

Approved Minutes-Meeting of the Iowa Civil Rights Commission

March 24, 2023

- I. Roll Call
Meeting called to order by Vice-Chair Lipski at 1:20 pm. Commissioners Mandsager, Kooiker and White appeared in person and Commissioners Ordaz and Lipski appeared virtually.
- II. Recognition of Staff, Public and Press. Alex Cleverley, Kaitlin Smith, Jacob Bennington, Mat Gore, Katie Fiala, and Charles Hill in person. Sarah Vanderploeg, Frederick Sinkevich, and Roberto Rodriguez via phone. Public: Betty Andrews and Russell Lovell in person and David Walker and Kristen Stiffler via phone.
- III. Approval of Minutes from February 17, 23, and 27, 2023, meetings.
Minutes from the three meetings were presented and Commissioner Kooiker moved to approve. Commissioner Mandsager moved to amend motion to approve with clarification to February 27, 2023 minutes. Commissioner White seconded the amended motion. Minutes were unanimously approved.
- New Business
- IV. Public Comment-Betty Andrews, President of Iowa-Nebraska NAACP spoke regarding the US Advisory Committee report and rulemaking. Offered a memo drafted by NAACP regarding these matters. Russell Lovell explained the purpose of the memo. It was decided that additional comment would be taken from the NAACP during the Director's Report paragraph 8 subsection D. No further public comment was given.
- V. Legislative Update – Sarah Vanderploeg- Presented by Sarah Vanderploeg. Bathroom bill mandating which bathrooms a student can use was passed and how it impacts the ICRA. SF538 passed prohibiting gender affirming care and government realignment. Second funnel deadline is coming up. SF 496 is a consolidation bill that can prohibit instruction on gender identify and HIV. SF252 passed Senate and moved to the house. HF159 eliminates gay panic defense. SF297 protecting religious beliefs of health care providers. Discussion ensued on SF297
- VI. Discussion on relationship with legislature and pending bills - Commissioner Mandsager raised concerns about the approach of the Commission to not comment on pending legislation. Commissioner White commented. Interim Director explained how commenting on legislation could be achieved if the Commissioners elected to do so.
- VII. Mediation Update - Mat Gore told of the changes to the mediation program. The Commission is using volunteer mediators. Three volunteers regularly take cases but an additional 13 have signed up and undergone training. In the past year 28 of 62 cases have settled with a monetary amount of settlement totaling \$550,000. Mediations are being done virtually. Mat gave a detailed example of a recent settlement. Russell Lovell commented.

Closed Session: Commissioner Lipski makes motion to amend agenda to move close session to immediately after the mediation update. Seconded by Commissioner Kooiker. Rollcall vote held. Unanimously passed. Closed Session pursuant to Iowa Code §21.5(1)(c) (A governmental body may hold a closed session only by affirmative public roll-call vote of either two-thirds of

the members of the body or all of the members present at the meeting. A governmental body may hold a closed session only to the extent a closed session is necessary, among other things, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation).

Returned to Open Meeting at 2:42pm

Standing Business

VIII. Director's Report

- a. General updates: CMTS training will be in April. Thanked mediation team for 9 of 10 settlements in the month of February for benefits totaling \$220,000. Thanked Sarah for her legislative work.
- b. Update on Anniversary of Coger case – Interim Director Hill discussed that there would be a History 101 Lunch and Learn about Coger on June 22, 2023, at noon. Commissioners expressed interest in listening in. It was decided that staff would assist with this.
- c. Staff Update— Appreciation noted to Commissioner Lipski for her service. There will be a small reception to mark her departure at the next meeting. Recognized the new Commissioners that will be joining in May. New hires: Adrienna Sanchez joined as Civil Rights Specialist. Sierra Walker resigned since the last meeting. The Commission is actively hiring for four CRS positions. Upcoming interviews for summer interns will commence shortly.
- d. Website: It is up and running. Will be worked on for the next 30 days. Kudos to Kerry Hainline for all his work and the initial group of individuals that worked on this.
- e. Rulemaking - Katie discussed the red-tape review process. September 1 deadline to have regulatory analysis finished and posted on website. There would then be two public meetings. Jacob discussed what progress has been undertaken.
- f. Advisory Committee to the U.S. Commission on Civil Rights discussion – Interim Director Hill discussed the six recommendations from the Committee. Generally, the Commission is interested in incorporating all recommendations made by the Advisory Committee with consideration given to resources and best practices. Some of the recommendations will need to be made through administrative rule changes and Hill indicated that the process would need to play out before it can be known what it will exactly look like. NAACP made comments indicating their desire to also see the recommendations incorporated by rule and by practice.
- g. Production: Housing production is down in the first half of the fiscal year. Currently have submitted 75 complaints to HUD for credit. Additional staff and resources have been committed to the housing department to correct this. Non-housing production is slightly down, however with newer hirers gaining experience, no loss of production is expected. 293 EEOC cases have been submitted for credit.

IX. Litigation Update – Assistant Attorney General Katie- We have one proposed decision. The Commissioners can decide to formally review that within 60 days. The decision was emailed to them. Discussion on age as a basis for discrimination in different areas. It is not included in education, housing, or public accommodation.

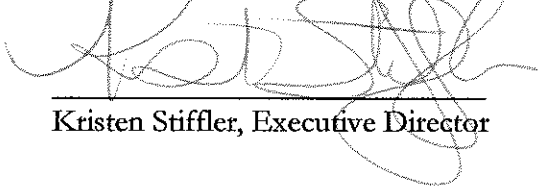
X. Commissioners' Reports

- a. Commissioner Sam Kooiker- No report
- b. Commissioner Patricia Lipski—No report

- c. Commissioner Dennis Mandsager- Encouraged all Commissioners to read Professor A. Bonfield's speech and law review article.
- d. Commissioner Marcelena Ordaz- No report today.
- e. Commissioner Holly White- No report

XI. Set Next Meeting for April 21, 2023, at 1:15 p.m.

XII. Adjournment at 3:41 p.m.



Kristen Stiffler, Executive Director

5/11/23

Date