

CHAPTER 1
ORGANIZATION

429—1.1(216A) Function. The division of deaf services, within the department of human rights, was created pursuant to Iowa Code section 216A.1 and is required to coordinate, implement, and provide services to deaf and hard-of-hearing citizens. The commission on the deaf is responsible for establishing policies for the division of deaf services programs to be carried out by the administrator of the division as set out in Iowa Code section 216A.114.

429—1.2(216A) Organization.

1.2(1) Location. The division of deaf services consists of a central office and three regional offices. Hours of operation for regional offices are 8 a.m. to 4:30 p.m., Monday through Friday.

a. The central office is located in the Department of Human Rights, First Floor, Lucas State Office Building, Des Moines, Iowa 50319-0090. The telephone number is (515)281-3164, voice and TTY.

b. Rescinded IAB 8/5/92, effective 9/9/92.

c. The Council Bluffs regional office is located in the City of Council Bluffs Health Department, City Hall, Lower Level, 209 Pearl Street, Council Bluffs, Iowa 51503. The telephone number is (712)328-3195, voice and TTY.

d. Rescinded IAB 8/5/92, effective 9/9/92.

e. The Davenport regional office is located in the Community Resource Center, Inc., 605 North Main Street, Suite #221, Davenport, Iowa 52803. The telephone number is (319)322-0255, voice and TTY.

f. The Fort Dodge regional office is located at the Warden Plaza, 920 1st Avenue South, Suite A, Fort Dodge, Iowa 50501. The telephone number is (515)955-2539, voice and TTY.

g. Rescinded IAB 8/5/92, effective 9/9/92.

1.2(2) Method of contacting the division of deaf services. Citizens may contact the division of deaf services central or regional offices by phone, mail, or personal visits for any of the services provided unless otherwise stated under the specific service.

a. Citizens may call the central office in Des Moines from within the state, station-to-station collect.

b. Citizens who call regional offices may ask the division of deaf services staff to return the call on the division of deaf services' telephone line.

c. Reserved.

1.2(3) 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 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; carries out policies implemented by 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 acceptance of the division of deaf services; and maintains an adequate reporting system for necessary records. The administrator of the division of deaf services shall be fluent in American sign language.

b. Interpreters. The interpreters provide sign language and oral interpreting services. Pursuant to Iowa Code chapter 622B; Supreme Court Rules on Qualifications and Compensation of Interpreters, dated May 1981; and Iowa Code section 804.31, the division of deaf services interpreters shall hold a Comprehensive Skills Certificate (CSC) or a Certificate of Interpretation (CI) and Certificate of Trans-

literation (CT) from the Registry of Interpreters for the Deaf, Inc. Applicants that are hired as staff interpreters who do not possess a CSC or CI and CT shall attain this level of certification within six months of hire as a condition of employment. The interpreters plan, coordinate, and schedule requests to provide direct and contractual/referral interpreting services and coordinate contractual/referral interpreting requests when appropriate. The interpreters document services provided for statistical purposes, maintain cooperative working relationships with clients served, and perform related work as required. Advocacy issues or issues requiring assistance will be referred to the consultant or administrator.

c. Consultant. The consultant provides technical services related to deafness in the areas of housing, transportation, recreation, physical access and employment practices. The consultant is also responsible for coordinating statewide interpreting services as needed, and performing related work. The consultant acts as a liaison with elected officials, governmental agencies, human resource professionals, and local groups in order to clarify the program needs of deaf persons and to establish and maintain the plans and programs dealing with deaf persons and their disabilities. The consultant coordinates interpreting services on a statewide basis in order to meet the communication needs of the deaf requiring expert interpreting and translating skills to available resources, and maintains a roster of interpreters and statistics regarding delivery of interpreting services. The consultant analyzes and reports data obtained on programs, issues, and services relating to the deaf. The consultant shall be fluent in American sign language.

d. Support staff. The support staff is responsible for carrying out the program responsibilities by providing general office duties and related services, including clerical and skilled typing tasks, processing and maintaining the records and written materials used by the organization served. Support staff should possess sign language skills.

429—1.3(216A) Commission on the deaf.

1.3(1) Commission established. The commission on the deaf is established, pursuant to Iowa Code section 216A.112, consisting of seven members. The members of the commission shall elect the chairperson and vice-chairperson of the commission by a two-thirds vote at the annual meeting of each odd-numbered year. All members are appointed by the governor to serve a term of three years. Voting privileges are vested in those members appointed pursuant to 216A.112.

1.3(2) Meetings. The commission on the deaf meets at least four times per year. The first regular meeting of the fiscal year is the annual meeting. A majority of the members shall constitute a quorum. Notice of a meeting is published at least 24 hours prior to the meeting and will contain the specific date, time, and place of the meeting. Agenda are available to any interested persons prior to or at the meeting. All meetings are open to the public unless a closed session is voted by two-thirds of the entire membership or by all members present, pursuant to Iowa Code section 21.5. The operation of commission meetings will be governed by the following rules of procedure:

a. When a quorum is present, a position is carried by an affirmative vote of a majority of the entire membership of the commission.

b. Persons wishing to appear before the commission shall submit the request to the central office not less than 14 days prior to the meeting. Presentations may be made at the discretion of the chair and only upon matters appearing on the agenda.

c. Persons wishing to submit written materials should do so at least seven days in advance of the scheduled meeting to ensure that commission members have adequate time to receive and evaluate the material.

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

e. Cameras and recording devices may be used at open meetings, provided they do not obstruct the meeting. The presiding officer may request a person using such a device to discontinue its use when

it is obstructing the meeting. If a person fails to comply with the request, the presiding officer shall order that person excluded from the meeting.

f. The presiding officer may exclude any person from the meeting for repeated behavior that disrupts or obstructs the meeting.

g. Cases not covered by these rules shall be governed by Robert's Rules of Order Newly Revised, 1981.

h. The commission may vote on issues in the form of resolutions which will be read and recorded at the following regular meeting.

1.3(3) Minutes. Minutes of the commission meetings are prepared and sent to commission members at least two weeks before the next regular commission meeting. Approved minutes are available at the commission office for inspection during business hours. Copies may be obtained pursuant to 421—2.3(7) by contacting the central office.

1.3(4) Duties of the commission. The commission shall:

a. Inform communities and interested persons of the needs of the deaf and how their needs may be met through the use of service providers.

b. Obtain, without additional cost to the state, available office space in public and private agencies which service providers may utilize in carrying out service projects for deaf persons.

c. Establish service projects for deaf persons throughout the state. Service providers shall not undertake for compensation projects which would duplicate existing services when those services are available to deaf people through paid interpreters or other persons able to communicate with deaf people. As used in this section, "service project" includes interpretation services for persons who are deaf and referral services for deaf people in the areas of adult education, legal aid, employment, medical, finance, housing, recreation, and other personal assistance and social programs. "Service providers" are persons who, for compensation, carry out service projects.

d. Identify agencies, both public and private, which provide community services, evaluate the extent to which they make services available to deaf people, and cooperate with the agencies in coordinating and extending these services.

e. Collect information concerning deafness and provide for dissemination of the information.

f. Provide for mutual exchange of ideas and information on services for deaf people between federal, state, and local governments, private organizations and individuals.

g. Pursuant to Iowa Code section 216A.2, be responsible for budgeting and personnel decisions for the commission and the division.

1.3(5) Standing committees. The following standing committees are established: personnel, legislative, public information, program services and policies, finance, and division rules. Two commission members, together with the administrative officer, shall serve on each committee; and any member may serve on several committees at one time. Each member, except the chairperson, shall serve on at least one committee. The purpose of the committees is to address specific program areas of the division, perform research on those issues, and make policy recommendations to the commission body. Any party wanting to comment, make suggestions, or discuss concerns may contact the administrative officer or the chairperson to refer an issue to the members serving on the specific committee. Names of members may be obtained by calling the division of deaf services, central office. The committees' functions are:

a. Personnel. Review personnel materials and policies developed for the division and to be recommended to the commission.

b. Legislative. Research and recommend legislative issues and priorities to the commission. Develop strategies for citizens to encourage passage of legislation. Play a direct and active role in encouraging passage of legislation.

c. Public information. Strive to ensure public awareness and encourage constructive use of the services by those who need them. Plan workshops, open houses, and other awareness-promoting ac-

tivities. Establish and maintain relationships with other agencies serving the deaf. Develop specific measures to increase visibility throughout the state.

d. Program services and policies. Define the program and evaluate the services on a regular basis. Evaluate effectiveness of services provided and make recommendations to the commission as appropriate. Identify options and goals for growth and accomplishments for the annual report to the governor. Consider expansion of current services or the development of new program components to meet the needs of the community served. Develop formal program policies.

e. Finance. Make recommendations to the commission on annual budget proposals, address financial issues as they arise, attend budget presentations, develop strategies to encourage funding of the program, and research availability of grants.

f. Division rules. Review and make recommendations to the commission regarding division rule changes. Attend meetings related to the division rules.

1.3(6) Powers. The commission shall have all powers necessary to carry out the functions and duties specified in this division, including but not limited to, the power to establish advisory committees on special studies, to solicit and accept gifts and grants, to adopt rules according to chapter 17A for the commission and division, and to contract with public and private groups to conduct its business. 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 which is not, by law, confidential.

1.3(7) Report. The commission shall make a detailed report of its activities, studies, conclusions, and recommendations to the general assembly not later than February 15 of each odd-numbered year.

1.3(8) Interpreting services fund. All fees collected by the division for provision of interpreting service by the division to obligated agencies shall be transmitted to the treasurer of the state who shall deposit the money in a separate account dedicated to and used by the division for the provision of continued and expanded interpreting services. The commission shall adopt rules which establish a fee schedule for the cost of provision of interpreting services, for collection of the fees, and for disposition of moneys received under this subrule.

These rules are intended to implement Iowa Code sections 216A.111 to 216A.117.

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