NOTICE OF MEETING

The Regular Meeting of the
CEDAR RAPIDS CIVIL RIGHTS COMMISSION
Will Be Held

Wednesday, October 23, 2019 at 5:30 p.m.

Veterans Memorial Building
50 2nd Avenue Bridge, 4th Floor, Cedar Rapids, IA

AGENDA

I. Call to Order

II. Roll Call – Introductions

III. Public Response

IV. Approval of Minutes from September 18, 2019 meeting

V. Action Item
   - Motion authorizing the CRCRC Chair to sign the FY20 Cooperative Agreement with the Iowa Civil Rights Commission and staff to take additional action as needed to fully execute the agreement

VI. Report from Chair

VII. Committee Reports –
   - Marion Civil Rights Commission Liaison

VIII. Affordable Housing Commission Update – Keith Rippy

IX. Director’s Report
   - Work Plan Update Presentation

X. Adjournment

NOTICE: Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should contact Civil Rights at 319-286-5036 or email civilrights@cedar-rapids.org as soon as possible but no later than 48 hours before the event.
CEDAR RAPIDS CIVIL RIGHTS COMMISSION (CRCRC)  
MEETING MINUTES  
September 18, 2019 5:30 p.m.  
Civil Rights Commission  
50 2nd Avenue Bridge  
Cedar Rapids, IA 52401

Commissioners Present:  
Mr. Leland Freie, Chair  
Mr. Anthony Arrington, Vice Chair  
Ms. Salma Igram  
Mr. Keith Rippy  
Mr. Esaie Toingar  
Ms. Linda Topinka  
Dr. Ruth White

Staff Present:  
Ms. Janet Abejo-Parker, Acting Executive Director  
Ms. Stefanie Munsterman-Scriven, Investigator  
Ms. Alicia Abernathey, Administrative Assistant / Intake Specialist

Guests:  
Jim Mercer, Cory Johnson

I. Call to Order  
Commissioner Freie, Chair, called the meeting to order at 5:31 p.m.

II. Roll Call/Introductions  
Commissioners, staff and guests introduced themselves.

III. Public Response  
Cory Johnson stated he works for Iowa Workforce and is on the NAACP board. Mr. Johnson stated he attended to learn more about the Civil Rights Commission.

IV. Discussion with Mercer Group Regarding Hiring of the Executive Director  
Jim Mercer, Mercer Group, thanked the Commission for the opportunity to work on the Executive Director search. Mr. Mercer stated he would like the Commission's input on characteristics they want in a new Executive Director and on the timeline laid out for the hiring process. Mr. Mercer stated he has the job description for the position, and already met with Civil Rights staff and the City's Human Resources Department. Mr. Mercer stated he brought a tentative schedule for the process but it is flexible, with the exception of two areas including needing six weeks for the search and a few weeks to evaluate the candidates. Mr. Mercer requested if there are any changes to the timeline, the changes be sent to Teresa Feldman in Human Resources by the close of business Friday.

Mr. Mercer stated he will work on the recruitment brochure in the coming days based on information he received from staff today and receives from Commissioners this evening. Mr. Mercer provided examples of recruitment brochures he has used in the past. Mr. Mercer stated he received some photographs from Human Resources that represent Cedar Rapids and those will be used in the recruitment brochure. Mr. Mercer stated when the recruitment brochure is finalized he would like the Commission’s feedback.

Mr. Mercer asked how the Commission would like to work through the process. Mr. Mercer stated there are things that will need to be approved and asked if it should be the full Commission or just
a few Commissioners. Commissioner Freie stated he, Commissioner Arrington and Teresa Feldman with Human Resources will be involved in the hiring process.

Commissioners Topinka and Toingar arrived at 5:40 p.m.

Mr. Mercer stated the recruitment process needs to be a priority. Mr. Mercer asked that any changes to the recruitment schedule be sent to Kate Schafer in Human Resources by Friday. Mr. Mercer stated Ms. Schafer will be the back and forth contact throughout this process. Mr. Mercer stated there are confidentiality issues and the Commission will need to abide by state laws. Mr. Mercer stated if the Commission could go into closed session for interviews that would be helpful. Mr. Mercer stated if interviews have to be in open session then he needs to be able to communicate that to the candidates so they are prepared. Mr. Mercer stated Human Resources is in the process of confirming Iowa Open Records and Meeting laws to confirm the process the Commission needs to follow.

Mr. Mercer asked Commissioners to briefly review the tentative timeline and then focus mostly on providing characteristics they would like to see in a director. Mr. Mercer stated the timeline is relatively comparable to other searches his firm has done. Mr. Mercer stated based on the tentative timeline, the Commission would make a decision on a candidate in early December. Mr. Mercer stated he would also like input on anything else the Commission would like done in the recruitment process. Mr. Mercer stated if candidates are from out of town, there should be a tour of the city. Mr. Mercer stated the Commission could consider having a reception as well. Mr. Mercer stated when the City was hiring the new Police Chief there was a reception in City Hall with light refreshments and the public got to meet the candidates and learn a little about them.

Mr. Mercer stated obviously a meet and greet would be a public meeting but he would like to see the actual interviews in a private meeting. Mr. Mercer stated he would like the Commission’s input on gathering community input. Mr. Mercer stated he has had experience in gathering community input and sometimes it works well and sometimes it does not. Commissioner Freie asked how input was gathered during the meet and greet with the Police Chief candidates. Mr. Mercer stated he does not recall if input was gathered from the public.

Mr. Mercer stated if there are particular people in the community the Commission would like interviewed by phone he is happy to do that. Mr. Mercer stated when working with another Commission, each Commissioner provided a few names of people they wanted contacted for input on the position. Mr. Mercer stated it provided helpful information and did not slow the search down. Mr. Mercer stated it also appeared to calm some anxiety on issues in that city.

Commissioner Arrington stated he believes it is very important the public have as much input as possible. Commissioner Arrington stated it would be beneficial to get input, through one on one conversations, from 10 to 15 community leaders of various sectors. Commissioner Rippy stated that is a good idea and those people could have direct input. Commissioner Rippy stated a meet and greet would be more informal and open to anyone. Commissioner Rippy stated it would be beneficial to indicate 10 to 15 leaders for Mr. Mercer to contact and get their direct input. Commissioner Topinka stated there should be as much input from the community as possible. Commissioner Topinka stated she likes the idea of the meet and greet because, although it is informal, it gives the community a chance to hear from the candidates.

Commissioner Freie asked if the purpose of the public forum is to meet the candidates or would there be a card to fill out about strengths, weaknesses, etc. of the candidates. Mr. Mercer stated there have been meet and greets in which cards were handed out for feedback. Mr. Mercer stated
there is also the option of asking questions of the candidates and having them respond publicly. Mr. Mercer stated in one recruitment search he conducted presentations were conducted by the candidates in front of the public. Mr. Mercer stated if the Commission would like him to call people in the community, he will need their names and phone numbers, preferably by Monday. Commissioner Igram suggested names be emailed to Alicia Abernathey to ensure names are not duplicate. Alicia Abernathey, Administrative Assistant II, stated an email to staff, not to the entire Commission, would be best as to not violate open meeting laws. Ms. Abernathey stated she will compile the list and will send it to Human Resources. Commissioner Arrington stated the list of contacts should include people that are representative of all protected classes. Commissioner Topinka stated contacting each neighborhood association is an option. Commissioner Igram suggested staff provide contacts as well. Commissioner Toingar stated Commissioners should include what the contact persons affiliations are in the community.

Commissioner Freie stated the Commission might want to consider who to contact for an open house. Commissioner Igram stated the City has done open houses in the past and they probably know who to contact. Commissioner Igram stated an open forum should be the last step.

Commissioner Igram stated she has concerns with the time of year the schedule is heading into with the holidays. Commissioner Igram stated the search will be nationwide and people may not want to travel to, or be in, Iowa that time of year. Mr. Mercer stated the tentative timeline is tight but in his experience, if the process is not completed by December 20, 2019 it might as well be forgotten for approximately two weeks as people focus on family and the holiday season. Mr. Mercer stated the schedule can be extended into January but nothing can be done until after approximately January 7, 2020. Mr. Mercer stated once candidates are public, or they have informed their current employer they are applying for this position, it is best to move quickly as things may come up that deter candidates from moving forward in the process.

Commissioner Arrington asked what is private and what is public throughout this process. Mr. Mercer stated the way the schedule is laid out there should be a list of candidates around November 12, 2019. Mr. Mercer stated he is purposing in the schedule he meet with the Commission on November 20, 2019 with a list of candidates he believes are qualified and would ask the Commission to narrow those candidates to who should be interviewed. Mr. Mercer stated his desire would be to meet with the Commission in private session to avoid disclosing to the public who applied. Commissioner Igram asked if Mercer Group would choose the top 15 finalists and then take it to the City for them to go through to decide the top five before coming to the Commission. Mr. Mercer stated he will narrow the candidates down based on who meets the minimum qualifications of the job description and what the Commission wants in a candidate. Mr. Mercer stated he will bring applications for 12 to 15 people for the Commission to review and narrow down to five to seven candidates to move forward. Mr. Mercer stated he will conduct background checks on those candidates and those still qualified after that point will be interviewed.

Mr. Mercer stated he would like the Commission to think about things that the top five candidates would do while they are in town for an interview. Mr. Mercer stated tours of the city are usually beneficial. Mr. Mercer stated there are online assessment options that can be used on the candidates to help narrow them down, if necessary. Once interviews are conducted, the Commission should be ready to make a decision and there are several options including offering the position to a candidate or reopening the search if not satisfied with the candidates.

Commissioner Freie stated he wanted to clarify who is involved in the hiring process, as Teresa Feldman would like to know. Commissioner Rippy asked what Commissioner Freie meant by hiring process. Commissioner Freie stated all Commissioners will look at five resumes and will give
their input but he would like to determine who is making the final decision. Commissioner Arrington stated the Commission will collectively go into closed session to review the candidates but Commissioner Freie, Commissioner Arrington and Teresa Feldman with Human Resources will make the final decision. Mr. Mercer stated there are several options but some of them depend on whether or not there has to be public disclosure or not. Commissioner Arrington stated they might need the City’s input on what is legal and what is not. Commissioner Igram stated the City does this on a regular basis and it is their employee. Commissioner Rippy stated the law is that candidates are confidential and when the finalists are identified then it requires them to be public. Commissioner Rippy stated at the point there is five to six candidates, they will come in, everyone will interview those candidates, and then input will be provided. Commissioner Rippy stated Commissioners Freie and Arrington will take the input to the City and then a decision will be made. Commissioner Rippy stated that is how it was done in the past.

Ms. Abernathey stated she received a phone call from Ms. Feldmann and Ms. Feldmann asked the Commission decide tonight how to handle the whole process. Ms. Abernathey stated there is an option of Commissioners Freie and Arrington handling initial interviews and the whole Commission handling final interviews or the whole Commission can be involved in the initial interviews. Ms. Abernathey stated it is up to the Commission but once quorum is hit then the process has to abide by Iowa Open Meeting Laws. Ms. Abernathey stated if three or less Commissioners are involved, quorum is not met and Iowa Open Meeting Laws do not apply. Commissioner Rippy stated that is an excellent reason why it needs to be Commissioners Freie and Arrington so candidates are not made public and good candidates are not lost because of it.

Commissioner Arrington stated Mr. Mercer can narrow the candidates down to 15 or so candidates but if the Commission met, under quorum, it would expose 15 people publicly. Ms. Abernathey stated the Commission would be able to meet in closed session to discuss the candidates and not have it public. Ms. Abernathey stated the tentative schedule provided by Mr. Mercer aligns with the November Commission meeting and therefore works out for the Commission to meet in closed session to discuss the top candidates. Commissioner Arrington stated after the Commission reviews the candidates in closed session, the process would involve himself, Commissioner Freie, and the City of Cedar Rapids going forward. Commissioner Rippy stated in the discussion of narrowing candidates from fifteen to five Commissioners can give their input and can suggest questions or topics to cover in interviews.

Commissioner White asked if Mr. Mercer thought there would be 15 candidates by November. Mr. Mercer stated a lot of work is put into the recruitment and it will include reaching out to many people in Iowa, including other civil rights commissions in Iowa. Mr. Mercer stated they will then branch out to the Midwest and it should produce many good candidates. Mr. Mercer stated he will keep the Commission posted every few weeks regarding the number of applications received. Mr. Mercer stated if it does not look to be successful, he will put together some alternatives for the Commission to consider.

Mr. Mercer stated he does not currently know the salary range for the position but has requested it from Human Resources. Mr. Mercer stated he does not typically include that information in the recruitment brochure. Mr. Mercer stated as part of the recruitment process he will also reach out to people who have been hired in similar positions in the past. Mr. Mercer stated it is possible a person already in City government move into a position like this but they would have to have the necessary qualifications.

Mr. Mercer asked for qualities and characteristics Commissioners would like to see in a director. Commissioner Freie stated he would like the candidate to have integrity. Commissioner Rippy
stated he would like the selected candidate to have a management leadership style that is collaborative. Commissioner Rippy stated the Commission has a very experienced staff and the Commission does not need someone to come in and change everything. Commissioner Rippy stated the selected candidate should respect the tenor of the current staff. Commissioner Rippy stated the selected candidate should spend their first six months listening to staff, the Commission and the community to figure out what they need to be doing and what their role is. Commissioner Rippy stated the Commission is okay with change but the selected candidate needs to understand how the Commission got to where it is now before changes are made.

Commissioner Rippy stated the Commission needs a director that will be here at least five years and will not use this role as a stepping-stone or a retirement job, as the Commission needs stability in a director. Commissioner Topinka asked if the Commission would be requesting a commitment from the selected candidate. Commissioner Igram stated the Commission cannot require a commitment, but it can be expected. Commissioner Igram stated the staff works great together and nothing is broken, therefore the selected candidate needs to work with them and not try to fix things. Commissioner Rippy stated the Commission cannot require the selected candidate to sign on for a certain length of time but through the process, the Commission can get a sense of which candidates intend to stay for a few years.

Commissioner Arrington stated he believes it is important the selected candidate demonstrate experience working in communities. Commissioner Rippy stated the selected candidate should be collaborative in the community, not adversarial in the community.Commissioner Rippy stated although he does not believe it to be a requirement for the City of Cedar Rapids, he would expect the selected candidate live in Cedar Rapids.

Commissioner Arrington stated the selected candidate should have strong cultural awareness. Commissioner Igram stated the prior director was the Chief Diversity Officer with the City, and therefore it should be expected the selected candidate act as such, as well. Commissioner Igram stated the selected candidate should view the City of Cedar Rapids as a partner and the selected candidate should be transparent. Commissioner Rippy stated the selected candidate should understand the relationship between the Commission and the City of Cedar Rapids is unique and although there should be collaboration, the Commission is not a rubber stamp for the City of Cedar Rapids. Commissioner Rippy stated anytime there is a conflict the complaint is forwarded on to the state commission and the City of Cedar Rapids understands that. Commissioner Rippy stated the Commission does not need to be in an adversarial role with the City of Cedar Rapids.

Mr. Mercer stated he will keep the Commission informed of progress through Human Resources. Mr. Mercer provided his cell phone number to Commissioners if they need to speak with him. Commissioner Rippy stated there is no hidden agenda and Commissioners and staff want the best possible person to fill the position. Commissioner Rippy stated there will not be any down low phone calls from anyone as there is a level of civility on the Commission in which things can be shared openly to one another. Mr. Mercer stated he got that impression in a previous phone call with some Commissioners and Human Resources. Commissioner Freie stated he would like the selected candidate to be invested in the community. Commissioner Topinka asked if the Commission does not require qualified candidates by the purposed date in the timeline, will the search be extended. Commissioner Arrington stated the Commission is not married to the timeline and should be comfortable moving forward at every point in the process. Commissioner Rippy stated if the Commission is not comfortable with the
candidates, the search could be extended. Commissioner Arrington stated if we find the diamond in those who apply the Commission cannot wait or they might be gone.

The Commission thanked Mr. Mercer for his attendance and Mr. Mercer left the meeting.

V. Approval of Minutes from August 21, 2019 meeting
Commissioner Rippy moved to approve the minutes. Commissioner Igram seconded the motion, which was unanimously approved, with no discussion.

VI. Report from Chair
Commissioner Freie, Chair, stated he has no report, but reiterated Commissioners need to send a list of people to contact in the hiring process to Ms. Abernathey.

VII. Committee Reports
Outreach Committee Liaison
Commissioner Freie, Chair, stated Festival Latino was held this weekend and there was a good turnout. Ms. Munsterman-Scriven stated over 400 people stopped by the Commission’s booth.

Marion Civil Rights Commission Liaison
The Marion Civil Rights Commission Liaison was not present.

Janet Abejo-Parker, Acting Executive Director, stated she attended the last Marion Civil Rights Commission (MCRC) meeting and offered to provide an update. Ms. Abejo-Parker stated the MCRC celebrated their five-year anniversary, and at the event, MCRC Chair Bret Nilles summarized the MCRC’s accomplishments over the last five years. Ms. Abejo-Parker stated it was also announced the MCRC will continue the grant program they started last year.

Commissioner Topinka asked if the Outreach Committee met recently. Ms. Abernathey stated after the approval of the Committee charters the Committees went to a quarterly meeting schedule and staff decided to start having the Committees meet in October to stay on the same schedule as other items that are addressed on a quarterly basis.

Commissioner Topinka stated the sixth Annual Social Justice Summit is coming up in October in Ankeny, Iowa. Commissioner Topinka stated there is a group rate to attend if perhaps Commissioners and staff wanted to go. Commissioner Topinka stated she would share the information with Ms. Abernathey to forward to the whole Commission.

VIII. Director’s Report
Ms. Abejo-Parker stated Investigator Stefanie Munsterman-Scriven has been conducting Peace Circles at McKinley Steam Academy (McKinley) and asked Ms. Munsterman-Scriven to share a few words. Ms. Munsterman-Scriven stated she has conducted four Peace Circles thus far and the majority involved some sort of physical violence and one involved a student being argumentative with a teacher. Ms. Munsterman-Scriven stated all were resolved successfully and follow up will be conducted to ensure there are no further issues. Commissioner Freie stated it will be interesting to see data on how successful Peace Circles are in the schools.

Ms. Abejo-Parker stated there are some upcoming staff trainings with Intake Specialist Alicia Abernathey attending Mediation training next week and Ms. Abejo-Parker and Ms. Munsterman-Scriven attending the Iowa Ideas Conference at the beginning of October.
Ms. Abejo-Parker stated she will provide a quarterly check-in on the progress of the Commission’s work plan at the October Commission meeting. Ms. Abejo-Parker shared upcoming outreach including the History Maker’s Gala in which Marion Commissioners will join the Commission at the event. Ms. Abejo-Parker also shared information on the Protecting Places of Worship event and Ms. Abernathey handed out flyers for the event.

Ms. Abejo-Parker stated the signed agreement with HUD was received and the Commission will receive approximately $45,000 this year, as compared to approximately $21,000 last year.

IX. Adjournment
Commissioner Igram moved to adjourn the meeting at 6:49 p.m. Commissioner Topinka seconded the motion, which was unanimously approved, with no discussion.

Respectfully submitted by Alicia Abernathey
COOPERATIVE AGREEMENT
Between Cedar Rapids Civil Rights Commission
&
IOWA CIVIL RIGHTS COMMISSION

1. **Definitions:** As used in this Cooperative Agreement the following terms are defined as follows:
   a) "ICRC" means the Iowa Civil Rights Commission.
   b) "Local agency" means Cedar Rapids Civil Rights Commission and must comply with the requirements of Iowa Code §216.19
   c) "Fiscal Year 2020" runs from July 1, 2019 to June 30, 2020.

2. **Authority:** In order to effectuate the purposes of the "Iowa Civil Rights Act," (ICRA) the ICRC now enters into a Cooperative Agreement with the Cedar Rapids Civil Rights Commission. Iowa Code §216.19.

3. **Purpose:** Our purpose is to assist local agencies in resolving discrimination complaints and to reduce case backlogs without compromising quality or the integrity of the system. We have designed criteria to ensure an efficient, effective, and coordinated effort between the ICRC and local agencies.

4. **Scope:** Under this Cooperative Agreement, ICRC contracts with the Cedar Rapids Civil Rights Commission for the satisfactory intake and resolution of complaints whose allegations fall within the prohibitions of Iowa Code §§216.6, 216.6A, 216.7, 216.8, 216.8A, 216.9, 216.10 and 216.11. This Cooperative Agreement does not cover complaints that do not fall within these sections of the Iowa Code.

3. **Period:** This Cooperative Agreement will run during Fiscal Year 2020. There is no commitment on the part of ICRC to contract with the Cedar Rapids Civil Rights Commission for the resolution of complaints after June 30, 2020.

4. **Total Amount:** The total amount ICRC can be required to spend, as aggregate compensation to all contracting local commissions for work performed under cooperative agreements for Fiscal Year 2019 is $33,000.00 maximum. If insufficient funds exist for payment of all cases tendered for payment by the contracting Local Commissions, payment shall be allocated on a first-come first-served basis, according to the date of submission of the intakes or resolutions to the ICRC.

5. **Payment Date:** ICRC agrees to provide payment on a quarterly basis based upon satisfaction of the conditions established in this agreement. Payment will be provided for work performed and accepted under this Agreement by the ICRC, and in the case of cases cross-filed with the EEOC or HUD, when credit has been approved by that agency. Payment will be provided only for cases that are determined by the ICRC to be jurisdictional under the ICRA, if the complaints are timely received by the ICRC, and in the case of cases cross-filed with the EEOC or HUD, credit has been approved by that agency. In the case of payment for intake services, ICRC accepts the work if/when ICRC opens the case file corresponding to the intake. Payment is conditioned upon execution of this contract which must be accomplished and returned to the
ICRC no later than November 1, 2019. Agreements presented after that date will be rejected by the ICRC absent prior written approval for late submission by the Director of the ICRC.

6. **Payment Schedule***:

(a) **Intakes:** See attached Schedule A for breakdown of reimbursement rates based on the timing of receipt of the complaint for housing and non-housing referrals to the ICRC. For purposes of the contract, intake is defined as receipt by the ICRC of a completed, signed, jurisdictional complaint in any area covered by the ICRA, including housing, that are forwarded to the ICRC for processing and investigation, with accompanying release, contact information and jurisdictional review documentation. If the ICRC complaint form is used, it will not be necessary to submit the jurisdictional review documentation. All information noted on the jurisdictional review documentation must be provided to the ICRC with the intake documentation. No payment will be made for non-housing intakes that are more than 60 days old or housing intakes that are more than 30 days old on the date received by the ICRC.

(b) **Resolutions:** **See Schedule A (attached) for definitions and rate of payment based on time received.** For purposes of the contract, resolution includes case closures resulting in Satisfactory Adjustments, Administrative Closures for reasons other than failure to cooperate or unable to locate, No Probable Cause Orders, Probable Cause Orders or closures after Public Hearings. In the case of administrative closures for failure to cooperate or failure to locate complainant, no reimbursement will be provided. Further, this clause does not apply to resolutions submitted by the local agency to the EEOC or HUD for contract credit or payment by the federal agencies, in which case, the ICRC will provide no payment. Settlement agreements for cross-filed EEOC cases cannot include a no-rehire clause or global release and must indicate in the agreement itself that the agreement was signed voluntarily. These are EEOC requirements that will not be waived by the EEOC and cannot be waived by the ICRC. Any agreements with language that includes the impermissible language or that is missing the required EEOC voluntary settlement language will be rejected by the ICRC (and EEOC) and no payment will be made until the settlement agreements are revised accordingly. Resolution date shall be the date of receipt of the case closure by the ICRC. In the case of resolutions on complaints cross-filed with the EEOC, if the EEOC refuses credit for the resolution, the ICRC’s payment obligations under this agreement shall be extinguished. HUD prohibits ICRC from seeking credit for housing complaints cross-filed with HUD, and any such complaints should be referred to the ICRC for investigation after intake.

(c) **Jurisdictional:** Any and all complaints submitted for credit and payment must be jurisdictional, including meeting the 300 day limit when the complaint is received by the ICRC, and must be a claim under the Iowa Civil Rights Act.

7. **Maintenance of Effort:** Iowa Code §216.19(2) provides that a city with a population of 29,000 or greater shall to maintain an independent local civil/human rights agency, shall structure and adequately fund
the local human/civil rights agency in order to effect cooperative undertakings with ICRC and to aid in effectuating the purposes of the "Iowa Civil Rights Act," and when staff is provided, the local agency or commission shall have control over such staff. The ICRC reserves the right to deny payment for closures which appear to have been adversely affected by a failure to comply with this code section or any other reasonable indication of lack of independence or neutrality by the local agency in its investigation of the complaint, and such may serve as grounds justifying termination of this agreement.

8. **Information Sharing:** Pursuant to I.A.C r. 161—11.10, the filing of a complaint or confidential information pertaining to a complaint covered by this agreement may be shared between the parties to this agreement as part of the routine use of such records, to administer the program for which the information is collected.

9. **Confidentiality:** Pursuant to I.A.C r. 161—1.6(4)(e)(4) and Iowa Code Section 215.15(5), the Cedar Rapids Civil Rights Commission agrees not to disclose the filing of a complaint or confidential information pertaining to a complaint covered by this agreement until the complaint has been officially set for public hearing. Once a complaint has been officially set for public hearing, the Cedar Rapids Civil Rights Commission agrees not to disclose confidential information pertaining to the complaint that is not publicly available, except as allowed by ICRC’s rules.

10. **Reports:** The local agency agrees to submit quarterly reports on the electronic templates provided by the ICRC to ICRC listing each intake and resolution submitted for contract credit or payment under this Agreement. Quarterly Reports are due, as applicable, on **October 25, 2019** (for July 1 – September 30, 2019 activity); **January 5, 2020** (October 1 – December 31, 2019); **April 5, 2020** (for January 1 - March 31, 2020 activity), and **July 15, 2020** (for April 1 - June 30, 2020 activity). Payments under this contract will be made after the Quarterly Reports are completed and submitted to the ICRC. Failure to provide Quarterly reports within 30 days of due date will result in forfeiture of funds for the quarter for which the quarterly report is not timely filed. As a condition of final payment, the local commission must submit, and ICRC must have received, all cases no later than July 15, 2020. Cases submitted after July 15, 2020, will not be paid.

11. **Training.** ICRC and the local agency will cooperate in planning, sponsoring, and conducting necessary complaint processing training for staff and commissioners.

12. This contract recognizes the 300-day filing period for initial complaints, as set forth in Iowa Code Ch. 216, is measured by the day the complaint is received by the ICRC, not the day received by the local commission. Therefore, local commissions are responsible for ensuring that cases are received by the ICRC within 300 days of the date of the last incident of discrimination. The local agency agrees that complaints that are not received by the ICRC within the 300 day time limit are not jurisdictional on their face and no payment will be made in that case. To be considered received by the ICRC, the complaint must be physically received by the ICRC either through mail, fax, personal delivery or by email, by 4:30 pm,
Monday through Friday. The ICRC prefers email (icrc@iowa.gov) over fax, as email has historically been more reliable. Complaints received (or sent by email) after 4:30 pm will be considered filed on the next business day.

13. Closures. Closure submissions for case resolutions must include the following closing documents from the local commission: Copies of closures notices sent to all parties by the local commission and a copy of the local commission’s findings/decision. All closure documents including settlement agreements and withdrawals must include local and state case numbers, and when cross-filed with EEOC, federal case number. Payment may be denied if closure papers or settlement agreements do not include case numbers, or if any case number is incorrect. ICRC may be required to obtain a full copy of the case file maintained by the local commission. The copies should be provided to ICRC at no cost and within two weeks of request.

If required by your local protocol, ordinance or practice, separate signature lines have been provided for your Mayor and Commission Chair.

______________________________    ________________________________
Mayor                             Date

______________________________    ________________________________
Chairperson, Cedar Rapids Civil Rights Commission    Date

______________________________    ________________________________
Elizabeth A. Johnson, Executive Director, Iowa Civil Rights Commission    Date
SCHEDULE A

***The following summarizes the payment schedule.

| Intake: (See definition for Intake below) | Complaint sent to ICRC for processing and investigation within 7 days (housing) or 30 days (non-housing) of initial filing date with local agency. | $500 for housing cases eligible for cross-filing with HUD; $250 for employment cases eligible for cross-filing with EEOC; $125 for cases not eligible for cross-filing |
| Complaint sent to ICRC for processing and investigation greater than 7 days but within 30 days (housing); greater than 30 days but within 60 days (non-housing) of initial filing date with local agency. | $250 for housing cases eligible for cross-filing with HUD; $150 for employment cases eligible for cross-filing with EEOC; $75 for cases not eligible for cross-filing |
| Complaint sent to ICRC for processing and investigation greater than 30 days (housing) or 60 days (non-housing) of initial filing date with local agency. | $0 |
| **Resolutions for Non-housing Cases:** (See definition for Resolutions below) | Complaint Resolutions sent to ICRC for closure processing within 180 days of initial filing date with local agency. | $325 for cases eligible for cross-filing with EEOC; $100 for cases not eligible for cross-filing |
| Complaint Resolutions sent to ICRC for closure processing greater than 180 days but within 600 days of initial filing date with local agency. | $200 for cases eligible for cross-filing with EEOC; $50 for cases not eligible for cross-filing |
| Complaint Resolutions sent to ICRC for closure processing greater than 600 days of initial filing date with local agency. | $0 |

For the purpose of this contract the definition for the terms of payments are as follows:

**“INTAKE”**
A completed and signed complaint that meets the jurisdictional requirements of ICRA and forwarded to the ICRC for initial processing and investigation with accompanying release, contact information and jurisdictional review documentation.

**“RESOLUTIONS”**
Case closures resulting in an administrative closure (except for failure to cooperate or locate Complainant); conciliated and settled cases; satisfactory adjustments; No Probable Cause Orders; Probable Cause Orders; and closures after Public Hearing.

**“INITIAL FILING”**
Initial filing date will be determined by local file-stamp receipt date shown on the complaint. All complaints must show a local file-stamp receipt date. Credit may be rejected for complaints without a local file-stamp receipt date.
Cedar Rapids Civil Rights Commission  
Executive Director’s Report  
October 23, 2019

STAFF UPDATES
- Staff Training
  - Acting Executive Director Janet Abejo-Parker, Investigator Stefanie Munsterman-Sriven, and Commissioners Anthony Arrington and Linda Topinka will attend the LGBTQ Workplace Culture Summit on October 22nd.
  - Intake Specialist Alicia Abernathey will attend a Restorative Practices Workshop on November 5th.
  - Staff recently attended the following developmental training events:
    o 30-hour Mediation Certification Training (Alicia Abernathey)
    o Deaf, Deaf World Simulation Training (Janet Abejo-Parker)
    o Iowa Ideas Conference (Stefanie Munsterman-Sriven and Janet Abejo-Parker)
    o Iowa Summit on Justice and Disparities (Janet Abejo-Parker)

OFFICE CLOSURE
- The Commission office will be closed on Monday, November 11th for Veterans Day.

CASE UPDATES
- Nelson v. Executive Estates Unit XVII HOA
  Trish Kropf, Assistant City Attorney III, reached out to the Complainant’s legal representative and she replied that she will reach out to her client to discuss how he would like to move forward.
- Behnke v. Subway (Mount Vernon Road)
  Respondent Canterbury is now enrolled in the State Debt Offset program. Complainant Behnke has been updated and is agreeable to the utilization of this program in order to acquire the funds she is owed.

OUTREACH AND EDUCATION
- Upcoming Community Outreach Events

<table>
<thead>
<tr>
<th>Event</th>
<th>Time</th>
<th>Location</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LGBTQ Workplace Culture Summit</td>
<td>8:00 AM – 5:00 PM</td>
<td>Kirkwood Regional Center</td>
<td>October 22, 2019</td>
</tr>
<tr>
<td></td>
<td></td>
<td>– University of Iowa</td>
<td></td>
</tr>
<tr>
<td>Protecting Places of Worship</td>
<td>5:30 – 8:30 PM</td>
<td>CR Public Library</td>
<td>October 22, 2019</td>
</tr>
<tr>
<td>Solving Poverty’s Puzzle</td>
<td>2:00 – 4:00 PM</td>
<td>Westminster Presbyterian</td>
<td>October 26, 2019</td>
</tr>
<tr>
<td>MLK Movie Night</td>
<td>5:30 – 7:30 PM</td>
<td>CR Public Library</td>
<td>January 16, 2020</td>
</tr>
<tr>
<td>MLK Public Sector Job Fair</td>
<td>3:00 – 4:30 PM</td>
<td>CR Public Library</td>
<td>January 17, 2020</td>
</tr>
</tbody>
</table>

- Upcoming Trainings Hosted by Commission:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cedar Rapids Board of Realtors meeting</td>
<td>October 17, 2019</td>
</tr>
<tr>
<td>Donna the Dolphin appearance at St. Pauls’ UMC preschool</td>
<td>October 24, 2019</td>
</tr>
<tr>
<td>Fair Housing Training at Skogman Realty</td>
<td>November 19, 2019</td>
</tr>
</tbody>
</table>

Respectfully,
Janet Abejo-Parker
Acting Executive Director
### Agency Outreach Performance

**Performance Indicators:**
- 85% of non-housing cases investigated in 300 days or less
- 50% of housing cases investigated in 100 days or less
- Cases closed - Housing
- Cases closed - Non-Housing
- Number of non-housing cases closed on time (300 Days)
- Number of housing cases closed on time (100 Days)

<table>
<thead>
<tr>
<th>Performance Indicator</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>YTD Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of non-housing cases investigated in 300 days or less</td>
<td>N/A</td>
<td>N/A</td>
<td>83%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>85%</td>
</tr>
<tr>
<td>% of housing cases investigated in 100 days or less</td>
<td>N/A</td>
<td>N/A</td>
<td>4.80</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>4.80</td>
</tr>
<tr>
<td>Avg. Intakes customer service rating</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Avg. Investigations customer service rating</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

*No feedback was received in that month*

### Average Age of Open Cases

<table>
<thead>
<tr>
<th>Average Age of Open Cases</th>
<th>10/3/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mediations/Conciliations in Progress</td>
<td>2</td>
</tr>
<tr>
<td>Currently Due with Commissioners</td>
<td>1</td>
</tr>
<tr>
<td>Currently in Public Hearing Phase</td>
<td>0</td>
</tr>
<tr>
<td>Medials/Conciliations in Progress</td>
<td>127</td>
</tr>
<tr>
<td>Cases closed - Housing</td>
<td>2</td>
</tr>
<tr>
<td>Cases closed - Non-Housing</td>
<td>0</td>
</tr>
</tbody>
</table>

### Agency Customer Service Performance

**Performance Indicators:**
- Average customer service rating of 2.5 or higher on a 5 point scale

<table>
<thead>
<tr>
<th>Performance Indicator</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>YTD Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Intakes customer service rating</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Average Investigations customer service rating</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
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</tbody>
</table>

*No feedback was received in that month*

### Agency Case Investigation Performance

**Performance Indicators:**
- 85% of non-housing cases investigated in 300 days or less
- 50% of housing cases investigated in 100 days or less

<table>
<thead>
<tr>
<th>Performance Indicator</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>YTD Total Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of housing cases investigated in 300 days or less</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>% of non-housing cases investigated in 100 days or less</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Cases closed - Housing</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Cases closed - Non-Housing</td>
<td>-</td>
<td>0</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Number of non-housing cases closed on time (300 Days)</td>
<td>2</td>
<td>2</td>
<td>2</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>Number of housing cases closed on time (100 Days)</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Additional Case Status</th>
<th>10/3/19</th>
<th>Average Age of Open Cases</th>
<th>10/3/19</th>
<th></th>
<th>10/3/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mediations/Conciliations in Progress</td>
<td>2</td>
<td>Including Post PC Finding (i.e. Conciliation, Public Hearings)</td>
<td>127</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Currently Due with Commissioners</td>
<td>1</td>
<td>Not including Post PC Finding</td>
<td>127</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Currently in Public Hearing Phase</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waken in Progress</td>
<td>4</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

### Investigator Caseload

<table>
<thead>
<tr>
<th>Investigator</th>
<th>10/3/19</th>
<th>10/3/19</th>
<th>10/3/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stefanie Munsterman-Scriven</td>
<td>3 Emp, 1 PA</td>
<td>1 Emp, 1 PA</td>
<td>1 Emp, 1 PA</td>
</tr>
<tr>
<td>Bernie Walther</td>
<td>4 Emp</td>
<td>2 Emp</td>
<td>2 Emp</td>
</tr>
<tr>
<td>Janet Abejo</td>
<td>3 Emp, 1 Edu, 2 PA</td>
<td>3 Emp, 1 PA, 2 PA</td>
<td>2 Emp, 1 Hsg, 1 PA</td>
</tr>
</tbody>
</table>

### Intakes in Progress

<table>
<thead>
<tr>
<th>Intake Type</th>
<th>10/3/19</th>
<th>10/3/19</th>
<th>10/3/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incidents</td>
<td>5 Emp, 1 PA</td>
<td>2 Emp, 1 PA, 1 PA</td>
<td>7 Emp, 1 Hsg, 1 PA, 1 PA</td>
</tr>
<tr>
<td>Mediations/Conciliations in Progress</td>
<td>2</td>
<td>Including Post PC Finding (i.e. Conciliation, Public Hearings)</td>
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<tr>
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</tr>
<tr>
<td>Waken in Progress</td>
<td>4</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>