

Administrative Rules*
Status of Blacks Commission [434]
[IAC 8/17/94]

* **Administrative Rules were amended, effective August 18, 1999, to reflect a change in the title of the commission from “Status of Blacks” to “Status of African-Americans”.**

CHAPTER 1
ORGANIZATION

434-1.1(601K) Commission on the status of blacks.

1.1(1) *Commission established.* The commission on the status of blacks is established, pursuant to Iowa Code section 601K.142, consisting of nine members. The members of the commission are appointed by the governor, to serve terms of not more than four years per appointment, and confirmed by the senate. In addition, the director of the department of human rights will serve as an ex-officio member of the commission.

1.1(2) *Nominations.* Nominations for commission officers shall be made in March of each year. An official ballot shall be prepared and ballots shall be cast at the May meeting.

1.1(3) *Election.* Officers shall hold office for one year, July 1 through June 30, unless removed by two-thirds vote of the commission. No officer shall hold the same office for more than three consecutive terms.

1.1(4) *Meetings.* The commission on the status of blacks shall meet every other month and may hold special meetings on the call of the chairperson. Six members of the commission shall constitute a quorum. A simple majority of the quorum is necessary to carry or defeat a motion.

a. Nonattendance. In accordance with Iowa Code section 69.15, any person who has been appointed to serve on the commission shall be deemed to have submitted a resignation from the commission if any of the following occurs:

(1) The person does not attend three or more consecutive regular meetings.

(2) The person attends less than half of the regular meetings in any period of 12 calendar months, beginning July 1.

b. Persons wishing to appear before the commission shall submit a written request to the division administrator not less than four weeks prior to a scheduled meeting. The written request shall include ten copies of any materials the requester desires the commission to review. Presentations may be made at the discretion of the chairperson and only upon matters appearing on the agenda.

c. Special meetings may be called by the chairperson only upon finding good cause and shall be held in strict accordance with Iowa Code chapter 21.

d. Cameras and recording devices may be used at open meetings, provided they do not obstruct the meeting.

e. The presiding officer of a meeting may exclude any person from the meeting for repeated behavior that disrupts the meeting.

f. Cases not covered by these rules shall be governed by Robert's Rules of Order (newly revised edition).

1.1(5) Minutes. Minutes of the commission meetings are prepared and sent to all commission members. Approved minutes are available at the division office for inspection during regular business hours.

1.1(6) Duties. In accordance with Iowa Code section 601K.146, the commission shall serve as an information clearinghouse on programs and agencies operating to assist blacks. Clearinghouse duties shall include, but are not limited to:

a. Serving as a referral agency to assist blacks in securing access to state agencies and programs.

b. Serving as a liaison with federal, state, and local governmental units and private organizations on matters relating to blacks.

c. Serving as a communications conduit to state government for black organizations in the state.

d. Stimulating of public awareness of the problems of blacks.

e. Conducting conferences and training programs for blacks, public and private agencies and organizations, and the general public.

f. Coordinating, assisting, and cooperating with public and private agencies in efforts to expand equal rights and opportunities for blacks in the areas of employment, economic development, education, health, housing, recreation, social welfare, social services, and the legal system.

g. Serving as the central permanent agency for the advocacy of services for blacks.

h. Providing assistance to and cooperating with individuals and public and private agencies and organizations in joint efforts to study and resolve problems relating to the improvement of the status of blacks.

i. Publishing and disseminating information relating to blacks, including publicizing their accomplishments and contributions to this state.

j. Evaluating existing and proposed programs and legislation for their impact on blacks.

k. Coordinating or conducting training programs for blacks to enable them to assume leadership positions.

l. Conducting surveys of blacks to ascertain their needs.

m. Assisting the department of personnel in the elimination of underutilization of blacks in the state's workforce.

n. Recommending legislation to the governor and the general assembly designed to improve the educational opportunities and the economic and social conditions of blacks in the state.

1.1(7) Additional authority. In accordance with 601 K. 147, the commission may do any or all of the following:

a. Do all things necessary, proper, and expedient in accomplishing the duties listed in 1.1(6) and this subrule.

b. Hold hearings.

c. Issue subpoenas, in accordance with Iowa Code section 17A. 13, so that all departments, divisions, agencies, and offices of the state shall make available, upon request of the commission, information which is pertinent to the subject matter of the study and which is not by law confidential.

d. Enter into contracts, within the limits of funds made available, with individuals, organizations, and institutions for services furthering the objectives of the commission as listed hereinbelow:

The commission shall study the changing needs and problems of blacks in this state and recommend new programs, policies, and constructive action to the governor and the general assembly including, but not limited to, the following areas:

- (1) Public and private employment policies and practices.
- (2) Iowa labor laws.
- (3) Legal treatment relating to political and civil rights.
- (4) Black children, youth, and families.
- (5) The employment of blacks and the initiation and sustaining of black businesses and black entrepreneurship.
- (6) Blacks as members of private and public boards, committees, and organizations.
- (7) Education, health, housing, social welfare, human rights, and recreation.
- (8) The legal system, including law enforcement, both criminal and civil.
- (9) Social service programs.

e. Seek advice and counsel of informed individuals and organizations in the accomplishment of the objectives of the commission.

f. Apply for and accept grants of money or property from the federal government or any other source, and upon its own order use this money, property, or other resources to accomplish the objectives of the commission.

434-1.2(601K) Division on the status of blacks. The division on the status of blacks, within the department of human rights, was created pursuant to Iowa Code section 601K. I and is required to advocate, coordinate, implement, and provide services to, and on behalf of, black citizens. The commission on the status of blacks is responsible for establishing policies for the division on the status of blacks to be carried out by the administrator of the division as set out in Iowa Code section 601 K. 145.

434-1.3(601K) Organization.

1.3(1) Location. The division on the status of blacks consists of an office located in the Department of Human Rights, first floor, Lucas State Office Building, Des Moines, Iowa 50319. The telephone number is (515) 281-3855. The hours of operation are 8 a.m. to 4:30 p.m., Monday through Friday.

1.3(2) Composition of staff.

a. Administrator. The governor shall appoint the administrator, subject to confirmation by the senate. The administrator shall serve at the pleasure of the governor. The administrator is responsible for the overall administration of the program. The administrator recruits, interviews, appoints, trains, supervises, evaluates, and terminates staff; plans and oversees the execution of the budget; ensures provision of adequate services in the application of policies, rules, and regulations; determines the number and type of personnel and makes staffing and budgetary recommendations to the commission; develops, establishes, and maintains cooperative working relations with public and private agencies and organizations; identifies legislative issues; interprets program objectives and promotes public interest in and the acceptance of the division on the status of blacks; and maintains an adequate reporting system for necessary records.

b. Consultants. The consultant is responsible for planning programs for the division; developing training activities consistent with program requirements; facilitating and presenting training activities to private and public agencies; identifying and making application to grant programs to assist with program initiatives; organizing and implementing informational programs that serve the public; and conducting research and studies that are necessary to program operations.

These rules are intended to implement Iowa Code sections 601K.141 to 601K.149.
[Filed 1/2/91, Notice 11/28/90-published 1/23/91, effective 2/27/91]
[Filed emergency 7/22/94-published 8/17/94, effective 7/22/94]

CHAPTER 2 PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

434-2.1(22) Adoption by reference. The commission adopts by reference 421-Chapter2, Iowa Administrative Code.

434-2.2(22) Custodian of records. The custodian for the records maintained by this division is the division administrator.

These rules are intended to implement Iowa Code section 22.11.
[Filed 1/2/91, Notice 11/28/90-published 1/23/91, effective 2/27/91]