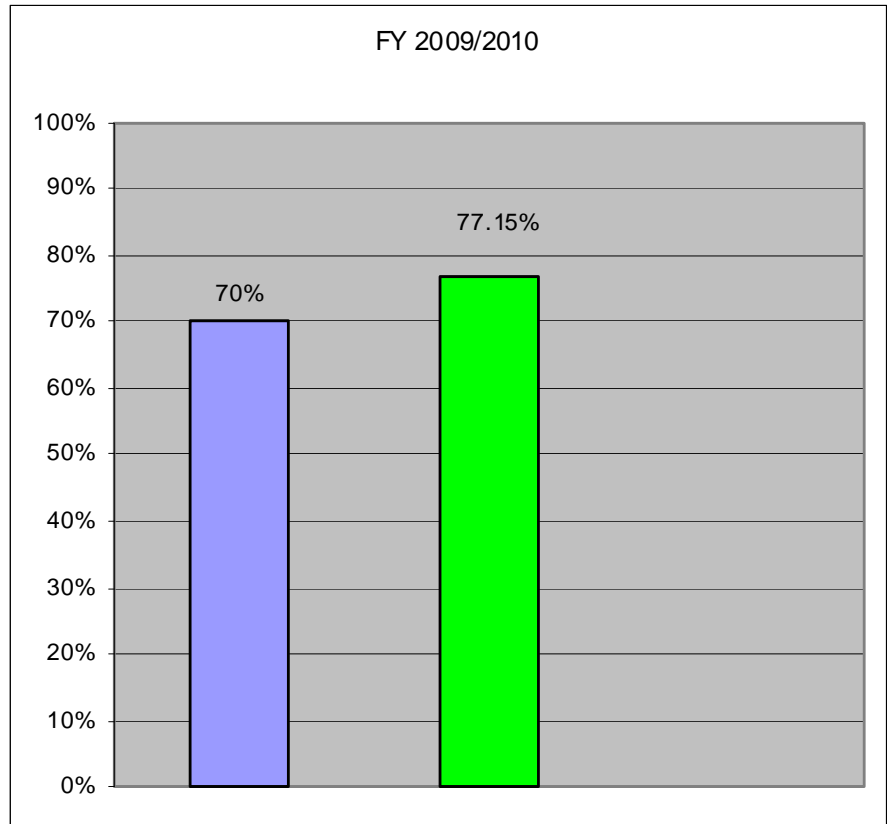
Measures/Results

Performance Measure:
Percent of survey respondents indicating the Iowa Civil Rights Commission is a leader in civil rights

Performance Target:
70%

Actual: 77.15%

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: 77.15%.

Analysis of results: There was a slight decrease of 1.6% 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.

Strategic Goal 3: The Iowa Civil Rights Commission is Recognized as a Leader in Promoting Civil Rights.

Strategy 2: To be active in a number of important civil rights projects.

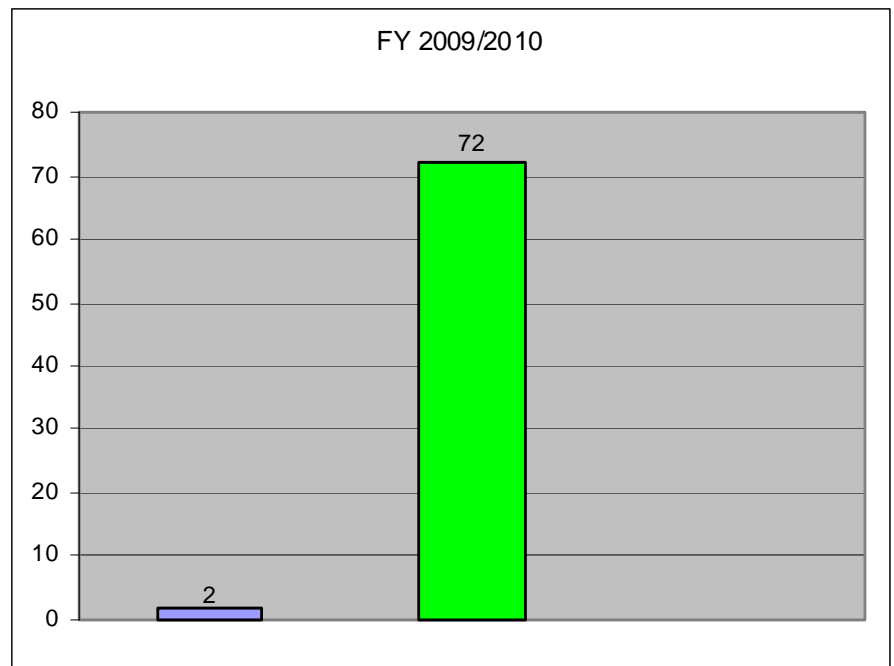
Measures/Results

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

Performance Target: 2

Actual: 72

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 Commission participated or collaborated in 72 projects.

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.

Core Function 1: Adjudication & Dispute Resolution

SPA 1: Screening

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

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

Results

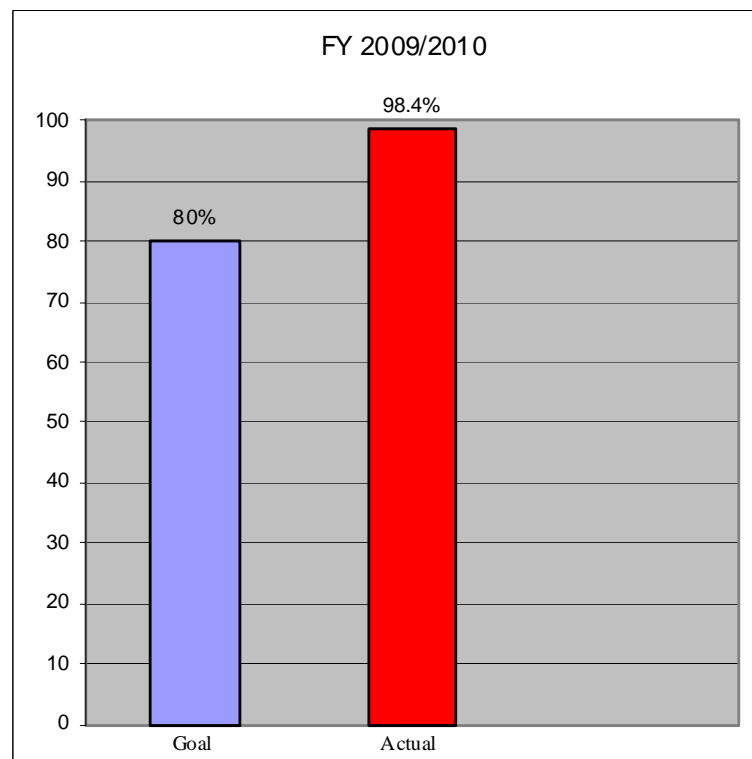
Performance Measure:

Number of cases screened within 120 days of filing

Performance Target: 80%

Actual: 98.4%

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 encouraged by administrative rules and assists the agency in meeting the larger goal of reducing the time to process cases.

What was achieved: 98.4% of cases were screened in less than 120 days.

Analysis of results: Performance greatly exceeded our goal of 80%.

Factors affecting results: This was in large part due assistance from law students, including students within our VISTA Summer Associate Program.

Resources used: Additional resources will be needed in this area to reach our goal as the VISTA Summer Associate Program ended.

Core Function 1: Adjudication & Dispute Resolution

SPA 2: Mediation

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

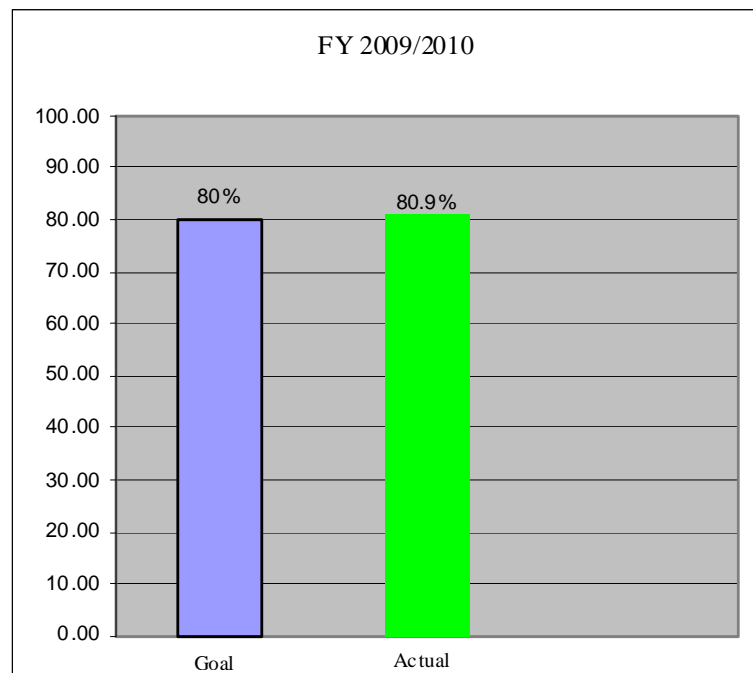
Performance Measure:

Percent of cases mediated within 90 days of assignment

Performance Target: 80%

Actual: 80.9%

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: 80.9% of cases were mediated within 90 days of date of assignment.

Analysis of results: This was a significant decrease from last year's 94.4%.

Factors affecting results: Changes in staff who coordinated the pre-mediation scheduling resulted in some delays due to training and timing.

Resources used: A full time administrative assistant clerk needs to be added to coordinate the pre-mediation scheduling.

Core Function 1: Adjudication & Dispute Resolution

SPA 3: Investigation

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

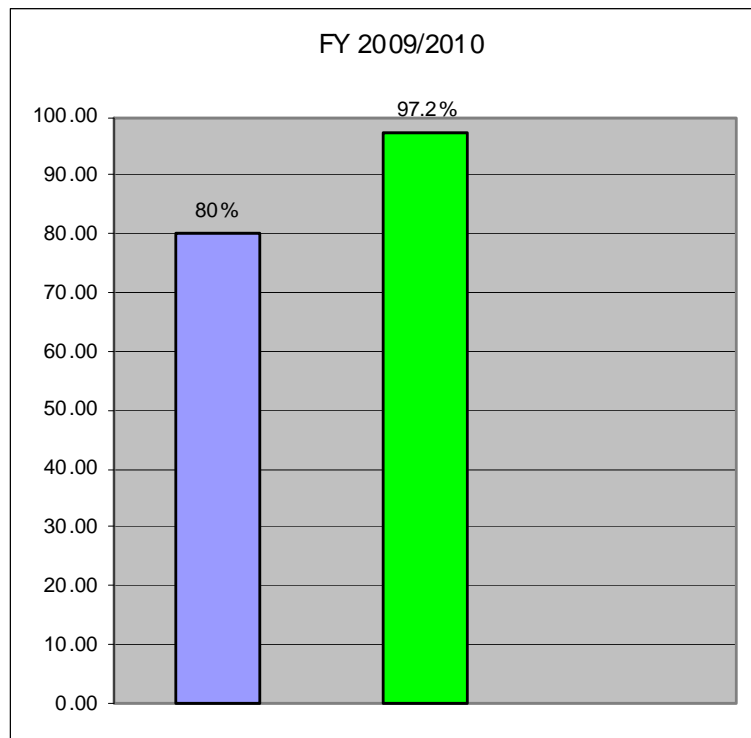
Performance Measure:

Percent of cases investigated within 9 months of assignment

Performance Target: 80%

Actual: 97.2%

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: 97.20% of the cases investigated were investigated within 9 months from date of assignment.

Analysis of results: We continue to exceed our goal in this area; however we would prefer to lessen the number of months.

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

Overall Performance

Strategic Goal 1: People involved in civil rights complaints receive timely, quality resolutions		
	Goal	Actual
Measure 1: Number of days to complete various stages of the process	300	253.54
Measure 2: Percent of cases accepted for reimbursement by HUD and EEOC	95%	100%
Strategic Goal 2: People are knowledgeable about civil rights laws and issues		
Measure 1: Percent of customers rating the service satisfactory or better	80%	85.71%
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	70%	77.15%
Measure 2: Number of civil rights projects ICRC participates/collaborates in	2	72
Core Function 1: Adjudication and Dispute Resolution		
Measure 1: Number of days to complete various stages of the process	300	253.54
Measure 2: Percent of cases accepted for federal reimbursement	95%	100%
SPA 1: Screening		
Measure 1: Percent of cases screened in less than 120 days	80%	98.4%
SPA 2: Mediation		
Measure 1: Percent of cases mediated in less than 90 days from assignment	80%	80.9%
SPA 3: Investigation		
Measure 1: Percent of cases investigated in less than 9 months	80%	97.2%
Core Function 2: Advocacy		
Measure 1: Percent of survey respondents indicating ICRC is a leader	70%	77.15%
SPA 1: Participation		
Measure 1: Number of civil rights projects ICRC participates/collaborates in	2	72
SPA 2: Commissioner hours		
Measure 1: Number of hours/month commissioners spend on civil rights	8	8
Core Function 3: Education		
Measure 1: Percent of Customers indicating they will use educational info	80%	86.35%
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%	85.71%
Core Function 4: Investigation (see Core Function 1 – Adjudication and Dispute Resolution)		