

## Approved Minutes – June 14, 2019, Meeting of the Iowa Civil Rights Commission

- I. Roll Call: Jackson (Chair), Patricia Lipski (Vice-Chair)(by phone and in-person), Oeschlaeger, Ordaz, Kooiker, Johnston, Hunt.  
Staff: Interim Director Grathwohl.  
Guests: Kerry Hainline, Emigdio López-Sanders, Alexis Rowe, Rachel Large, Thomas Collins, Stephanie Adkisson, Alec McMullen, Carter Wright, SueAnn Johnson, Dean Meester, Rachel Campbell, Jaimee Bullock (ICRC Staff), Katie Fiala (Office of the Attorney General), Amber Shanahan (Legislative Services Agency), Gary Papenheim (Respondent Attorney), Michael Boal (Deputy Legal Counsel to the Governor).
- II. Minutes from 3/18/19 presented. Motion to approve as made by Commissioner Oelschlaeger, seconded by Commissioner Kooiker. Motion carried.
- III. Commissioners' Reports –
  - a. Commissioner Jackson: Attended 10<sup>th</sup> Annual One Iowa Gala.
  - b. Commissioner Oelschlaeger: Noted that there is a new Iowa Supreme Court decision issued 6/7/19, *Hankins v. Grinnell Regional Medical Center*, that could be of interest to the ICRC.
  - c. Commissioner Ordaz: Discussed current changes within the Davenport Civil Rights Commission and proposed reaching out to the DCRC.
  - d. Commissioner Kooiker: Nothing to report.
  - e. Commissioner Johnston: Discussed his background and how he came to be on the Commission.
  - f. Commissioner Hunt: Attended the Capitol City Pride Festival and a Downtown Des Moines Chamber of Commerce event discussing implicit bias, diversity, and inclusion.
  - g. Commissioner Lipski: Nothing to report.
- IV. Interim Director's Report
  - a. Legislative session ended at the end of April.
    1. ICRC appropriation for FY20 went up to \$1,237,756.00, which is an increase of \$39,000.00 from FY19.
    2. Two bills were passed that amended the Civil Rights Act.
  - b. Discussed federal contracts and how they were affected by the federal government shutdown in January 2019.
  - c. Completed most recent audit.
  - d. Working with CFO on budget.
  - e. Discussed staffing and filling open positions.
  - f. Discussed upcoming outreach events.
  - g. Discussed Annual Symposium held on 4/2/19.
    1. One hundred seventy-nine attendees, including staff.
  - h. Discussed summer intern program.
  - i. Attended Interfaith Alliance.
  - j. Discussed interactions with NAACP and possible rule changes.

- V. Public Hearing on Respondent's appeal in *Jennifer Spencer v. Vincent Kobliska*, ICRC No. 08-17-70846, DIA No. 19ICRC001. Arguments were heard from Respondents, represented by Gary Papenheim. Arguments were heard from Complainant and the ICRC, represented by Katie Fiala. Questions by Commissioners followed. For issues presented to the Commission, see briefs filed by parties. A motion was by Commissioner Lipski and seconded by Commissioner Ordaz to close the session for deliberations pursuant to Iowa Code § 21.5(1)(f) to discuss a decision to be rendered in a contested case pursuant to Iowa Code Chapter 17A. A roll call vote was held and all members of the Commission present voted to go to closed session deliberations.

The Commission exited closed session after a motion by Commissioner Kooiker, seconded by Commissioner Oelschlaeger. Motion approved by roll call vote. Moved by Commissioner Lipski, seconded by Commissioner Hunt that the commission adopt and affirm the Administrative Law Judge's proposed decision in its entirety as well as its findings of fact and order of damages. Each member stated his or her vote upon roll call approving the motion, which was by majority vote. The written order will follow. Commissioner Jackson was authorized to sign the written order on behalf of the Commission. Commissioner Kooiker asked that the minutes reflect that during deliberations the terms assistance animal, service animal, and emotional support animal were used interchangeably as a result of the numerous terms used during the case, and that it would be accepted that all the terms used by the Commission during deliberations refer to the term Assistance Animal as defined by HUD.

- VI. Emergency Rule making pursuant to SF341 Assistance Animals. Motion to approve by Commissioner Kooiker and seconded by Commissioner Lipski. A vote was held and all members of the Commission voted to approve.
- VII. Next meeting scheduled for September 13, 2019, at 1:30 p.m. Location to be announced.
- VI. Motion to adjourn made by Commissioner Oelschlaeger, seconded by Commissioner Hunt. Motion carried.

Meeting adjourned.