



iowa commission on the status of women  
www.women.iowa.gov

Chester J. Culver, Governor  
Patty Judge, Lt. Governor  
Rachel Scott, Division Administrator

February 1, 2008

The Honorable Chester J. Culver  
The Honorable Patty Judge  
Members of the 82<sup>nd</sup> General Assembly  
State Capitol Building  
Des Moines, IA 50319

Dear Governor Culver, Lieutenant Governor Judge, and Members of the 82<sup>nd</sup> General Assembly:

At the end of every year, the Iowa Commission on the Status of Women (ICSW) reviews its accomplishments.

The ICSW is proud of the past year's achievements, and pleased to present to you our 36<sup>th</sup> Annual Report. The following pages detail the activities and programs that were carried out in 2007.

The ICSW celebrates the progress in women's rights that has been made in Iowa, and continues to address inequities, advocating for full participation by women in the economic, social, and political life of the state. In this advocacy role, as mandated by the *Code of Iowa*, we educate, inform, and develop new ideas to bring a fresh viewpoint to bear on the issues facing Iowa women and their families.

If you are interested in any of our concerns and issues, please call or write the ICSW at 515/281-4461 or [chr.icsw@iowa.gov](mailto:chr.icsw@iowa.gov), go to our website at [www.women.iowa.gov](http://www.women.iowa.gov), or stop by the Commission office in the Lucas Building, and we will be happy to discuss them with you.

On behalf of our Commissioners and the staff, I thank Governor Culver, Lt. Governor Judge, and Members of the General Assembly for the commitment you have shown to improving the status of women by funding our Commission and passing legislation that helps Iowa women.

We look forward to working with you in 2008.

Sincerely,

Holly A. Sagar  
Chairperson

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## **Vision Statement**

The Iowa Commission on the Status of women (ICSW) envisions full participation by women in the economic, political and social life of the state.

## **Mission Statement**

The ICSW promotes equality for Iowa women through study and recommendations for legislative and administrative action, public information and education, and development of programs and services.

## **Core Function**

Advocacy

## SECTION 1: Commission

*The Iowa Commission on the Status of Women (ICSW) is a state agency that seeks to assure equality for Iowa women. The ICSW advocates for Iowa women, working to equalize their opportunities and to promote full participation by women in the economic, political, and social life of the state. Established in 1972 by the Iowa Legislature, the ICSW is composed of nine citizens appointed by the Governor and confirmed by the Senate. Two members of the Senate, two members of the Iowa House of Representatives, and the Director of the Department of Human Rights serve ex-officio.*

### 2007 COMMISSION

*Commission terms for citizen members and legislators are four years.*

#### Citizen Commissioners

**Tom Carnahan**, Davenport

term expires April 30, 2010

**Carla R. Espinoza**, Ames

term expires April 30, 2010

**Francis Giunta**, Dubuque

term expires April 30, 2008

**Sue B. Mullins**, Corwith

term expires April 30, 2010

**Jill Olsen**, Mount Vernon

term expires April 30, 2010

**Kimberly Painter, Vice-Chair**, Iowa City

term expires April 30, 2008

**Holly Sagar, Chair**, Des Moines

term expires April 30, 2008

**Michael Whitlatch, Treasurer**, Storm Lake

term expires April 30, 2008

**Matthew Wissing**, Davenport

term expires April 30, 2010

(served as Vice-Chair through April)

**Walter Reed, Jr., ex officio,**

Department of Human Rights Director

#### Legislative Commissioners, *ex officio*

**Representative Linda Miller**, Davenport

term expires June 30, 2010

**Representative Cindy Winckler**, Davenport

term expires June 30, 2008

**Senator Staci Appel**, Ackworth

term expires February 8, 2011

**Senator Pat Ward**, Des Moines

term expires February 1, 2011

#### Commission Meetings

The ICSW meets at least six times a year. All meetings are accessible and open to the public. 2007 meetings were:

##### February 6

Lucas State Office Building, Des Moines

##### April 3

AARP Conference Room, Des Moines

##### June 5

Telephone Conference Call

##### August 25

Hotel Fort Des Moines, Des Moines

##### October 9

300 East Walnut, Des Moines

##### December 11

Telephone Conference Call

## Section 1

### 2007 Committees

#### Executive Committee

Holly Sagar, Chair  
Kimberly Painter, Vice Chair  
Mike Whitlatch, Treasurer

#### Finance

Mike Whitlatch, Chair  
Sue Mullins  
Tom Carnahan

#### Friends of the Iowa Commission on the Status of Women Board of Directors

Carla R. Espinoza  
Kimberly Painter  
Holly Sagar  
Matt Wissing  
Mike Whitlatch  
Camile Curley, President (served until February)  
Julie Graden, President (began serving in April)  
Michelle Durand-Adams, Treasurer  
Kimberly Reed  
Claudia Schabel

#### Iowa Women's Hall of Fame

Kimberly Painter, Chair  
Holly Sagar, *ex officio*  
Sue Mullins  
Matt Wissing  
Margi Weiss  
Dr. Ruth White

#### Iowans in Transition Grant Reviews and Selection

Mike Whitlatch, Chair  
Kile Beisner  
Lora Kelly-Benck  
Joan Kennedy  
Julie Wooden

#### Nominating Committee

Sue Mullins, Chair  
Tom Carnahan  
Jill Olsen

#### Legislative

Matt Wissing, Chair  
Tom Carnahan  
Francis Giunta  
Jill Olsen  
Senator Staci Appel  
Senator Pat Ward  
Representative Linda Miller  
Representative Cindy Winckler

#### Program and Planning

Francis Giunta, Chair  
Kim Painter  
Mike Whitlatch

#### Public Information

Carla Espinoza, Chair  
Mike Whitlatch  
Matt Wissing

## Section 1

### Staff Members

**Executive Director:** Charlotte Nelson served as administrator of the Division on the Status of Women within the Department of Human Rights from her appointment by the Commission and Governor Branstad in February 1985 until she retired on April 6, 2007. Lori M. SchraderBachar served as interim division administrator from April 6 until August 25, 2007. Rachel Scott was appointed by Governor Culver on August 27, 2007.

**Administrative Assistant 2:** Ellen Failor served as administrative assistant from October 1990 until her retirement on July 12, 2007. Joanne Sackett Parker assumed this position on November 16, 2007.

**Program Planner 2:** Lori M. SchraderBachar, coordinator of publications and special projects, has served since August 1999.

**Juvenile Justice Grant Coordinator:** Kathy Nesteby assumed the position in November 2002.

**Interns:** Nicole Cooper, Drake University School of Law, researched child support during the fall.

## Section 1

### Funding History

Funding for the Iowa Commission on the Status of Women is awarded annually by the General Assembly and Governor. A review of the state appropriation over several years, including pass-through grants, is as follows:

<u>Fiscal Year</u>	<u>Appropriation</u>	<u>Operating Budget</u>
FY 1998	\$328,900	\$161,125
FY 1999	\$335,804	\$168,029
FY 2000	\$419,505	\$187,531
FY 2001	\$426,464	\$185,964
FY 2002	\$400,996*	\$203,996
FY 2003	\$333,415*	\$191,392
FY 2004	\$337,918*	\$205,918
FY 2005	\$329,530	\$211,530
FY 2006	\$335,501	\$217,501
FY 2007	\$343,555	\$225,555
FY 2008	\$353,303	\$235,303

\*Reductions resulted in an actual FY 2002 budget of \$398,426, FY 2003 budget of \$327,392 and FY 2004 budget of \$329,530.

### Income Statement

<u>Revenue</u>	<u>FY 2007 Actual</u>	<u>FY 2008 Budget</u>
State Appropriation	\$343,555.00	\$353,303
Sales	60.00	30
<u>Expenses</u>		
Personnel Services	\$195,162.86	\$217,203
In-State Travel	5,308.58	5,700
Out-of-State Travel	--	50
Office Supplies	3,621.68	3,525
Equipment Maintenance	--	35
Other Supply	23.00	215
Printing	2,857.49	2,275
Postage	1,404.16	1,500
Communication	1,733.71	2,250
Rentals	120.00	150
Outside Services	118,000.00	118,000
Reimburse IDOP	124.26	100
ITS Reimbursement	1,516.48	1,800
Advertising/Promotion	2,898.22	250
Professional Services	--	150
Other	10,834.61	75
IT Equipment/Software	9.95	100
Reverted Money	--	--

## Section 2: Programs and Projects

*The Iowa Commission on the Status of Women (ICSW) works on numerous projects and programs in seeking to advance the status of women in the economic, political, and social life of the state. It collects employment related information and works toward pay equity; monitors legislation and strives to equalize women's participation in policy-making positions in the government and private sectors; and recognizes Iowa leaders through the Iowa Women's Hall of Fame, the Write Women Back Into History Essay Contest, and the Cristine Wilson Medal for Equality and Justice.*

### ECONOMIC LIFE

*The ICSW strives to improve Iowa women's tenuous economic status by conducting various employment-related programs and studies to assist women statewide to work to achieve pay equity.*

In 2006, Iowa women working full time made 75 cents for every \$1 a man made. In 2006, 59.8 percent of women earned \$25,000 or less while 59.7 percent of men earned \$25,000 or more.

This wage disparity reflects the occupational choices of males and females, the wage differences between male- and female-dominated jobs, and the gender pay gap that exists in many of the same occupations.

Both women's and men's wages would rise if wage discrimination were corrected. Workers, whether men or women, in female-dominated jobs—such as receptionists, secretaries, nurse aides, and child care providers—are paid less than workers in similar jobs not dominated by women.

### CONCENTRATION OF WORKERS IN JOBS, IOWA, 2005\*

<u>OCCUPATION</u>	<u>%MALE</u>	<u>AVERAGE HOURLY WAGE</u>	<u>OCCUPATION</u>	<u>%FEMALE</u>	<u>AVERAGE HOURLY WAGE</u>
1) Bus/Truck Mechanic	99.6%	\$15.85	1) Dental Hygienist	99.1%	\$28.18
2) Heavy Vehicle Mechanic	99.3%	\$15.48	2) Dental Assistant	99.0%	\$14.11
3) Mechanic/Repairer	99.2%	\$10.88	3) Pre-K/Kindergarten Teacher	98.7%	\$12.42
4) Cement Mason/Finisher	99.2%	\$14.72	4) Secretary	97.7%	\$13.64
5) Automobile Mechanic	98.8%	\$14.46	5) Child Care Worker	96.8%	\$ 7.93
6) Construction Supervisor	98.6%	\$24.94	6) Registered Nurse	95.7%	\$21.62
7) Plumber	98.5%	\$19.42	7) Licensed Practical Nurse	95.4%	\$15.47
8) Carpenter	98.4%	\$16.15	8) Paralegal/Legal Asst.	95.1%	\$18.51
9) Electrical Worker	98.3%	\$24.80	9) Hairdresser/Cosmetologist	95.1%	\$11.09
10) Brickmason	98.0%	\$18.27	10) Typist	94.9%	\$12.05

*\*Ten jobs held primarily by women pay a weighted average of \$14.54 an hour, compared to \$17.66 paid by ten jobs held primarily by men—a difference of \$3.12 per hour, or \$124.80 per week.*

SOURCE: Labor Market Information Bureau, Iowa Workforce Development

## Section 2

Differences in pay scales among occupations that are dominated by one gender or the other contribute to pay inequities as seen in the table on page 5.

### Pay Equity Initiatives

**Equal Pay Day:** The ICSW commemorated Equal Pay Day on Tuesday, April 24, 2007, which symbolized the day when women's wages catch up to men's wages from the previous week. Because women earn less, on average, they must work nearly seven days to earn what the average man would earn in five.

**Pay Equity Public Hearing:** In order to help address wage disparity, a public hearing was held on April 3, 2007 in Des Moines. Testimony was given by Michele Evermore, Senator Tom Harkin's Office; Deb Ostrem, Iowa Workforce Development; Rose Field; Representative Leonard Boswell; and Lori SchraderBachar, ICSW.

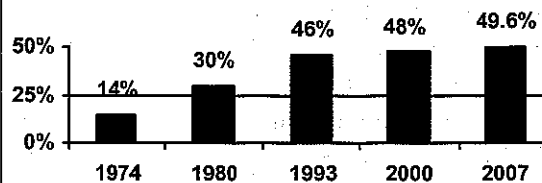
### POLITICAL LIFE

*While the ICSW works hard at eliminating the "sticky floor"—women who are stuck in low-paying jobs with few benefits and opportunities for advancement—it also recognizes the need to break the "glass ceiling" in government and private sector policy-making positions. In addition, the ICSW annually researches, submits, and advocates for a program of Proposals to the Governor and General Assembly. It also follows legislation pertinent to women and, in particular, those bills that relate to its Proposals. The Executive Director of the ICSW is registered as a lobbyist to the Iowa Legislature and Executive Branch.*

### Roster of Qualified Women

In 1970, the Governor's Commission on the Status of Women assumed responsibility for developing a roster of Iowa women qualified for appointments to paid and volunteer positions on state boards and commissions. When the Commission was made statutory in 1972, it continued to develop the roster and to submit names for the Governor's consideration in making appointments. Appointment resume forms are provided upon request; they include biographical information, educational background, work experience, organizations, and information on areas of interest. Each year it advertises the availability of appointment resumes in the *IoWoman*, the Friends of ICSW newsletter that is sent to 8,400 organizations and individuals statewide. The Roster of Qualified Women has contributed significantly to the expanding role of women in government. Since the need was perceived and the Roster was developed, the number of appointments of women has increased dramatically. Since 1987, gender balance on boards and commissions has been mandated, a legislative change for which the Commission advocated.

PERCENTAGE OF FEMALES ON  
STATE BOARDS AND  
COMMISSIONS, IOWA, 1974-2007



SOURCE: Office of the Governor

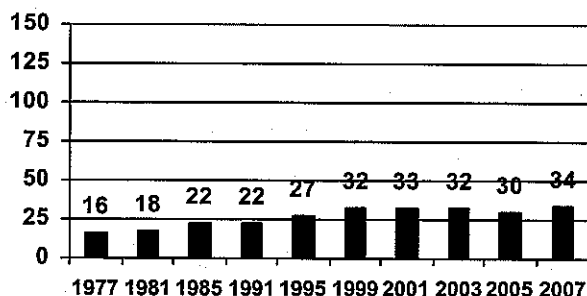


## Section 2

### Women in Public Office

Since the first year in which a woman was elected to the Iowa General Assembly in 1928, the total percentage of women legislators has increased from .6 percent to 22.7 percent after the 2006 election. Even with this increase, women, who total 50.8 percent of Iowa's population, represent one-fifth of the General Assembly. Five women served as Senators, while 25 served as Representatives in 2007. Only four women of color have served in the Iowa General Assembly. Furthermore, few Iowa women have served as elected state officials. Iowa is one of two states that have never elected a woman as governor or as a member of Congress.

**FEMALES IN THE GENERAL ASSEMBLY, IOWA, 1977-2007**



**Figure 6.5  
FEMALE ELECTED OFFICIALS  
IOWA, 2007**

OFFICE	# OF MALES	# OF FEMALES
Governor	39	0
Lieutenant Governor	41	3
Secretary of State	25	3
Treasurer	25	0
Auditor	30	0
Secretary of Agriculture	13	1
Attorney General	31	1

SOURCE: Iowa Official Register

### Legislative Summary

Following is a summary of 2007 legislation tracked by the ICSW following the 2007 Proposals to the Governor and the General Assembly.

The ICSW supported the following bills and resolutions:

**HR22** and **SR18** designates March 2007 as Iowa Women's History Month.

**HR40** to recognize and honor Charlotte Nelson upon her retirement on April 6, 2007, as the executive director of the Iowa Commission on the Status of Women after 22 years of service.

#### Aging Issues and Long-Term Care

Two bills appropriate \$2,243,043 to the Department of Elder Affairs for fiscal year 2008, for statewide expansion of the elder abuse initiative program established for the prevention, intervention, detection, and reporting of elder abuse, neglect, and exploitation of citizens of Iowa who are 60 years or older.

#### Child Care

**HF877** created a statewide voluntary preschool for four-year-old children program and appropriations of \$15 million for FY2009 and FY2010 and \$16,162,500 for FY2011. Signed by Governor Culver.

#### Economics

**HF1** raised the state's hourly minimum wage to \$6.20 beginning April 1, 2007, and to \$7.25 beginning January 1, 2008. Signed by Governor Culver.

**HF5** prohibits a lender from contracting for or receiving a finance charge which exceeds 21 percent per year on the unpaid balance of a loan for money which is secured by a certificate of title to a motor vehicle. Signed by Governor Culver.

## Section 2

**SF541** provided that in any consumer home loan, a lender, mortgage banker, or mortgage broker, shall not: 1. Recommend or encourage default on an existing loan or other debt prior to and in connection with the closing or planned closing of a consumer home loan that refinances all or any portion of such existing loan or debt. 2. Knowingly misrepresent to a borrower the borrower's credit rating or credit status. 3. Knowingly misrepresent, inflate, or fabricate, or encourage a borrower to misrepresent, inflate, or fabricate, the source or amount of a borrower's actual income or assets in the application or underwriting process of a consumer home loan. 4. Knowingly misrepresent or conceal material facts or make false promises likely to influence, persuade, or induce a borrower to enter into a consumer home loan. 5. Fail to disburse funds in accordance with a written commitment or agreement to make a consumer home loan. 6. Knowingly engage in any transaction, practice, or course of business in connection with a consumer home loan that is not in good faith or that constitutes a fraud upon any person.

**SF137** requires registration of associate real estate appraisers and notes appraisal violation penalties. Signed by Governor Culver.

**SF420** and **HF496** provide that a person or employer shall not discriminate in providing compensation for work of comparable worth between jobs predominately held by women and men. The bill defines "comparable worth" as being the value of work as measured by the skill, responsibility, and working conditions involved in performing the work. A violation of this provision constitutes a simple misdemeanor.

**HF675** directs Iowa State University to conduct a study regarding the economic, fiscal, and social effects that a living wage, or self-sufficiency wage, would have in Iowa. Report due to the legislature by December 14, 2007.

### Education

**HF43**, **HF427**, and **HF441** would have added a one-half unit course in personal finance literacy to the educational program each school district and accredited nonpublic school is required to offer in grades nine through 12, and requires all students to take the course as a condition of graduation.

### Equality

**SF427** defines "sexual orientation" and "gender identity" and prohibits discriminatory employment, public accommodation, housing, education, and credit practices based upon a person's sexual orientation or gender identity. Signed by Governor Culver.

**SF61** relates to harassment and bullying of elementary and secondary school students and establishes a state policy that school employees, volunteers, and students in Iowa schools shall not engage in harassing or bullying behavior. Signed by Governor Culver.

### Health

**SF573** would have created an interim commission on affordable health care plans for small businesses and families to review and analyze possible health insurance reforms to make health care coverage more affordable for small businesses and families in this state. **HF909** provided for the creation of a Legislative Commission on Affordable Health Care Plans for Small Businesses and Families to make recommendations for health care reform, including the benefits and costs of providing health insurance coverage for all Iowans.

**SF128** increases the tax on a package of cigarettes from 36 cents to \$1.36. Signed by Governor Culver. **SF236**, **HF35**, **HF187** and **HF778** related to local regulation of smoking.

**HF214** directs the director of human services to seek a waiver from the centers for Medicare and Medicaid services to provide coverage for low-income children of state employees under the state children's health insurance program.

## Section 2

**HF611** relating to human growth and development and health education under the education standards, authorizing school districts and nonpublic schools to provide comprehensive sexual health education, and establishing related duties for the director of the department of education. Signed by Governor Culver.

**SF43** requires that the educational program which school districts and accredited nonpublic schools provide include, in the human growth and development areas and the health curriculum or health education unit, age-appropriate and science-based information

### Insurance

**SF268** adds eating disorders, including but not limited to bulimia nervosa and anorexia nervosa, to the definition of "biologically based mental illness" for which certain third-party payment of health care coverage costs for treatment is required.

**SF382** provides that a child who require dtreatment for mental illness or substance abuse as provided in new Code section 514C.23, and meets the medical assistance program criteria for admission to a psychiatric medical institution for children is deemed to meet the acuity criteria for specified third-party payment of inpatient benefits; also provides that a group policy or contract providing for third-party payment or prepayment of health or medical expenses issued by a carrier... shall provide coverage benefits for treatment of mental illness or substance abuse

**HF495** prohibits the use of gender as a factor supporting any type of discrimination in the business of insurance.

### Justice

**HF340** amended the definition of "hate crime" to include an assault, individual rights violation, criminal mischief, or trespass committed against a person or a person's property because of the offender's bias against a person's actual or perceived race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability.

**HF215** directs the executive director of the commission on the status of women to convene a commission to review the implementation of the recommendations made by the Iowa supreme court's equality in the courts task force. The bill establishes the membership of the commission and directs the commission to report on its findings by December 15, 2007.

**HF390** provides that the Chief Justice shall require regular diversity training for judges regarding the impact of the court system on women, racial and ethnic minorities, and any other areas the Chief Justice deems appropriate under the circumstances.

**HF601** requests a legislative study regarding the application, nomination, and appointment of women as judges with findings and recommendations to the general assembly no later than January 15, 2008.

### Violence Against Women

**HSB57** confiscates firearms where there is a domestic violence protective order. **SF491** prohibits a person who is the subject of a protective order or who has been convicted of a misdemeanor crime of domestic violence in violation of federal law from possessing, transferring, or selling firearms or offensive weapons and providing a penalty. Fiscal Note: In FY 2008, the estimated additional cost for the Justice System would be \$4,200 and in FY 2009, the additional cost to the Justice System would be \$21,600.

### Welfare

**SF254** increased the amount of the FIP work-and-earn incentive applied under Code section 239B.7 as part of FIP eligibility determination from 50 to 58 percent. Under the incentive, the indicated percentage of earned income remaining after other deductions have been applied is disregarded. Signed by Governor Culver.

**HF243** creates a program under the purview of the college student aid commission to provide

## Section 2

financial assistance for postsecondary education or training for young adults age 18 through 24 who were involved with the state's foster care program. A young adult must apply for the program and commence the education or training prior to becoming age 23.

**HF347** creates an energy utility assessment and resolution program (for three years administered by Community Action Agencies in DHR) for certain persons with low incomes who have or need a deferred payment agreement to address home energy utility costs. \$1 million appropriation

### **2007 Appropriation Bills**

#### **HF787 Federal Block Grants**

\$1,496,334 for Stop Violence Against Women grants

#### **HF874 Administration and Regulation**

includes STATUS OF WOMEN DIVISION including the Iowans in transition grants, and the domestic violence and sexual assault-related grants: \$343,555

Justice #13: Expanding Iowa Court Appointed Special Advocate Program statewide: \$2,629,308

#### **SF575 Justice**

Civil Rights Commission \$1,412,647

Legal Services Grants Program \$1.6 million

Victim Assistance Grants \$150,000

Operation of ICIW in Mitchellville: \$15,294,520

Educational programs for inmates at state penal institutions: \$2,070,358

#### **SF588 Education**

\$15 million to eligible school districts for the four-year-old preschool program

\$400,000 for before and after school programs

#### **HF907 Healthy Iowans Tobacco Trust Fund**

\$2,153,250 for school ready children grants account

Medical assistance including coverage to women who require treatment for breast or cervical cancer: \$35,327,368

Competitive grants of before and after school programs \$305,000

#### **HF909 Healthy and Human Services**

Department of Elder Affairs \$4,723,306 including \$130,000 to be used to fund two additional long-term care resident's advocate positions and \$250,000 for implementation of the substitute decision maker Act

State child care assistance appropriation made in this section to be used for funding of community-based early childhood programs targeted to children from birth through five years of age, developed by community empowerment areas: \$7,350,000

\$1,930,067 for pregnancy prevention grants on the condition that family planning services

Family investment program \$36,890,944, family investment job opportunities and basic skills (JOBS) program \$14,993,040 and family investment program (FIP) \$42,608,263

Department of Human Rights (instead of Human Services) for staffing, administration, and implementation of the family development self-sufficiency grant program (FaDSS): \$5,583,042

\$3,031,439 is allocated for the preparation for adult living program (PALS)

Medical assistance (including abortions which are medically necessary): \$618,696,202

#### **HF911 Infrastructure**

\$500,000 for the master planning process for the possible remodel, expansion, and demolition of buildings at the Iowa Correctional Institution for Women; to develop, validate, and implement custody classification systems; and a research-based study of the substance abuse, sex offender, and medical and mental health treatment programs to ensure adherence to evidence-based practices

### **Legislative Bills not included in the ICSW proposals worth mentioning**

**SR3** honors the members of the Iowa Western Community College women's volleyball team for capturing the championship in the 2006 National Junior College Athletic Association volleyball tournament.

## Section 2

**SR14** honors the League of Women Voters on the 87th anniversary.

**HR10** honors the National Bar Association for over eight decades of service to the cause of civil rights and equal justice for all. (Specifically names Iowa Women's Hall of Fame member Gertrude Durden Rush as one of the founding members)

**HR11** recognizes and honors Representative Dolores Mertz on her appointment as National Chairman of the Board of Directors of the American Legislative Exchange Council.

**HF790** provides for association group health care plans, including a five-year association group health care plan pilot project, association group health care plan actuarial studies and wellness initiatives. Signed by Governor Culver.

**HF890** relates to assistance for small businesses. The bill eliminates the ability of low-income persons from receiving assistance under the targeted small business financial assistance program. The bill provides that grants under the program shall only be awarded when additional financing is secured by the applicant. Appropriates \$2.5 million from the general fund to Economic Development for FY2006-2007 to deposit in the targeted small business financial assistance program account of the strategic investment fund. Signed by Governor Culver.

**HF910** directs the Iowa department of public health to convene a **task force on postnatal tissue and fluid banking** and related postnatal procedures. Signed by Governor Culver.

**SF340** relates to consideration of inherited or gifted property in divorce property division beginning immediately. Signed by Governor Culver.

**SF540** relates to trusts and estates with regard to divorce property division. Signed by Governor Culver.

**SF590** increases the state earned income tax credit from 6.5 percent to 7 percent of the federal

tax credit and makes the state earned income tax credit refundable like the federal earned income tax credit. Signed by Governor Culver.

### **Legislative Bills the ICSW Opposed**

**HJR1** and **SJR1**, which died, would have proposed an amendment adding a new Article XIII to the Constitution of the State of Iowa, giving the people of Iowa the right to vote on certain adopted increases of taxes and fees, so that the increases will not take effect unless approved by majority vote at a state general election.

**SF194** allows the death penalty for certain crimes.

**SF507** would have created a rebuttable presumption that a request for joint physical care by either parent is in the best interest of the child, places the burden of proof to rebut the presumption on the party denying that joint physical care is in the best interest of the child, and requires such party to demonstrate that joint physical care is not in the best interest of the child by clear and convincing evidence.

### **Public Hearing**

At a public hearing each fall, the ICSW listens to organizations, agencies, and individuals express their legislative concerns regarding women. From that hearing, the ICSW Legislative Committee and staff meet to develop a slate of proposals used as the foundation for the next year's advocacy efforts along with recommendations from previous years.

The 2007 public hearing was held on October 9 in Des Moines. Announcements requesting testimony were sent to statewide media outlets, women's organizations, and state agencies.

Twenty-one individuals/organizations testified. Speaking on Violence Against Women included the Iowa Coalition Against Sexual Assault; and Nancy Robertson, Iowa Coalition Against

## Section 2

Domestic Violence. Carolyn Jinnison, One Iowa, and Natalie Sugira, ONE Vote 08, spoke about human rights issues. Testifying on justice issues were Vicki Place, Iowa Friends of Legal Services; Sister Joanne Talarico, Iowa Coalition to Oppose Life without the Possibility of Parole for Children; Kristine Burnett; and Jeanne Nesbit, Iowa Department of Human Services. Jodi Tomlonovic, Family Planning Council of Iowa; testified on women's health issues. Brooke Findley, Afterschool Alliance; Mary O'Brien, Visiting Nurse Services; Terry Hernandez, Chyrnalis Foundation, and Lana Ross, Iowa Community Action Association, testified on child care issues. Testifying on economic issues were Lana Ross, Iowa Human Needs Advocates, and Jan Laue, Iowa Federation of Labor, AFL-CIO. Di Findley spoke about aging issues and long-term care. The following provided written testimony: Jean Brown, Central Iowa Shelter & Service; Rose Field, MRF Communications, LLC; Ralph Rosenberg, Iowa Civil Rights Commission; Rhonda Chittenden, FutureNet; and Lori Rinehart, Iowa Gender Specific Services Task Force.

### 2008 Proposals to the Governor and 82<sup>nd</sup> General Assembly

#### Opportunities for Women's Economic Success and Self-Sufficiency

The Iowa Commission on the Status of Women supports initiatives that assist women in successful education and work endeavors, including:

1. Set state targets and accountability standards for the participation of girls and women in Science, Technology, Engineering, and Math (STEM) education (middle school through postsecondary) and other non-traditional

occupation training programs and develop a specific state plan for skill-building, education and recruitment of women for key industry sectors that ensures women are fully utilized in addressing the skilled worker shortage.

2. Support the federal Child Support Protection Act of 2007, which would restore the 25% budget cut (\$7.2 million) to Iowa Child Support Recovery Unit (beginning 10/1/2007) resulting from the Deficit Reduction Act. In the event that federal changes do not restore funding, support the solution sought by the Governor to identify \$4.6 million in state matching funds to assist children and families in collecting child support.

3. Establish a vehicle for 12 weeks of partial wage compensation for a person taking family and medical leave.

#### Women's Safety and Health

The Iowa Commission on the Status of Women supports legislation aimed to improve health care access and ensure victims of violence are adequately protected from violence. The ICSW supports:

1. Amend *Code of Iowa* Chapter 724.26, into alignment with federal law that prohibits persons who have been convicted of a domestic violence misdemeanor or who are subject to a no-contact order from possessing firearms.

2. Amend *Code of Iowa* Chapter 916 to strengthen the rights of sexual assault victims with comprehensive enumerated rights, such as the right to the presence of a victim counselor, the right to a medical exam at no cost to the victim, the right to law enforcement assistance, the right to seek a no-contact order, and the right to register as a victim in order to receive notification of proceedings.

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3. Increase funding by \$14,000 to the ICSW for training on issues of violence against women.

4. Increase funding for women's health issues, including mammography, colposcopy, breast, cervical and ovarian cancer screenings; reproductive health services including Chlamydia screenings, HPV vaccine, and family planning services; and statewide comprehensive adolescent pregnancy prevention programs.

### **Gender Equity and Equal Justice for Women**

By its very mission, the Iowa Commission on the Status of Women supports full equality for Iowa women and girls. The ICSW supports:

1. Extend gender balance requirement on boards and commissions to political subdivisions of the state.
2. Extend the deadline for filing civil rights complaints from 180 to 300 days.
3. Establish a gender-specific continuum of care for females in the juvenile justice system, beginning with restricting all 100 placements at the Iowa Juvenile Home to females.
4. Expand state funding and the use of evidence-based practices for the Star Therapeutic Community Program at the Iowa Correctional Institution for Women and community-based correction facilities.

### **SOCIAL LIFE**

*The ICSW believes that in order to advocate for the full participation by women in the political, economic, and social life of the state, leaders in those areas need to be identified, recognized, and promoted as role models.*

### **Cristine Wilson Medal for Equality and Justice**

This award was established in 1982 and honors the woman who served on the Governor's Commission on the Status of Women and who first chaired the statutory Commission. From 1972 to 1976, Cristine Wilson led the Commission in combatting sex discrimination and in promoting equal opportunity. The medal is given to individuals--male or female--who have exhibited outstanding dedication and service on behalf of the ideals of equality and justice. Past recipients include Governor Robert Ray, Mary Louise Smith, Sue Follon, Patricia Geadelmann, Minnette Doderer, Lonabelle Kaplan "Kappie" Spencer, Charles H. Bruner, Louise Rosenfield Noun, Mary Molen Wiberg, Betty Talkington, Maude Esther White, Naomi Christensen, Edna M. Griffin, Governor Terry E. Branstad, Suzanne O'Dea Schenken, Jane Elliott, Reverend Carlos Jayne, Rekha Basu, Marie C. Wilson, Susan C. Buckley and Jane Jones Turner Burleson. Marilyn O. Murphy was inducted into the Iowa Women's Hall of Fame in 1988 and received the Cristine Wilson Medal for Equality and Justice in 2007.

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**Marilyn O. Murphy**  
Marilyn O. Murphy has opened doors for others and serves as a role model for many, often by being the first woman to serve in traditionally male groups. She is an outstanding community volunteer and leader in

social services and human rights in the Sioux City area. Her ability to achieve worthwhile objectives by forming coalitions from disputing factions is remarkable. The extensiveness of her volunteer involvements is evidenced by the variety of areas in which she has been effective: crime prevention, day care, sexual assault and domestic violence, drug abuse, juvenile justice, rural concerns/family farms, and civil rights. Since 1973, she has been Social Concerns Facilitator for Catholic Charities of the Diocese of Sioux City and is now also serving in the capacity of Rural Life Contact for the Diocese. She has produced several videos in English and Spanish, on domestic violence, child sexual abuse, rural heritage, rural women, women in the church, elderly women and women in prison. She was the first woman to serve as chairperson of the Council of Community Services and the Iowa Commission on Substance Abuse. She was also the first president of the Community Action Agency and chaired the Sioux City Human Rights Commission for three years. Murphy cofounded the Sioux City Chapter of the Women's Political Caucus. She has received many community service awards.

### **Friends of ICSW Banquet**

The ICSW provided staff support for the Friends of ICSW luncheon and program that followed the Iowa Women's Hall of Fame Ceremony and reception on August 25, 2007. Held at Hotel Fort Des Moines in Des Moines, the luncheon featured Professor Jane Cox portraying Carrie Chapman

Catt in "Yellow Rose of Suffrage." State officials, Hall of Fame members, and Commissioners were specially recognized at the event, and the Friends of ICSW Endowment Fund education grants were announced.

### **Iowa Women's Hall of Fame**

The Iowa Women's Hall of Fame was established by the ICSW in 1975 to honor outstanding Iowa women. Each year four women, living or deceased, are recognized for their significant contributions to our society.

The 34<sup>th</sup> Annual Iowa Women's Hall of Fame Ceremony was held in Des Moines on Saturday, August 25, 2007 at the State Historical Building of Iowa, Des Moines. The reception in the atrium following the ceremony was funded by the Friends of the ICSW.

As usual, the ceremony was held close to Women's Equality Day, August 26, which commemorates the day in 1920 when American women first received the vote. At the ceremony, Secretary of State Michael Mauro read the Women's Equality Day Proclamation.

Awards were presented to the recipients by Commission Vice Chairperson Kimberly Painter, and Hall of Fame Committee Member Matt Wissing.

The 2007 Hall of Fame Nominating Committee was composed of Kimberly Painter, committee chair; Sue Mullins, commissioner; Matt Wissing, commissioner; Holly Sagar, commission chairperson, *ex officio*; Margi Weiss, citizen; and Dr. Ruth White, citizen.

The honorees represented a wide range of interests and accomplishments and have made extraordinary contributions in their various fields.

The following are biographies of the 2007 inductees.



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### Ruth Ann Gaines

For 36 years, Ruth Ann Gaines has been the Des Moines East High School drama teacher, Des Moines Area Community College speech and drama instructor, and a facilitator of diversity courses through the Heartland Area Education Agency. Since she and her family members have been discriminated against because of the color of their skin, and after adopting a child with a disability as a single parent, she has been motivated to dedicate her adult life to fighting for justice for all. Valued and honored with many awards over the years, in 1998 Gaines was the first fine arts teacher to receive the Department of Education's Iowa Teacher of the Year award. Also in 1998, she showed what a dedicated, serious, and talented individual she is by serving as the Iowa Ambassador for Education. In 2001 Gaines created Sisters For Success, a Des Moines Public School mentorship program for African American middle and high school girls. In 2003, she was one of five educators chosen from around the country to be inducted into the National Teachers Hall of Fame. And in 2004, she was one of three Iowans to be inducted into the Iowa African American Hall of Fame. Besides being an effective and inspiring leader, Gaines is well known locally for her acting ability. Born in 1947, Gaines has lived in Iowa her entire life.



### Emma J. Harvat

Emma J. Harvat was an important historical figure in United States and Iowa history, for in 1922, she became the first woman in the nation to be mayor of a city larger than 10,000. "I believe my experience and training in business won the election for me," she said. Bringing the female

perspective to problems in city government, she immediately separated female and male offenders in the city jail and established a juvenile home. Born in Iowa City in 1870, she was the ninth of ten children of Czechoslovakian immigrants Joseph and Mary Harvat. She started her professional life as a store clerk but quickly advanced to owning her own business, a ready-made dress shop. Later she became involved in real estate, home building, and as a landlord. Her home in Iowa City was placed on the National Register of Historic Places and Iowa City's Civic Center was designated as "Emma J. Harvat Hall" in 2000. Harvat was an Iowa woman of remarkable vision, professional achievement, and originality who was a pathfinder for civic leaders in our state. She died in 1949.



### Dr. Ada Hayden

After being the first woman to obtain her Ph.D. at Iowa State University in 1918, Ada Hayden was appointed as assistant professor in botany in 1919. She also conducted research on Iowa's plants and ecology, publishing nearly 30 papers based on these studies. "*A Botanical Survey in the Iowa Lake Region of Clay and Palo Alto Counties*" was published in 1943 and is heralded by many authorities as one of the best surveys of Iowa flora. She was also a talented artist and photographer. She devoted much of her time and energy to the Iowa State Herbarium and added over 10,000 high-quality specimens that she personally collected; the Herbarium was named in her honor in 1988. In 2004, Ames dedicated one of its largest parks as the Ada Hayden Heritage Park. Hayden was also keen on environmental conservation, and one of her well known reports was titled "*The Selection of Prairie Areas in Iowa Which Should Be Preserved*." Several of the natural Iowa landscape areas she described have since been purchased and designated as state

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### Iowa Women's Hall of Fame Members

Mary Newbury Adams	Mamie Doud Eisenhower	Brenda LaBlance	Jessie Field Shambaugh
Bess Streeter Aldrich	Mary Ann Evans	Anna B. Lawther	Mary Jane Odell Siegler
Julia Faltinson Anderson	Beverly Everett	Meridel Le Sueur	Georgia Rogers Sievers
Peg Stair Anderson	Jeannette Eyerly	Mabel Lee	Margaret Wragg Sloss
Ruth Bluford Anderson	Rosa Maria Escudé	Twila Parker Lummer	Ida B. Wise Smith
Virginia Bedell	de Findlay	Jean Hall Lloyd-Jones	Jeanne Montgomery Smith
Mildred Wirt Benson	Diana "Di" L. Findley	Arabella Mansfield	Mary Louise Smith
Janice Ann Beran	Merle Wilna Fleming	Ola Babcock Miller	Marilyn E. Staples
Professor Mary Jaylene Berg	Sue Ellen Follon	Margaret "Peg" Mullen	Helen Navran Stein
Jessie Binford	Lt. Colonel Phyllis L.	Marilyn O. Murphy	Rowena Edson Stevens
Gladys B. Black	Propp Fowle	Alice Van Wert Murray	Ruth Suckow
Amelia Jenks Bloomer	Gwendolyn Fowler	Janette Stevenson Murray	Phebe W. Sudlow
Joan Liffing-Zug Bourret	May E. Francis, Ph.D.	Ruth Cole Nash	Sister Patricia Clare Sullivan
Sue M. Wilson Brown	Mary Garst	Louise Rosenfield Noun	Adeline Morrison Swain
Charlotte Hughes Bruner	Betty Jean Furgerson	Denise O'Brien	Margaret Boeye Swanson
Fannie R. Buchanan	Ruth Ann Gaines	Jessie M. Parker	Ruth Wildman Swenson
Bonnie Campbell	Willie Stevenson Glanton	Sally J. Pederson	Elaine Eisfelder Szymoniak
Mary E. Domingues Campos	Susan Glaspell	Ann Dearing Holtgren	Lois Hattery Tiffany
Carrie Chapman Catt	Christine H. B. Grant	Pellegrino	Margaret Mary Toomey
Betty Jean "Beje" Walker Clark	Mary Grefe	Carolyn Pendray	Evelyne Jobe Villines
Mary Frances Clarke, B.V.M.	Edna M. Griffin	Mary Louise Petersen	Nellie Verne Walker
Mary Jane Coggeshall	Johnie Wright Hammond	Dorothy Marion Bouleris Paul	Jean Adeline Morgan
Roxanne Barton Conlin	Virginia Harper	Mary Louisa Duncan Putnam	Wanatee
Joy Cole Corning	Emma J. Harvat	Glenda Gates Riley	Beulah E. Webb
Marguerite Esters Cothorn	Dr. Ada Hayden	Louise Rosenfeld	Mary Beaumont Welch
Rosa Cunningham	Helen B. Henderson	Eve Rubenstein	Catherine Williams
Lynn Germain Cutler	Dr. Nancy Hill	Shirley Ruedy	Cristine Swanson Wilson
Jolly Ann Horton Davidson	Cora Bussy Hillis	Gertrude Durden Rush	Connie Wimer
Evelyn Davis	Helen LeBaron Hilton	Edith Murphy Sackett	Annie Wittenmyer
Jacqueline Day	Pearl Hogrefe	Agnes Samuelson	Maude Esther White
Dr. Ursula Delworth	Lou Henry Hoover	Annie Nowlin Savery	Mary E. Wood
Gertrude Dieken	Dorothy Houghton	Ruth Sayre	Jo Ann McIntosh
Minnette Doderer	Phyllis Josephine Hughes, JD	Susan Schechter	Zimmerman
A. Lillian Edmunds	Mabel Lossing Jones	Dorothy Schramm	
Lois Harper Eichacker	Alice Yost Jordan		

preserves. Born on August 14, 1884, Hayden died on August 12, 1950. After her death, a 200-acre preserve in Howard County was named in her honor.



#### **Connie Wimer**

Connie Wimer, of Des Moines, has been an active business and community leader for many years. She was the owner and President of Iowa Title Company from 1976 until 1985 when she

sold the company to Central Life Insurance Company, but continued as President until 2001. In 1981 she purchased a small legal paper and transitioned it in 1983 to become the *Des Moines Business Record*. She publishes another ten publications including *dsm, Intro, Daily Business Record*, and *Book of Lists*. Additionally, she created a number of annual events, including Women of Influence and Forty under 40, recognizing women and younger people who contribute to the community. In addition to the publishing business, Wimer sits on a number of business and charitable boards. She founded Winefest Des Moines and was

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the first woman to chair the Des Moines Chamber of Commerce as well as the first woman to chair the National Alliance of Area Business Publications. She was the first woman elected to the Greater Des Moines Committee's Business Hall of Fame in 2002 and she has received many other awards throughout her career. Born in Merrill, Iowa in 1932, Wimer moved to Des Moines in 1950 and in Des Moines she earned her reputation as a competent, caring and sharing business leader.

### ***Write Women Back Into History*** **Statewide Essay Contest**

The *Write Women Back Into History* Essay Contest, cosponsored by the ICSW, the Iowa Department of Education, and the State Historical Society of Iowa, is administered each year by the ICSW and is open for participation by students in grades 6-9. Guidelines for the essay contest are made available on the ICSW's website and were e-mailed to previously participating teachers. Announcement of the contest was made to Area Education Agencies and in the press and education-related publications. Teachers are asked to encourage their students to write an original essay about a woman who they believe should be written into history. The purpose of the contest is to celebrate Women's History Month--March--and to increase the awareness of contributions made by Iowa women. Prizes are awarded to the first three winners and their teachers in the two grade divisions 6-7th and 8-9th. Special awards are given to the best essays on women in science and engineering. Prizes include Women's History Month books and other memorabilia. The first-place winners also receive cash prizes.

**Judging:** Teachers are encouraged to sponsor the contest in their classroom. One finalist may then be submitted from each classroom to be judged by a committee made up of Iowa writers,

historians, activists, and representatives of the sponsoring agencies. The 2007 judges were Lora Allison, General Public; Tom Andersen, Iowa Department of Education; Christine Bertsch, General Public; Charles Grigsby, Crime Victim Assistance Division; Heather Hawkins, Fort Des Moines Museum and Education Center; Carol Heaverlo, Program for Women in Science and Engineering; Michael Kates, Fort Des Moines Museum and Education Center; Kristin Clark Nolan, Iowa United Methodist Church; Naomi Peuse, State Historical Society of Iowa; and Michelle Rubin, General Public.

#### **2007 Winners:**

##### **6-7 Grade Category**

- 1<sup>st</sup> Place: Kaylyn Barrett, Taft Middle School, Cedar Rapids  
2<sup>nd</sup> Place: Laurel Fraser, Urbandale Middle School  
3<sup>rd</sup> Place: Matthew Lee, Prairie Middle School, Cedar Rapids

##### **8-9 Grade Category**

- 1<sup>st</sup> Place: Erica Christensen, Thomas Jefferson High School, Council Bluffs  
2<sup>nd</sup> Place: Emily Raecker, Urbandale Middle School  
3<sup>rd</sup> Place: Bobi Jo Rockwell, Glenwood Middle School

##### **Best Essay on Women in Science and Engineering for 6-7 Grades**

- 1<sup>st</sup> Place: Taylor Soeken, Prairie Middle School, Cedar Rapids

##### **Best Essays on Women in Science and Engineering for 8-9 Grades**

- 1<sup>st</sup> Place: Kylene Carson, Thomas Jefferson High School, Council Bluffs  
2<sup>nd</sup> Place: Katie Jobes, Ames Middle School

## SECTION 3: Information/Participation

*The Iowa Commission on the Status of Women (ICSW) office is a resource center for information on hundreds of topics relative to women and girls--publications, reference materials, and videotapes. And as mandated by the Code of Iowa, the ICSW provides assistance to organized efforts by communities, organizations, associations, government agencies, and other groups working toward the improvement of the status of women in Iowa.*

### INFORMATION

*The ICSW provides information to the public and elected officials on many issues, including the status of Iowa women, nontraditional jobs, divorce, sexual harassment, gender-fair curriculum in education, and more.*

#### Advocacy Directory

Originally undertaken jointly by the American Association of University Women--Iowa and the ICSW, with updating funded by the Family Community Leadership, the statewide advocacy directory was designed to provide a computerized guide to networks on women's issues in Iowa. In 2007 the directory was continually expanded and updated; approximately 6,200 persons are in the database for one or more of the 66 categories of interest and/or experience. As an ongoing commission program, the directory will continue to expand its database and its usefulness throughout the state, and additional persons and organizations will be identified on a regular basis. Printouts of category lists are available for a minimal fee from the ICSW; the Iowa women's organizations listing is free.

#### Internship/Volunteer Opportunities

The ICSW continued contact about available internships in its office to four-year colleges and universities statewide. Four interns were selected during the year. Many schools placed the

announcements in internship directories at their career planning and placement offices.

#### Media

The ICSW Executive Director serves as a media spokesperson for the Commission on issues relative to women across the state. During 2007, media contacts and topics discussed included: *Ames Tribune*, Dr. Ada Haden, Iowa Women's Hall of Fame and Write Women Back Into History Essay Contest; *Cedar Rapids Gazette*, Father's Rights; *CityView*, domestic violence and women's equality day; *Des Moines Register*, Girls in the Juvenile Justice System and Write Women Back Into History Essay contest; *Iowan Independent*, public hearing; KWMT, ICSW, legislation, Women's History Month, and Write Women Back Into History Essay Contest; Iowa Public Radio, ICSW, legislation, Iowa Women's Hall of Fame, Women's History Month, and Write Women Back Into History Essay Contest; and WOI Radio, Gender Specific Services Task Force.

#### Publications

**35th Annual Report:** The ICSW wrote, printed, and distributed its *2006 Annual Report*. Copies of the report were sent to the Governor, key legislators, and other interested parties.

**Cristine Wilson Award Recipients:** In 1999 the ICSW developed a small publication featuring the Cristine Wilson Medal recipients. The piece was updated in 2007 and printed and posted to the

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### Publications Available/Distributed Upon Request in 2007

	Paper	Web
2007 Proposals to the Governor and General Assembly	224	1,103
<i>Contingency Workers Study</i> (2001)	0	314
<i>Cristine Wilson Medal for Equality and Justice</i> (2007)	16	168
<i>Divorce: Things to Consider</i>	60	6,212
<i>Exploring Nontraditional Occupations for Women: Is This Job for You?</i> video	2	0
<i>Female Juvenile Justice</i> (1996)	15	3056
<i>Financial Safety Planning for Older Women</i> (2000)	66	1,790
<i>Foundation 2 Discoveries</i>	0	0
<i>How to Get Your Bearings. How to Get a Job</i> (1998)	19	632
<i>Iowa CareGivers Wage and Benefit Report</i> (2004)	0	6,062
<i>Iowa Certified Nursing Assistant Wage and Benefit Survey</i> (2001)	0	4,508
<i>Iowa Commission on the Status of Women Annual Report</i>	31	886
<i>Iowa Commission on the Status of Women Legislative Report</i>	149	1,283
<i>Iowa Commission on the Status of Women Brochure</i>	161	172
<i>Iowa Gender-Specific Services Task Force Brochure</i>	124	22
<i>Iowa Gender Wage Study</i> (2000)	1	0
<i>Iowa Women and the Law</i> (English) (2002)	67	1,138
<i>Iowa Women and the Law</i> (Spanish) (2002)	1	889
<i>Iowa Women's Hall of Fame Biography Book</i> (2006)	53	1,488
<i>My Medical Records</i>	42	310
<i>Pregnancy Discrimination Factsheet</i>	0	2,434
<i>Promising Directions: Programs that Serve Iowa Girls in a Single-Sex Environment</i> (2005)	19	2,512
<i>Protocol Checklist</i> (2003)	0	359
<i>Providing Gender-Specific Services for Adolescent Female Offenders</i> (1999)	0	858
<i>Referral Information on Programs to Assist Women/Minorities in Establishing and Expanding Small Businesses</i> (2003)	23	1,718
<i>Sexism in Education</i> (2001)	20	2,198
<i>Sexual Harassment: It's Against the Law</i>	113	1,614
<i>Status of Iowa Women Report</i> (2004)		
Chapter 1	149	1,172
Chapter 2	149	488
Chapter 3	149	526
Chapter 4	149	518
Chapter 5	149	548
Chapter 6	149	768
<i>Why Not Women?</i> brochure on nontraditional jobs (1998)	0	112
<i>Women in Poverty Study</i>	0	600
<i>Write Women Back Into History Essays</i>	82	5,832

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website prior to the Iowa Women's Hall of Fame Ceremony--when the award is presented.

***Divorce: Things to Consider:*** The ICSW initiated a revision of this report with Evie Ochletree of the Legal Services Corporation of Iowa, which gives a broad overview of issues to consider in obtaining a divorce.

***Financial Safety Planning for Older Women:*** The ICSW teamed with the Department of Elder Affairs and the Iowa Coalition Against Domestic Violence to update the safety and finance publication for older women who are in domestic violence situations. It was reprinted in 2007.

***IoWoman:*** The ICSW edited six issues of this Friends of the Iowa Commission on the Status of Women bimonthly newsletter in 2007. The publication serves to inform Iowans of state and federal legislation and state and national issues, programs, and services of particular concern to women. In 2007, approximately 8,400 individuals and organizations received the *IoWoman* via mail or by e-mail (26.5 percent). Printing and postage of the newsletter were paid for by the Friends.

***Iowa Women's Hall of Fame Book:*** The ICSW updated the book featuring biographies of all 132 women in the Hall of Fame. It also includes updates on members.

***Referral Information on Programs to Assist Women/Minorities in Establishing and Expanding Small Business:*** The ICSW revised the publication, which lists several sources of information for those wanting to create or expand a small business.

***Other:*** In addition to the previously listed publications, the ICSW reprinted its brochure; *My Medical Records Manager*; Osteoporosis Fact Sheet; *Pregnancy Discrimination Fact*

*Sheet*; and *Sexual Harassment: It's Against the Law*. Video and audio tapes on various topics are also available for public access.

### Technology/Web Site

Contained on the site are such items as ICSW publications, including *IoWoman* newsletters; information on projects such as Women's History Month, Iowa Women's Hall of Fame and Gender-Specific Services Task Force; calendar of events; and legislation. Staff update the site on a regular basis. In 2007, the website had 50,481 visitor sessions and 493,011 web hits.

### Information/Referral

ICSW responded to calls year-round from individuals who sought help and/or information on issues related to women's rights. Contacts, including serving on task forces and committees, for the year totaled 4,480 of which 26 were unequal status/discrimination calls, 63 were from persons at-risk, 21 were for small business information, 1,106 were for information and/or referral, and 3,264 were other issues.

## PARTICIPATION

***As mandated by the Code of Iowa, the ICSW participates in many activities/events and serves on committees/task forces to represent the interests of Iowa women. The ICSW participated in the following during 2007:***

### Grant Reviews

The ICSW reviewed grant proposals from sexual assault centers for Iowa Coalition Against Sexual Assault to award education and prevention funds.

### Exhibits

In order to disseminate important information about women, the ICSW often exhibits at conferences and fairs and/or provides information to conference attendees. In 2007, the

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Commission exhibited at the Central Iowa Society for Human Resource Management Network, Des Moines; Iowa CareGivers Association Conference, West Des Moines; Iowa's Mosaic Diversity Conference, Des Moines; and Whispers & Screams, Ames.

### Public-speaking Engagements

Throughout the year, the ICSW was asked by many organizations, schools, and other interested parties to speak on issues related to women in the state. In 2007, ICSW staff spoke to the following: Central Iowa Business Breakfast, ICSW and economic issues; Des Moines Area Community College, sexual harassment; Drake University, women's issues; IowaCASA, sexual harassment; Iowa's Mosaic Diversity Conference on Flex-Options for Women; and Metro Women's Network on ICSW, data on the status of women, and pending legislation.

### Sponsorships

The ICSW sponsored two lunch and learns to discuss the ICSW legislative priorities. The ICSW hosted a legislative meet and greet breakfast. The ICSW also sponsored the Iowa's Mosaic Diversity Conference and Whispers & Screams.

### Other

**International Visitors:** The ICSW meets with worldwide women leaders through the Iowa Council for International Understanding, Iowa Resource for International Service, United States State Department, and other entities. At the meetings, exchanges are made on programs and initiatives designed to elevate the status of women. Representatives with whom the ICSW met in 2007 were from Armenia, Haiti, Hong Kong, Panama, Tajikistan, and Chile.

**National Association of Commissions for Women (NACW):** Carla Espinoza and Lori SchraderBachar attended the 2007 NACW Convention in Louisville, Kentucky. SchraderBachar, a board member, was reappointed to chair the Public Policy Committee.

**Women's Leadership Forum:** The Iowa Commission on the Status of Women coordinated a leadership forum for Region VII the U.S. D.O.L. Women's Bureau on September 14, in Davenport with sixteen women in attendance.

### Additional Attendance/Participation

American Society for Public Administration  
Better Jobs Better Care Coalition  
Board and Commission Members Orientation Session  
Certified Public Manager classes  
Chrysalis Foundation Board Advocacy Training  
Chrysalis Foundation reception for legislators, Herstory celebration, Coffee with Chrysalis, and Voices luncheon  
Department of Human Rights (DHR) Administrative Coordinating Council  
Departmental Legislative Liaisons with Governor's policy staff  
DHR Safety Committee  
DHR Staff Development Work Group  
DHR Professional Development Opportunity  
Disproportionate Minority Contact Committee  
Diversity Power Breakfast  
Domestic Abuse Death Review Team  
Drake University Innovative Leadership Conference  
Drake University Luncheon featuring Dr. Nancy Sebring and Chief Justice Marcia Ternus  
Early Childhood Diversity Conference  
FMLA Press Conference Call  
Friends of Iowa Civil Rights, Inc. board meeting  
Friends of Iowa Women Prisoners

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Friends of Iowa Women Prisoner's Scholarship Awards Committee  
FutureNet Executive and Regional Boards  
Governor's One Iowa Advocacy Day and Diversity in Higher Education Forum Planning Teams  
Governor's Summit on Workforce  
Governor Culver's budget speech and reception  
Governor Culver's bill signing of increased tobacco tax legislation  
Governor Culver's bill signing of limited interest rates on car title loans  
History Day judging  
Human Resources Enterprise Customer Council  
Inauguration of Governor Chester J. Culver and Lt. Governor Patty Judge  
ICADV Human Trafficking Summit  
Iowa CareGivers Association Press Conference  
Iowa CareGivers Conference planning meeting  
IowaCASA's 25th Anniversary Event  
Iowa Collaboration for Youth Development Steering Committee  
Iowa Human Needs Advocates  
Iowa Juvenile Home Foundation  
Iowa's Mosaic Diversity Conference and Institute  
Iowa's Mosaic Diversity Conference planning meetings  
Iowa Women Offenders Focus Group  
Junior League of Des Moines advocacy panel presentation  
Justice Reform Consortium  
Komen for the Cure event at Terrace Hill  
Mary Lousie Smith Chair Event at the Carrie Chapman Catt Center for Women and Politics at ISU: Hillary Clinton  
Math and Science Summit for High School Students at UNI  
Perkins State Plan IV Stakeholders and Special Populations Meetings  
Public Information Officers  
National Association of Commissions for Women (NACW) Board of Directors  
National Partnership for Women and Families child care webinar

Skilled Worker Shortage Legislative Interim Committee  
Uncommon Network  
United Way of Central Iowa Family Self-Sufficiency Work Group  
Unveiling of portraits of Governor Tom Vilsack, Lt. Governor Sally Pederson, and First Lady Christie Vilsack  
US Attorney's Office Task Force on Human Trafficking and Exploitive Activities  
USDA State Outreach Council  
Violence Free Workplace Training  
Way Up XXI Conference and planning meetings  
White House project  
Women and Money Conference  
Women of Excellence Banquet by Women Aware, Inc., Sioux City  
Women Helping Women Luncheon -- Des Moines Pastoral Counseling Center  
Women's Leadership Conference Steering Committee and Program Committee



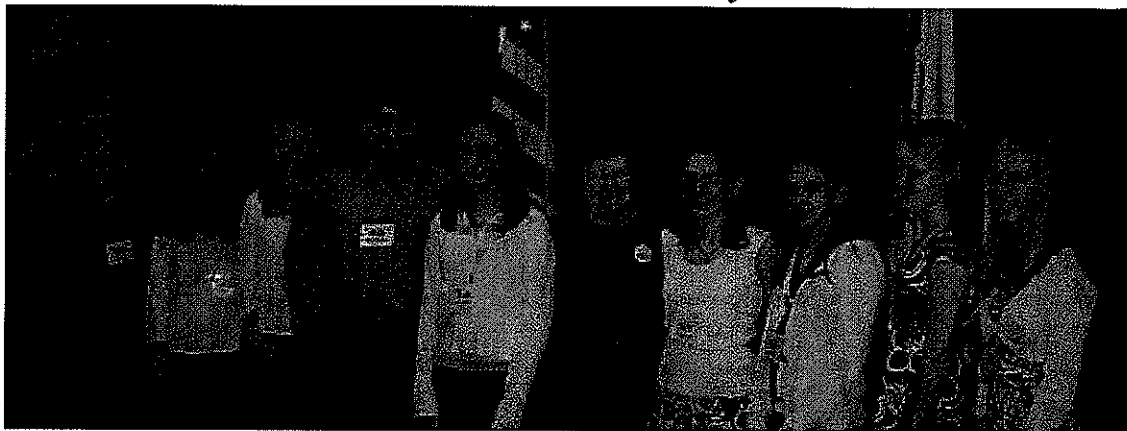
## PICTURES

### 2007 Iowa Women's Hall of Fame Inductees and Cristine Wilson Recipient



Pictured left to right: Secretary of State Michael A. Mauro, Connie Wimer, Wilson Recipient and Hall of Fame member Marilyn Murphy, Reginia Bailey and Karen Kubby accepting for Emma J. Harvat, Ruth Ann Gaines, and Hall of Fame member Dr. Lois Tiffany and Deb Lewis accepting for Dr. Ada Hayden.

### 2007 *Write Women Back Into History* Winners



## SECTION 4: Contractual Agreements

*The Iowa Commission on the Status of Women (ICSW) has contractual agreements to administer state fund appropriations to public and private nonprofit programs providing services to Iowa New Choices (displaced homemakers, single parents, and female offenders) and to administer state fund appropriations to the Iowa Coalition Against Domestic Violence (ICADV) and the Iowa Coalition Against Sexual Assault (IowaCASA) for training on issues related to domestic violence and sexual assault.*

### IOWA NEW CHOICES GRANTS

During fiscal year 2007, the ICSW administered \$92,000 in state fund appropriations -- decreased 53.5 percent from \$198,000 in FY2001 -- as grants to five public and private nonprofit programs providing services to displaced homemakers, single parents, and female offenders, formerly known as Iowans in Transition. Displaced homemakers are individuals who have worked principally in the home providing unpaid household services for family

members. They are persons who are unemployed or underemployed; have had or would have difficulty finding appropriate paid employment; and have been dependent on the income of another family member or on government assistance, and are no longer supported by that income. Programs that work with displaced homemakers, single parents, and female offenders help them deal with the trauma of their situation and prepare them for education and training toward self-sufficiency.

**Fiscal Year 2007 Iowa New Choices Grant Recipients**

Program Site	Award	Displaced Homemakers Served	Single Parents Served	Female Offenders Served	Total Number Served
<b>Boone/Carroll</b> Des Moines Area Community College	\$19,000	88	68	2	158
<b>Calmar/Dubuque</b> Northeast Iowa Community College	\$10,000	88	126	10	224
<b>Des Moines</b> Des Moines Area Community College Urban Campus	\$19,000	156	219	107	482
<b>Estherville</b> Iowa Lakes Community College	\$19,000	23	138	0	161
<b>Sioux City</b> Women Aware, Inc.	\$25,000	178	144	8	330
<b>TOTAL FY07</b>	<b>\$92,000</b>	<b>533</b>	<b>695</b>	<b>127</b>	<b>1,355</b>

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### Fiscal Year 2008 Iowans In Transition Grant Recipients

<b>Community Programs</b>	
Women Aware, Inc., Sioux City	\$23,000
<b>Community Colleges</b>	
Des Moines Area Community College, Boone/Carroll	\$18,500
Des Moines Area Community College, Des Moines	\$21,000
Iowa Lakes Community College, Estherville	\$19,500
Northeast Iowa Community College, Calmar/Dubuque	\$10,000

**Fiscal Year 2008 Grants:** The ICSW also administered \$92,000 in grants for fiscal year 2008. Applicants for the grants were accepted from freestanding entities and subgroups or special programs sponsored by a larger organization. Nine applications were received from the programs located statewide. In June, the five-member Iowa New Choices Grant Review and Selection Committee met and made grant recommendations. The committee included Mike Whitlatch, chair; Kile Beisner; Lora Kelly-Benck; Joan Kennedy; Julie Wooden; and Lori SchraderBachar, *ex officio*. Four grant proposal applications were denied due to insufficient funding.

**Iowa New Choices:** Commission staff participated in monthly conference calls with displaced homemaker and single parent coordinators and facilitated a meeting on March 26-24 regarding updates and funding issues on programs.

### VIOLENCE AGAINST WOMEN

The ICSW addresses the priority area of violence against women is done through a cooperative relationship with the Iowa Coalition Against Domestic Violence (ICADV) and the Iowa Coalition Against Sexual Assault (IowaCASA). Resources and information are shared among the offices, thereby enhancing the ICSW's ability to

carry out its responsibilities through interaction with these private, nonprofit agencies. Together, they work to strengthen efforts to prevent sexual assault and domestic violence, and to support programs that provide services to victims. The two organizations were located with the ICSW until April of 1995.

**Fiscal Year 2007 and 2008:** The ICSW administered state fund appropriations of \$13,000 to IowaCASA to provide training to the public and community professionals on issues of sexual assault. ICADV was awarded \$13,000 to provide training to the general public, criminal justice system personnel, and community professionals on issues of domestic violence.

During fiscal year 2007, IowaCASA made 29 presentations to 846 members of the general public while providing technical assistance to 434 callers. Staff also made 49 presentations to 1,213 community professionals statewide and handled 5,158 technical assistance calls.

During fiscal year 2007, ICADV made 45 presentations to 895 members of the general public while providing technical assistance to 2,755 callers. Staff also made 165 presentations to 3,420 community professionals statewide and handled 7,936 technical assistance calls. Forty-seven presentations were made to 1,430 members of the criminal justice system personnel and staff fielded 1,371 technical assistance calls in this category.

### JUVENILE JUSTICE GRANT

#### Iowa Gender-Specific Services Task Force

The ICSW renewed its intra-agency contract with the Iowa Division of Criminal and Juvenile Justice Planning (CJJP) to provide staff support to the Iowa Gender-Specific Services Task Force funded through the U.S. Department of Justice. The Coordinator for the Task Force, Kathy Nesteby, a Commission employee fulfilled the contract terms, including convening the monthly Task Force meetings. The Iowa Juvenile Justice Advisory Council developed the Task Force to contribute to CJJP's and the State Advisory Group's activities as well as make recommendations related to gender-specific services. The Task Force involves key stakeholders in Iowa's juvenile justice system, particularly service providers who want comprehensive fundamental change in the juvenile justice system that will enhance the understanding and utilization of innovative gender-responsive approaches in all programs and services, particularly those that serve the adolescent female population of Iowa's juvenile justice system. The ICSW made periodic presentations and reports to the Iowa Juvenile Justice Advisory Council on the progress of the Juvenile Justice Grant Project.

#### "Whispers and Screams" Conference

Directed by the Task Force, the ICSW coordinated the conference, *Whispers & Screams are hard to hear: Creating an audience for girls' voices, Chapter 11: Stand Up & Be Counted*, which was held May 24-25, 2007 in Ames. One hundred seventy individuals some from as far away as Ohio and Connecticut participated in the two day event. Keynote speakers were Dr. Charlotte Kasl, psychologist and certified addictions specialist from Montana

and Joe Kelly, co-founder of Dads & Daughters © in Minnesota. Kasl's keynote, "Yes You Can!" gave insight into her empowerment model for women and girls who are dealing with addiction while Kelly's session, "Being Counted Means Being Heard" offered a thoughtful look at how adults can effectively work with young women to help them become better advocates for themselves. Ninety two percent of respondents evaluated the overall content and level of information offered at the conference as good or excellent.

#### Girls' Summit

2007 marked the inaugural year of the "Girls' Summit: Status of Females in the Juvenile Justice System." Select policymakers were invited to attend the Summit in October. They heard from a variety of experts and were presented with data regarding young women in the juvenile justice system. They discussed the information they heard, drew conclusions and made recommendations about further action to be taken to address the issue of young women in the system. This event will now be held annually.

#### Girl Connection Newsletter

The *Girl Connection* newsletter continues to be produced bimonthly. During calendar year 2007, six editions of the *Girl Connection* were written and distributed electronically to nearly 700 recipients with another 200 going out by mail: February 2007: "What About The Boys? Update," April 2007: "Review: Iowa Gender Specific Services Task Force," June 2007: "Body Image and the Obesity 'Epidemic'," August 2007: "Girls' Summit," October 2007: "Executive Summary of Girls' Summit," December 2007: "Strength-Based Practice." The *Girl Connection* newsletter is circulated in 28 states, the District of Columbia and Canada.

### Other

The Task Force coordinator provided training/technical assistance in the following venues: Cedar Rapids, IA – Tanager Place; Calmar, IA – Girls on the Move Conference (for middle school girls); Des Moines, IA – Des Moines Women’s Club and Grandview college; Decat (statewide) coordinators, Ankeny, IA – Des Moines Area Community College; Iowa City, IA – University of Iowa Summer School; Tama, IA – South Tama High School (school assembly and classroom presentations). Training was also provided at statewide conferences: Iowa Caregivers Association conference, Afterschool Alliance conference, Risky Business (Ames), American Association of University Women (Marshalltown). Topics at these trainings included gender-specific programming for girls, relational aggression among young women, gender differences and male professionals working with young women. The Task Force coordinator also maintained involvement in the Disproportionate Minority Contact committee and joined FutureNet, a statewide pregnancy prevention group.

# SECTION 5: Code of Iowa

## CHAPTER 216A

### DEPARTMENT OF HUMAN RIGHTS

This chapter not enacted as a part of this title;  
transferred from chapter 601K in Code 1993

#### SUBCHAPTER 1

##### ADMINISTRATION

- 216A.1 Department of human rights.
- 216A.2 Appointment of department director and administrators.
- 216A.3 Human rights administrative-coordinating council.
- 216A.13 Organization.
- 216A.14 Commission employees.
- 216A.15 Duties.
- 216A.16 Powers.
- 216A.17 Report.
- 216A.18 through 216A.30 Reserved.

#### SUBCHAPTER 2

##### DIVISION OF LATINO AFFAIRS

- 216A.11 Definitions.
- 216A.12 Commission of Latino affairs-terms-compensation.
- 216A.13 Organization.
- 216A.14 Commission employees.
- 216A.15 Duties.
- 216A.16 Powers.
- 216A.17 Report.
- 216A.18 through 216A.30 Reserved.

#### SUBCHAPTER 3

- 216A.31 through 216A.50 Reserved.

#### SUBCHAPTER 4

##### DIVISION ON THE STATUS OF WOMEN

- 216A.51 Definitions.
- 216A.52 Commission created.
- 216A.53 Term of office.
- 216A.54 Meetings of the commission.
- 216A.55 Objectives of commission.
- 216A.56 Employees and responsibility.
- 216A.57 Duties.
- 216A.58 Additional authority.
- 216A.59 Access to information.
- 216A.60 Annual report.
- 216A.61 through 216A.70 Reserved.

#### SUBCHAPTER 5

##### DIVISION OF PERSONS WITH DISABILITIES

- 216A.71 Definitions.
- 216A.72 Commission established.
- 216A.73 Ex officio members.
- 216A.74 Membership.
- 216A.75 Term.
- 216A.76 Officers.

- 216A.77 Duties.
- 216A.78 Administrator.
- 216A.79 Gifts, grants; or donations.
- 216A.80 through 216A.90 Reserved.

#### SUBCHAPTER 6

##### DIVISION OF COMMUNITY ACTION AGENCIES

- 216A.91 Definitions.
- 216A.92 Administrator's duties.
- 216A.92A Commission established.
- 216A.92B Duties of the commission.
- 216A.93 Establishment of community action agencies.
- 216A.94 Community action agency board.
- 216A.95 Duties of board.
- 216A.96 Duties of community action agency.
- 216A.97 Administration.
- 216A.98 Audit.
- 216A.99 Allocation of financial assistance.
- 216A.100 Reserved.
- 216A.101 Emergency weatherization fund.
- 216A.102 Energy crisis fund.
- 216A.103 Iowa affordable heating program established.
- 216A.104 through 216A.110 Reserved.

#### SUBCHAPTER 7

##### DIVISION OF DEAF SERVICES

- 216A.111 Definitions.
- 216A.112 Commission created.
- 216A.113 Commission employees.
- 216A.114 Duties of commission.
- 216A.115 Powers.
- 216A.116 Report.
- 216A.117 Interpretation services account.
- 216A.118 through 216A.120 Reserved.

#### SUBCHAPTER 8

- 216A.121 through 216A.130 Reserved.

#### SUBCHAPTER 9

##### DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING

- 216A.131 Definitions.
- 216A.132 Council established-terms-compensation.
- 216A.133 Duties.
- 216A.134 Administrator.
- 216A.135 Plan and report.
- 216A.136 Statistical analysis center-access to records.
- 216A.137 Correctional policy project.
- 216A.138 Multiagency data base concerning juveniles.
- 216A.139 and 216A.140 Reserved.

## Section 5

### SUBCHAPTER 10

#### DIVISION ON THE STATUS OF AFRICAN-AMERICANS

- 216A.141 Definitions.  
216A.142 Establishment.

- 216A.143 Meetings of the commission.  
216A.144 Objectives of commission.  
216A.145 Employees and responsibility.  
216A.146 Duties.  
216A.147 Additional authority.  
216A.148 Access to information.  
216A.149 Annual report.

### SUBCHAPTER 1

#### ADMINISTRATION

##### **216A.1 Department of human rights.**

A department of human rights is created, with the following divisions:

1. Division of Latino affairs.
2. Division on the status of women.
3. Division of persons with disabilities.
4. Division of community action agencies.
5. Division of deaf services.
6. Division of criminal and juvenile justice planning.
7. Division on the status of African-Americans.

86 Acts, ch 1245, § 1201

C87, § 601K.1

87 Acts, ch 115, § 70; 88 Acts, ch 1277, § 27; 89 Acts, ch 83, § 78; 90 Acts, ch 1180, § 2; 91 Acts, ch 50, § 2; 91 Acts, ch 109, § 8

C93, § 216A.1

##### **216A.2 Appointment of department director and administrators.**

The governor shall appoint a director of the department of human rights, subject to confirmation by the senate. The department director shall serve at the pleasure of the governor. The department director shall:

1. Establish general operating policies for the department to provide general uniformity among the divisions while providing for necessary flexibility.
2. Receive budgets submitted by each commission and reconcile the budgets among the divisions. The department director shall submit a budget for the department, subject to the budget requirements pursuant to chapter 8.
3. Coordinate and supervise personnel services and shared administrative support services to assure maximum support and assistance to the divisions.
4. Identify and, with the chief administrative officers of each division, facilitate the opportunities for consolidation and efficiencies within the department.
5. In cooperation with the commissions, make recommendations to the governor regarding the appointment of the administrator of each division.
6. Serve as an ex officio member of all commissions or

councils within the department.

7. Serve as chairperson of the human rights administrative-coordinating council.

8. Evaluate each administrator, after receiving recommendations from the appropriate commissions or councils, and submit a written report of the completed evaluations to the governor and the appropriate commissions or councils, annually.

The governor shall appoint the administrators of each of the divisions subject to confirmation by the senate. Each administrator shall serve at the pleasure of the governor and is exempt from the merit systems provisions of chapter 19A. The governor shall set the salary of the division administrators within the ranges set by the general assembly.

99 Acts, ch 201, § 10, 11

Subsection 9 stricken

Unnumbered paragraph 2 amended

##### **216A.3 Human rights administrative-coordinating council.**

1. A human rights administrative coordinating council composed of nine members is created within the department of human rights. The council is composed of the director, who shall act as the chairperson of the council, and the administrators within the department.

2. The council shall meet periodically to:

- a. Identify areas where the divisions within the department might coordinate efforts or share administrative or other support functions to provide greater efficiencies in operation including, but not limited to, accounting, clerical, record keeping, and administrative support functions.
- b. Develop cooperative arrangements and shared services among the divisions to achieve greater efficiencies, and may establish contracts and agreements between or among the divisions to provide for shared services.
- c. Transfer funds within the divisions agreeing to shared services for the implementation of the contracts or agreements between divisions.
- d. Make recommendations to the governor and general assembly regarding additional consolidation and coordination that would require legislative action.
- e. Advise the department director regarding actions

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by and for the department.

f. Establish goals and objectives for the department.

86 Acts, ch 1245, § 1203

C87, § 601K.3

88 Acts, ch 1277, § 28; 90 Acts, ch 1180, § 4

C93, § 216A.3

### 216A.4 Definitions.

For purposes of this chapter, unless the context otherwise requires:

1. "Department" means the department of human rights.

2. "Department director" means the director of the department of human rights.

86 Acts, ch 1245, § 1204

C87, § 601K.4

90 Acts, ch 1180, § 5

C93, § 216A.4

**216A.5 Repeal.** Repealed by 97 Acts, ch 52, § 1.

### 216A.6 Confidentiality of individual client advocacy records.

1. For purposes of this section, unless the context otherwise requires:

a. "Advocacy services" means services in which a department staff member writes or speaks in support of a client or a client's cause or refers a person to another service to help alleviate or solve a problem.

b. "Individual client advocacy records" means those files or records which pertain to problems divulged by a client to the department or any related papers or records which are released to the department about a client for the purpose of assisting the client.

2. Information pertaining to clients receiving advocacy services shall be held confidential, including but not limited to the following:

a. Names and addresses of clients receiving advocacy services.

b. Information about a client reported on the initial advocacy intake form and all documents, information, or other material relating to the advocacy issues or to the client which could identify the client, or divulge information about the client.

c. Information concerning the social or economic conditions or circumstances of particular clients who are receiving or have received advocacy services.

d. Department or division evaluations of information about a person seeking or receiving advocacy services.

e. Medical or psychiatric data, including diagnoses and past histories of disease or disability, concerning a person seeking or receiving advocacy services.

f. Legal data, including records which represent or constitute the work product of an attorney, which are related to a person seeking or receiving advocacy services.

3. Information described in subsection 2 shall not be disclosed or used by any person or agency except for purposes of administration of advocacy services, and shall not be disclosed to or used by a person or agency outside the department except upon consent of the client as evidenced by a signed release.

4. This section does not restrict the disclosure or use of information regarding the cost, purpose, number of clients served or assisted, and results of an advocacy program administered by the department, and other general and statistical information, so long as the information does not identify particular clients or persons provided with advocacy services.

88 Acts, ch 1106, § 1

C89, § 601K.6

C93, § 216A.6

**216A.7 through 216A.10 Reserved.**

## SUBCHAPTER 4

### DIVISION ON THE STATUS OF WOMEN

#### 216A.51 Definitions.

For purposes of this subchapter, unless the context otherwise requires:

1. "Administrator" means the administrator of the division on the status of women of the department of human rights.

2. "Commission" means the commission on the status of women.

3. "Division" means the division on the status of women of the department of human rights.

86 Acts, ch 1245, § 1221

C87, § 601K.51

87 Acts, ch 115, § 2

C93, § 216A.51

#### 216A.52 Commission created.

The commission on the status of women is created, composed of thirteen members as follows:

1. Four members of the general assembly serving as ex officio nonvoting members, one to be appointed by the speaker of the house from the membership of the house, one to be appointed by the minority leader of the house from the membership of the house, one to be appointed



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by the president of the senate, after consultation with the majority leader of the senate, from the membership of the senate, and one to be appointed by the minority leader of the senate, after consultation with the president of the senate, from the membership of the senate.

2. Nine members to be appointed by the governor representing a cross section of the citizens of the state, subject to confirmation by the senate.

No more than a simple majority of the commission shall be of the same political party. The members of the commission shall elect one of its members to serve as chairperson of the commission.

86 Acts, ch 1245, § 1222

C87, § 601K.52

88 Acts, ch 1150, § 2; 90 Acts, ch 1223, § 30

C93, § 216A.52

### 216A.53 Term of office.

Four of the members appointed to the initial commission shall be designated by the governor to serve two-year terms, and five shall be designated by the governor to serve four-year terms. The legislative members of the commission shall be appointed to four-year terms of office, two of which shall expire every two years unless sooner terminated by a commission member ceasing to be a member of the general assembly. Succeeding appointments shall be for a term of four years. Vacancies in the membership shall be filled for the unexpired term in the same manner as the original appointment.

86 Acts, ch 1245, § 1223

C87, § 601K.53

88 Acts, ch 1150, § 3

C93, § 216A.53

### 216A.54 Meetings of the commission.

The commission shall meet at least six times each year, and shall hold special meetings on the call of the chairperson. The commission shall adopt rules pursuant to chapter 17A as it deems necessary for the commission and division. The members of the commission shall receive a per diem as specified in section 7E.6 and be reimbursed for actual expenses while engaged in their official duties. Legislative members of the commission shall receive payment pursuant to sections 2.10 and 2.12.

86 Acts, ch 1245, § 1224

C87, § 601K.54

88 Acts, ch 1150, § 4; 90 Acts, ch 1256, § 52

C93, § 216A.54

### 216A.55 Objectives of commission.

The commission shall study the changing needs and problems of the women of this state, and develop and recommend new programs 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. The family and the employed woman.
5. Expanded programs to help women as wives, mothers, and workers.
6. Women as citizen volunteers.
7. Education.

86 Acts, ch 1245, § 1225

C87, § 601K.55

C93, § 216A.55

### 216A.56 Employees and responsibility.

The commission shall employ other necessary employees. Pursuant to section 216A.2, the commission shall have responsibility for budgetary and personnel decisions for the commission and division. The administrator shall carry out programs and policies as determined by the commission.

86 Acts, ch 1245, § 1226

C87, § 601K.56

C93, § 216A.56

### 216A.57 Duties.

The commission shall:

1. Serve as a clearinghouse on programs and agencies operating to assist women.
2. Conduct conferences.
3. Cooperate with governmental agencies to assist them in equalizing opportunities between men and women in employment and in expanding women's rights and opportunities.
4. Serve as the central permanent agency for the development of services for women.
5. Cooperate with public and private agencies in joint efforts to study and resolve problems relating to the status of women.
6. Publish and disseminate information relating to women and develop other educational programs.
7. Provide assistance to organized efforts by communities, organizations, associations, and other groups working toward the improvement of women's status.

86 Acts, ch 1245, § 1227

C87, § 601K.57

C93, § 216A.57

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### **216A.58 Additional authority.**

The commission may:

1. Do all things necessary, proper, and expedient in accomplishing the duties listed in section 216A.57 and this section.
2. Hold hearings.
3. Enter into contracts, within the limit of funds made available, with individuals, organizations, and institutions for services furthering the objectives of the commission as listed in section 216A.55.
4. Seek advice and counsel of informed individuals, or any agricultural, industrial, professional, labor or trade association, or civic group in the accomplishment of the objectives of the commission.
5. Accept grants of money or property from the federal government or any other source, and may upon its own order use this money, property, or other resources to accomplish the objectives of the commission.

86 Acts, ch 1245, § 1228

C87, § 601K.58

C93, § 216A.58

### **216A.59 Access to information.**

The commission shall have access to all nonconfidential records, data, information, and statistics of all departments, boards, commissions, agencies, and institutions of this state, and upon terms which may be mutually agreed upon, have studies and research conducted.

86 Acts, ch 1245, § 1229

C87, § 601K.59

C93, § 216A.59

### **216A.60 Annual report.**

Not later than February 1 of each year the commission shall file a report with the governor and the general assembly of its proceedings for the previous calendar year, and may submit with the report such recommendations pertaining to its affairs as it deems desirous, including recommendations for legislative consideration and other action it deems necessary.

86 Acts, ch 1245, § 1230

C87, § 601K.60

C93, § 216A.60

**216A.61 through 216A.70** Reserved.

## SECTION 6: Iowa Administrative Code

### STATUS OF WOMEN DIVISION[435]

Created within the Human Rights Department [421] by Iowa Code section 601K.52

Prior to 7/15/87, See Status of Women [800]

#### CHAPTER 1 DESCRIPTION

- 1.1(216A) Composition
- 1.2(216A) Meetings
- 1.3(216A) Purpose

#### CHAPTER 2 DUTIES

- 2.1(216A) Information
- 2.2(216A) Authority

#### CHAPTER 3 IOWA WOMEN'S HALL OF FAME

- 3.1(216A) Purpose
- 3.2(216A) Committee
- 3.3(216A) Selections procedure
- 3.4(216A) Cristine Wilson Medal for Equality and Justice

#### CHAPTER 4 PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

- 4.1(22) Adoption by reference
- 4.2(22) Custodian of records

#### CHAPTER 5 IOWANS IN TRANSITION

- 5.1(216A) Definitions
- 5.2(216A) Program eligibility
- 5.3(216A) Proposals
- 5.4(216A) Selection of proposals
- 5.5(216A) Appeal procedure
- 5.6(216A) Program reports

#### CHAPTER 6 Reserved

#### CHAPTER 7 DECLARATORY ORDERS

- 7.1(17A) Adoption by reference

#### CHAPTER 8 PETITIONS FOR RULE MAKING

- 8.1(17A) Adoption by reference

#### CHAPTER 9 AGENCY PROCEDURE FOR RULE MAKING

- 9.1(17A) Adoption by reference

#### CHAPTER 10 WAIVER RULES

- 10.1(17A) Definition
- 10.2(17A) Scope of chapter
- 10.3(17A) Applicability
- 10.4(17A) Compliance with law
- 10.5(17A) Criteria for a waiver
- 10.6(17A) Division discretion
- 10.7(17A) Burden of persuasion
- 10.8(17A) Contents of petition
- 10.9(17A) Additional information
- 10.10(17A) Notice
- 10.11(17A) Hearing procedures
- 10.12(17A) Ruling
- 10.13(17A) Conditions
- 10.14(17A) Time for ruling
- 10.15(17A) When deemed denied
- 10.16(17A) Service of orders
- 10.17(17A) Record keeping
- 10.18(17A) Cancellation of a waiver
- 10.19(17A) Violations
- 10.20(17A) Defense
- 10.21(17A) Appeals

#### CHAPTER 1 DESCRIPTION

**435—1.1(216A) Composition.** The commission on the status of women consists of nine voting members appointed by the governor subject to confirmation by the senate; and five members serving as ex officio nonvoting members: one to be appointed by the speaker of the house from the membership of the house, one to be appointed by the minority leader of the house from the membership of the house, one to be appointed by the majority leader of the senate from the membership of the senate, one to be appointed by the minority leader of the senate from the membership of the senate, and one to be the director of the department of human rights. Commissioners are appointed to comply with Iowa Code section 69.16 regarding political affiliation and section 69.16A regarding gender balance.

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The chairperson is a commission member elected by the commission. The commission has an executive director who is the administrator of the division on the status of women, department of human rights.

**435—1.2(216A) Meetings.** The commission meets at least six times each year and, additionally, holds special meetings on the call of the chair. A majority of the membership constitutes a quorum.

**435—1.3(216A) Purpose.** The commission studies the changing needs and problems of women as wives, mothers, workers, and volunteers and develops and recommends new programs and constructive action to the governor and the general assembly. The commission has no enforcement powers. Each year the commission files a report of its proceedings with the governor and the general assembly. These rules are intended to implement Iowa Code sections 216A.51 to 216A.60.

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[Filed 6/26/87, Notice 4/8/87—published 7/15/87, effective 8/19/87]

[Filed 5/17/91, Notice 2/20/91—published 6/12/91, effective 7/17/91]

[Filed 2/25/03, Notice 11/27/02—published 3/19/03, effective 4/23/03]

### CHAPTER 2 DUTIES

**435—2.1(216A) Information.** The commission gathers and distributes information through its office in the Lucas State Office Building, Des Moines, Iowa 50319.

**435—2.2(216A) Authority.** The administrator carries out the program and policies as determined by the commission. The commission holds hearings, adopts rules, enters into contracts, accepts grants, and seeks advice and counsel outside its membership in the performance of its duties which are to:

1. Serve as the central permanent agency for the development of services for women and act as a clearinghouse on present programs and agencies that operate to assist women.
2. Publish and disseminate information relating to women, develop educational programs, and conduct conferences.
3. Provide assistance to organized efforts by communities, organizations, associations, and other groups working toward the improvement of the status of women.
4. Assist governmental agencies in equalizing and expanding opportunities and rights of women and join in efforts of public and private agencies to study and resolve problems relating to the status of women.

These rules are intended to implement Iowa Code section 216A.54.

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### CHAPTER 3 IOWA WOMEN'S HALL OF FAME

**435—3.1(216A) Purpose.** The purpose of the Iowa Women's Hall of Fame shall be to recognize significant achievements of Iowa women and to educate the public by identifying those whose efforts have enhanced and improved the quality of life for women in Iowa, the community, state, nation or world, or a particular profession or discipline.

**435—3.2(216A) Committee.** The Iowa Women's Hall of Fame committee shall consist of three commissioners, one serving as the committee chair; two public members appointed by the committee chair; and the commission chair ex officio.

**435—3.3(216A) Selections procedure.** The committee shall solicit nominations for the Iowa Women's Hall of Fame. The committee shall recommend to the commission for its approval no more than four individuals to be inducted into the Iowa Women's Hall of Fame. The committee shall plan the ceremony and reception each year for the Iowa Women's Hall of Fame.

**435—3.4(216A) Cristine Wilson Medal for Equality and Justice.** The Cristine Wilson Medal for Equality and Justice shall memorialize the efforts and accomplishments of the commission's first chairperson. The medal is awarded on an intermittent basis to persons whose work is deemed outstanding and a significant contribution to Iowa's recognition as a state characterized by equality and justice. The Iowa Women's Hall of Fame committee shall make recommendations to the commission for persons to receive this award.

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### CHAPTER 4

#### PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

**435—4.1(22) Adoption by reference.** The commission adopts by reference 421—Chapter 2, Iowa Administrative Code.

**435—4.2(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 chapters 17A and 22 and section 216A.6.

[Filed emergency 8/19/88 after Notice 5/18/88—published 9/7/88, effective 8/19/88]

### CHAPTER 5

#### IOWANS IN TRANSITION

**435—5.1(216A) Definitions.** “*Iowan in transition*” means an individual who is unemployed or underemployed, and who has had, or would apparently have, difficulty finding appropriate paid employment; and

1. Is a displaced homemaker who has worked principally in the home providing unpaid household services for family members, and is or has been

\* Dependent on the income of another family member but is no longer supported by that income, or

\* Dependent on government assistance, or

\* Supported as the parent of a minor; or

2 Is a single parent; or

3. Is a female offender, or a female who has a record of criminal offense.

**435—5.2(216A) Program eligibility.** In any year in which the legislature appropriates funds, the department of human rights division on the status of women shall provide moneys for certain selected programs to provide services to Iowans in transition. The amount of money provided shall be contingent upon the amount of funds available. Programs shall include the provision of intake, assessment, planning and personal counseling services. Only nonprofit organizations or governmental units are eligible.

**435—5.3(216A) Proposals.** Agencies wishing to apply for funding shall submit a funding proposal to the division. Proposals shall contain all the information specified in the request for proposals (RFP).

**435—5.4(216A) Selection of proposals.** The division administrator shall appoint an advisory committee of no fewer than five persons. All proposals received will be evaluated by the advisory committee and the division administrator to determine which agencies will receive grants. Agencies submitting applications for continuing programs which have demonstrated both a need and the ability to effectively operate the program will be given first consideration for funds. The division administrator shall make the final decision with respect to the expenditure of funds. The applicant may be requested to modify the proposal through the contracting process. The following factors will be considered in selecting proposals:

1. The demonstrated need for the service in the program area serviced;

2. The community support demonstrated and the relationship to existing agencies;

3. The emphasis of the plan on helping clients achieve economic self-sufficiency through education, training, and job placement in conjunction with other agencies;

4. The general program structure including, but not limited to, how well goals can be met, how realistic the objectives are, the administration of funds, stability of the organization, the overall quality in comparison to other proposals and the services offered; and

5. The plan for using the funds; funds may be used for salaries, fringe benefits, contract services, job-related travel, and operational expenses.

**435—5.5(216A) Appeal procedure.** The following appeal and hearing procedure shall be used:

1. An applicant denied assistance or who wishes to file a complaint about the Iowans in transition program has ten days from the date of denial or complaint action to submit an appeal in writing to the administrator of the division on the status of women.

2. The administrator and the advisory committee will respond with a decision within ten days of receipt of the appeal or complaint.

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**435—5.6(216A) Program reports.** Grantees shall submit program performance reports to the division on the status of women as prescribed in the contract.

These rules are intended to implement Iowa Code sections 216A.57 and 216A.58.

[Filed 5/17/91, Notice 2/20/91—published 6/12/91, effective 7/17/91]

[Filed 4/1/99, Notice 2/24/99—published 4/21/99, effective 5/26/99]

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[Filed 2/25/03, Notice 11/27/02—published 3/19/03, effective 4/23/03]

### CHAPTER 6

#### MENTOR ADVISORY BOARD

Transferred to Workforce Development Department as 345—Chapter 15 in compliance with 1996 Iowa Acts, Senate File 2409, section 16, IAC Supplement 7/17/96, effective 7/1/96.

### CHAPTER 7

#### DECLARATORY ORDERS

**435—7.1(17A) Adoption by reference.** The commission on the status of women hereby adopts the declaratory orders segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code, with the following amendments:

1. In lieu of the words “(designate agency)”, insert “division on the status of women”.
2. In lieu of the words “(designate office)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.
3. In lieu of the words “(AGENCY NAME)”, insert “DIVISION ON THE STATUS OF WOMEN”.
4. In lieu of the words “\_\_\_\_\_ days (15 or less)”, insert “10 days”.
5. In lieu of the words “\_\_\_\_\_ days” in subrule 6.3(1), insert “20 days”.
6. In lieu of the words “(designate official by full title and address)”, insert “Administrator, Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.
7. In lieu of the words “(specify office and address)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.
8. In lieu of the words “(agency name)”, insert “division on the status of women”.
9. In lieu of the words “(designate agency head)”, insert “administrator”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202.

[Filed 4/29/99, Notice 3/24/99—published 5/19/99, effective 6/23/99]

### CHAPTER 8

#### PETITIONS FOR RULE MAKING

**435—8.1(17A) Adoption by reference.** The commission on the status of women hereby adopts the petitions for rule making segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code, with the following amendments:

1. In lieu of the words “(designate office)”, insert “Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.
2. In lieu of the words “(AGENCY NAME)”, insert “DIVISION ON THE STATUS OF WOMEN”.
3. In lieu of the words “(designate official by full title and address)”, insert “Administrator, Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202.

[Filed 4/29/99, Notice 3/24/99—published 5/19/99, effective 6/23/99]

### CHAPTER 9

#### AGENCY PROCEDURE FOR RULE MAKING

**435—9.1(17A) Adoption by reference.** The commission on the status of women hereby adopts the agency procedure for rule making segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code, with the following amendments:

1. In lieu of the words “(commission, board, council, director)”, insert “administrator”.

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2. In lieu of the words "(specify time period)", insert "one year".
3. In lieu of the words "(identify office and address)", insert "Administrator, Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319".
4. In lieu of the words "(designate office and telephone number)", insert "the administrator at (515)281-4461".
5. In lieu of the words "(designate office)", insert "Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319".
6. In lieu of the words "(specify the office and address)", insert "Division on the Status of Women, Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319".
7. In lieu of the words "(agency head)", insert "administrator".

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202.

[Filed 4/29/99, Notice 3/24/99—published 5/19/99, effective 6/23/99]

### CHAPTER 10 WAIVER RULES

**435—10.1(17A) Definition.** The term "waiver" as used in this chapter means a prescribed waiver or variance from a specific rule or set of rules of this division applicable only to an identified person on the basis of the particular circumstances of that person.

**435—10.2(17A) Scope of chapter.** This chapter creates generally applicable standards and a generally applicable process for granting individual waivers from rules adopted by the division in situations when no other more specifically applicable law provides for waivers. To the extent another more specific provision of law purports to govern the issuance of a waiver from a particular rule, the more specific waiver provision shall supersede this chapter with respect to any waiver from that rule.

**435—10.3(17A) Applicability.** This chapter applies only to waivers of those division rules that are within the exclusive rule-making authority of the division. This chapter shall not apply to rules that merely define the meaning of a statute, or other provisions of law or precedent, if the division does not possess statutory authority to bind a court, to any extent, with its definition.

**435—10.4(17A) Compliance with law.** The division may not issue a waiver under this chapter unless (1) the legislature has delegated authority sufficient to justify the action; and (2) the waiver is consistent with statute and other provisions of law. No waiver may be granted under this chapter from any mandatory requirement imposed by statute.

**435—10.5(17A) Criteria for a waiver.** The division may issue an order, in response to a completed petition or on its own motion, granting a waiver from a rule adopted by the division, in whole or in part, as applied to the circumstances of a specified person, if the division finds that the waiver is consistent with rules 10.3(17A) and 10.4(17A) of this chapter, that the waiver would not prejudice the substantial legal rights of any person, and either that:

1. The application of the rule to the person at issue does not advance, to any extent, any of the purposes for the rule or set of rules; or

2. The following criteria have been met:

\*The application of the rule or set of rules to the person at issue would result in an undue hardship or injustice to that person; and

\* The waiver on the basis of the particular circumstances relative to the specified person would be consistent with the overall public interest.

In determining whether a waiver would be consistent with the public interest, the division administrator shall consider whether, if a waiver is granted, the public health, safety, and welfare will be adequately protected by other means that will ensure a result that is substantially equivalent to full compliance with the rule.

**435—10.6(17A) Division discretion.** The final decision to grant or deny a waiver shall be vested in the division administrator. This decision shall be made at the discretion of the division upon consideration of relevant facts.

**435—10.7(17A) Burden of persuasion.** The burden of persuasion shall be on the petitioner to demonstrate by clear and convincing evidence that the division should exercise its discretion to grant a waiver based upon the criteria contained in rule 10.5(17A) of this chapter.

**435—10.8(17A) Contents of petition.** A petition for a waiver shall include the following information where applicable and known to the requester:

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1. The name, address, and telephone number of the entity or person for whom a waiver is requested and the case number of any related contested case.

2. A description and citation of the specific rule or set of rules from which a waiver is requested.

3. The specific waiver requested, including a description of the precise scope and operative period for which the petitioner wants the waiver to extend.

4. The relevant facts that the petitioner believes would justify a waiver. This statement shall include a signed statement from the petitioner attesting to the accuracy of the facts represented in the petition and a statement of reasons that the petitioner believes will justify a waiver.

5. A history of any prior contacts between the petitioner and the division relating to the activity affected by the proposed waiver, including any notices of violation, contested case hearings, or investigative reports relating to the activity within the past five years.

6. Any information known to the requester relating to the division's treatment of similar cases.

7. The name, address, and telephone number of any public agency or political subdivision which also regulates the activity in question or which might be affected by the granting of a waiver.

8. The name, address, and telephone number of any person or entity that would be adversely affected by the granting of a petition.

9. The name, address, and telephone number of any person with knowledge of the relevant facts relating to the proposed waiver.

10. Signed releases of information authorizing persons with knowledge of the waiver request to furnish the division with information relevant to the waiver.

**435—10.9(17A) Additional information.** Prior to issuing an order granting or denying a waiver, the division may request additional information from the petitioner relative to the petition and surrounding circumstances. If the petition was not filed in a contested case, the division may, on its own motion or at the petitioner's request, schedule a telephonic or in-person meeting between the petitioner and a representative from the division to discuss the petition and surrounding circumstances.

**435—10.10(17A) Notice.** The division shall acknowledge the petition upon receipt. The division shall ensure that, within 30 days of the receipt of the petition, notice of the pendency of the petition and a concise summary of its contents have been provided to all persons to whom notice is required by any provision of law. In addition, the division may give notice to other persons. To accomplish this notice provision, the division may require the petitioner to serve the notice on all persons to whom notice is required by any provision of law and provide a written statement to the division attesting to the fact that notice has been provided.

**435—10.11(17A) Hearing procedures.** The provisions of Iowa Code sections 17A.10 to 17A.18A regarding contested case hearings shall apply to any petition for a waiver of a rule or set of rules filed within a contested case and shall otherwise apply to division proceedings for a waiver only when the division so provides by rule or order or is required to do so by statute or other binding law.

**435—10.12(17A) Ruling.** An order granting or denying a waiver shall be in writing and shall contain a reference to the particular person and rule or portion thereof to which the order pertains, a statement of the relevant facts and reasons upon which the action is based, and a description of the precise scope and operative time period of a waiver if one is issued.

**435—10.13(17A) Conditions.** The division may condition the granting of the waiver on such conditions that the division deems to be reasonable and appropriate in order to achieve the objectives of the particular rule in question through alternative means.

**435—10.14(17A) Time for ruling.** The division shall grant or deny a petition for a waiver as soon as practicable but, in any event, shall do so within 120 days of its receipt unless the petitioner agrees to a later date. However, if a petition is filed in a contested case, then the division may grant or deny the petition at the time the final decision in that contested case is issued.

**435—10.15(17A) When deemed denied.** Failure of the division to grant or deny a petition within the required time period shall be deemed a denial of that petition by the division. However, the division shall remain responsible for issuing an order denying a waiver as required by rule 10.12(17A).

**435—10.16(17A) Service of orders.** Within seven days of its issuance, any order issued under this chapter shall be transmitted to the petitioner or the person to whom the order pertains and to any other person entitled to such notice by any provision of the law.

**435—10.17(17A) Record keeping.** Subject to the provisions of Iowa Code section 17A.3(1) "e," the division shall



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maintain a record of all orders granting and denying waivers under this chapter. All final rulings in response to requests for waivers shall be indexed and copies distributed to members of the administrative rules review committee upon request. All final rulings shall also be available for inspection by the public at the division office during regular business hours.

**435—10.18(17A) Cancellation of a waiver.** A waiver issued by the division pursuant to this chapter may be withdrawn, canceled, or modified if, after appropriate notice and hearing, the division issues an order finding any of the following:

1. The person who was the subject of the waiver order withheld from the division or knowingly misrepresented to the division material facts relevant to the propriety or desirability of the waiver; or

2. The alternative means of ensuring that the public health, safety, and welfare will be adequately protected after issuance of the waiver order has been demonstrated to be insufficient, and no other means exists to protect the substantial legal rights of any person; or

3. The subject of the waiver order has failed to comply with all of the conditions contained in the order.

**435—10.19(17A) Violations.** A violation of a condition in a waiver order shall be treated as a violation of the particular rule for which the waiver was granted. As a result, the recipient of a waiver under this chapter who violates a condition of the waiver may be subject to the same remedies or penalties as a person who violates the rule at issue.

**435—10.20(17A) Defense.** After the division issues an order granting a waiver, the order shall constitute a defense, within the terms and the specific facts indicated therein, for the person to whom the order pertains in any proceeding in which the rule in question is sought to be invoked.

**435—10.21(17A) Appeals.** Appeals within the division from a decision granting or denying a waiver shall be in accordance with Iowa Code chapter 17A and division rules. These appeals shall be taken within 30 days of the issuance of the ruling granting or denying the waiver request, unless a different time is provided by rule or statute.

These rules are intended to implement Executive Order Number 11 and Iowa Code section 17A.9A.

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