

CHAPTER 1 ORGANIZATION

433—1.1(216A) Function. The division of Latino affairs is established within the department of human rights pursuant to Iowa Code chapter 216A and is required to advocate for, coordinate, implement and provide services to, and on behalf of, Latino people within the state of Iowa. The commission of Latino affairs is responsible for establishing the policies for the division of Latino affairs as set forth in Iowa Code chapter 216A.

433—1.2(216A) Organization.

1.2(1) Location. The division of Latino affairs is located in the Department of Human Rights, First Floor, Lucas State Office Building, Des Moines, Iowa 50319. The telephone number is (515)281-4080. Office hours are 8 a.m. to 4:30 p.m.

1.2(2) History. This program was originally established as the governor's Spanish-speaking task force through legislative action in April 1974 in which state funding was appropriated from July 1, 1974, through June 30, 1975, with the primary mission of studying the problems of Spanish-speaking persons. The product of this study was a report entitled "Conoceme En Iowa" in which recommendations were made regarding the improvement of the socioeconomic conditions of Spanish-speaking people in Iowa. As a result of this report and the support of Spanish-speaking-related organizations and the Sixty-sixth General Assembly, Governor Robert Ray signed into law the creation of the Spanish-speaking people's commission on July 1, 1976. The new commission was to deal with issues encountered by Spanish-speaking people in the areas of education, employment, health, housing, welfare and recreation. In 1986, an overall reorganization of state government formed a new department of human rights originally consisting of seven divisions. The Spanish-speaking people's commission came under the new division of Spanish-speaking people within the department of human rights. In 1990, the name of the division and commission changed to Latino affairs.

1.2(3) Method of contacting the division of Latino affairs. Persons may contact the division of Latino affairs by telephone, mail or personal visits for any of the services provided. Individuals may call the office from within the state, station-to-station collect. Individuals who call may ask the staff to return the call on the division's telephone lines. If a Spanish-speaking staff person is not available at the time the call is received, the individual can leave a message on the voice mail or call again at a later time.

1.2(4) Composition of division staff.

a. Division administrator. The governor appoints the division administrator, subject to senate confirmation. The division administrator serves at the pleasure of the governor. The division administrator is responsible for the overall administration of the programs. The division administrator is the administrative officer of the commission and serves the commission by gathering and disseminating information, forwarding proposals and evaluations to the governor, the general assembly, and state agencies, carrying out public education programs, conducting hearings and conferences, and performing other duties necessary for the proper operation of the commission. The division administrator carries out programs and policies as determined by the commission.

b. Other staff. The commission may employ other personnel qualified to assume the responsibilities of their assigned duties.

433—1.3(216A) Commission of Latino affairs.

1.3(1) Commission established. The commission of Latino affairs is established pursuant to Iowa Code section 216A.12, consisting of nine members appointed by the governor. This commission is to be bipartisan and gender-balanced as stipulated in Iowa Code sections 69.16 and 69.16A. In addition, commission members are to be appointed with consideration given to geographic residence and density of the Latino population represented by each member as stipulated in Iowa Code section 216A.12. The members serve for a term of two years, beginning in the summer of each odd-numbered year. Members appointed shall continue to serve until their respective successors are appointed. Members receive actual expenses incurred while serving in their official capacity. Members may also be eligible to receive

compensation as provided in Iowa Code section 7E.6. The commission selects from its membership a chairperson and other officers as it deems necessary.

1.3(2) Meetings. The commission of Latino affairs meets not less than six times per year. A majority of the members of the commission constitutes a quorum. Notice of a meeting is published at least 24 hours before the meeting and will provide the specific date, time and place of the meeting. Agendas 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 or more of the membership, pursuant to Iowa Code section 21.5. The operation of the 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.

b. Anyone may speak during the open forum of a commission meeting. Persons are asked to identify themselves and to speak on an issue which provides the commission with necessary information. Time limits will be indicated by the chairperson, based upon the issue presented and the number of persons wishing to speak. Written materials may also be distributed with the consent of the chairperson, after consultation with the commission.

c. Special meetings may be called by the chairperson and shall be held in accordance with Iowa Code chapter 21.

d. At the conclusion of each meeting, the commission will set the time, date and place of the next meeting, if it has not already been set.

e. Cameras and recording devices may be used at open meetings, provided the commission is informed prior to their use and provided they do not obstruct the meeting. An announcement regarding this rule will be made at the beginning of each commission meeting by the chairperson. The chairperson or presiding officer may request a person using such a device to discontinue its use when it is obstructing the meeting or if the person knowingly did not inform the commission prior to its being used. If a person fails to comply with the request to discontinue its use, the presiding officer shall order that person excluded from the meeting.

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

g. Closed sessions of meetings may be held when requested according to Iowa Code section 21.5(1)“g” for purposes of hearing complaints of concerns by Latino individuals when such communications may subject either the complainant to retaliation by the source of concern or may subject the source of concern to unfair negative publicity. The commission shall comply with all requirements for conducting a closed meeting as provided in Iowa Code section 21.5.

h. Cases not covered by these rules shall be governed by Robert’s Rules of Order.

1.3(3) Minutes. Minutes of the commission meetings are prepared and sent to commission members at least two weeks before the next regularly scheduled commission meeting. Approved minutes are available at the division office for inspection during business hours. A copy may be obtained without charge by contacting the division office. Minutes shall show the date, time and place of the meeting, the members present, and any action taken at each meeting. In addition, the minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session.

1.3(4) Duties. Duties of the commission of Latino affairs are listed in Iowa Code section 216A.15.

1.3(5) Powers. The commission may establish advisory committees on special studies, solicit and accept gifts and grants, adopt rules according to Iowa Code chapter 17A for the commission and division, and contract with public and private groups to conduct its business.

1.3(6) Report. The commission shall make a report of its activities, studies, findings, conclusions, and recommendations to the general assembly not later than February 15 of each odd-numbered year.

1.3(7) Executive committee. The executive committee shall be comprised of the officers of the commission and shall function as the governing body of the commission between commission meetings and shall make recommendations to the commission for new policies. It is empowered to:

a. Take action on behalf of the commission when such action is required between regular meetings and deliberation by the full commission is not feasible, and

b. Work in conjunction with the department director to screen and recommend two or more candidates to the governor for appointment as administrator.

1.3(8) *Nonattendance.* Any person who has been appointed to the commission shall be deemed to have submitted a resignation if:

a. The commission member does not attend three or more consecutive regularly scheduled meetings, or

b. The commission member attends less than one-half of the regular meetings held within any 12-month calendar period.

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