



Civil Rights Commission
City of Cedar Rapids
Outreach & Education Committee Meeting Agenda
Monday, March 30, 2015
5:00 pm – 6:30 pm

Outreach & Education Committee Members:

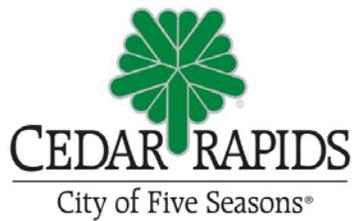
Emily Bowman, Chair
Leland Freie
Ashley Reynolds

Agenda:

- I. Call to Order
- II. Public Response
- III. Approval of Minutes
- IV. Old Business
 - 1. Outreach Report Johnny Alcivar-Zuniga 10 Minutes
Civil Rights Commission
 - 2. Neighborhood Outreach Johnny Alcivar-Zuniga
Civil Rights Commission
- V. New Business
 - 1. Civil Rights Brochures Johnny Alcivar-Zuniga 20 Minutes
Civil Rights Commission
 - 2. Open House Update LaSheila Yates
Civil Rights Commission
- VI. Training
 - 1. Train-the-Trainer Examples Johnny Alcivar-Zuniga 10 Minutes
Civil Rights Commission
 - 2. Train-the-Trainer – Fair Housing Johnny Alcivar-Zuniga 30 Minutes
Civil Rights Commission

Notice:

Any person needing visual/audio assistance or language interpretation should contact Civil Rights at 319-286-5036 at least 48 hours prior to the meeting.



City of Cedar Rapids
Civil Rights Commission
Outreach & Education Committee Meeting Minutes
Thursday, February 26, 2015
5:00 pm – 6:30 pm

Commissioners Present: Dr. Emily Bowman
Ms. Ashley Reynolds

Commissioners Absent: Ms. Tamara Cronin- Chair

Staff Present: Ms. LaSheila Yates, Executive Director
Mr. Johnny Alcivar-Zuniga, Outreach Coordinator
Ms. Alicia Abernathey, Administrative Assistant

Meeting started at 5:05 p.m.

Introductions

Public Response - No public present

Approval of Minutes – No corrections were made. The minutes stand approved.

Old Business -

1. Outreach Report

Johnny Alcivar-Zuniga presented the monthly outreach activities report showing events and trainings that were held in February. Mr. Alcivar-Zuniga explained the performance measures and what information would be used to track performance.

Ashley Reynolds asked if staff has considered using Survey Monkey to complete pre and posttests. Mr. Alcivar-Zuniga stated sometimes computer access is not available to the clientele of the training. Dr. Bowman suggested Poll Everywhere as it can be used on cell phones via text or through the internet. Mr. Alcivar-Zuniga stated staff will look into it for clientele that has access to cell phones and computers during trainings.

Dr. Bowman moved to approve the February Outreach Report. Ms. Reynolds seconded the motion, which was unanimously approved.

2. Fair Housing Advertising Update

Mr. Alcivar-Zuniga presented the Civil Rights commercial. Dr. Bowman asked if there could be a sentence in another language such as Spanish. Mr. Alcivar-Zuniga stated this commercial will only air on an English channel. Ms. Yates stated more advertising will be done next year and other languages can be incorporated.

New Business –

1. Performance Measures

Mr. Alcivar-Zuniga presented proposed performance measures which include:

- 50% of customers rating presentations and events as satisfactory or better.
- 15% of increased knowledge in customers after training.

Mr. Alcivar-Zuniga stated the recommendations will go to the full Commission in March for review and approval.

Ms. Reynolds asked if the data would be tied to actions. Mr. Alcivar-Zuniga stated his position is temporary and the data could be used in an argument for a full time position to request additional temporary positions.

Dr. Bowman requested the quote "...service as a..." quote be amended to serve "as a source..."

Dr. Bowman moved to approve the memo and staff recommendations as amended. Ms. Reynolds seconded the motion, which was unanimously approved.

Training –

1. Train-the-Trainer

Mr. Alcivar-Zuniga provided Train-the-Trainer training in regards to Know Your Rights and How to File a Complaint.

Dr. Bowman and Ms. Reynolds requested the Fair Housing training be postponed to the next Committee meeting.

Dr. Bowman moved to adjourn the meeting at 6:37 p.m. Ms. Reynolds seconded the motion, which was unanimously approved.

Respectfully submitted by Alicia Abernathey



March 2015 Monthly Outreach and Education Report

Performance Goals:

- 50% of customers rating presentations satisfactory or better.
- 15% of increased knowledge in customers after trainings.

Outcomes:

- Customers are satisfied with training programs/presentations.
- Customers increased their knowledge of civil rights and the Commission.

	Prior Month's Actuals	Year to Date
Activities:		
Number training programs/presentations requested	3	5
Number training programs/ presentations conducted	4	10
Number of attendees at training programs/ presentations	70	188
Number of request for attendance at community events	2	13
Number of community events participated in	5	20
Number of Social Media fans		
• Facebook	+15	2,248
• Twitter	+13	319
Key Performance Measure(s):		
Percent of customers rating training programs/presentations satisfactory or better	N/A	N/A
Percent of increased knowledge or understanding of Civil Rights local ordinance	N/A	N/A

Training programs/presentations requested:

- Donna the Dolphin at The Arc event – March 28th, 2015
- MOU Clientele Training events w/Catherine McAuley Center – April 17th & April 23rd, 2015



Training programs/presentations conducted:

Program/Presentation	Staff	Commissioners	Date	Attendees
• Girl Scouts Troop,4-5 grades	SMR	N/A	February 20 th	30
• Cedar Rapids City Council Public Safety and Youth Services Committee Meeting	LY	KR	March 2 nd	10
• Donna the Dolphin Events	JAA/JAZ	N/A	March 6 th	30

Attendance at community events:

Event	Staff	Commissioners	Date	Area
• CR Police and Community Relations Dialogue	LY	N/A	February 21 st	Outreach
• Gazette Writers Circle	LY	N/A	March 2 nd	Outreach
• Marion Civil Rights Commission Meet and Greet	LY/JAZ	KR/LF/LO/RT	March 4 th	Outreach
• Waypoint Knowledge Café	SMR	N/A	March 10 th	Outreach
• Des Moines Civil and Human Rights Commission 29th Annual Symposium	EM	None	March 18 th	Education



Attendance at boards, meetings, and others:

Boards/Meetings/Others	Staff	Date
• Meeting w/Second Story Promotions Rep. Carol Meier	JAZ	February 19 th
• TV Commercial Recording at CRCRC office	Staff	February 20 th
• Iowa Council on Homelessness Meeting	SMR	February 20 th
• Continuum of Care Linn County Meeting	JAZ	February 23 rd
• Waypoint Board Meeting	SMR	February 24 th
• West Side Neighborhood Group	JAZ	February 25 th
• Festival Latino – Marketing Committee Conference Call	JAZ	February 25 th
• CR Police Department Ride-A-Long	LY	February 28 th
• Immigrant Concerns Meeting at Catherine McAuley Center	JAZ	March 11 th
• Festival Latino Planning Committee Meeting	JAZ/EM	March 16 th
• United Way Board Meeting	LY	March 17 th
• Meeting w/Amperage Marketing Rep. Brian Monroe	JAZ	March 18 th

Upcoming events and opportunities:

- Landlords of Linn County Presentation – April 9th, 2015
- Oak Hill Jackson Neighborhood Association Presentation – April 13th, 2015
- Cedar Rapids Association of Realtors Presentation – April 16th, 2015

OUTREACH AND EDUCATION – ON-GOING ACTION PLAN CALENDAR

CRCRC EVENTS	PURPOSE	STAFF INVOLVED	DATE	EXPECTED OUTCOMES	STATUS
LGBTQIA+ Community Summit	<ul style="list-style-type: none"> • Broaden awareness of the rights of the LGBTQIA+ community in the Cedar Rapids and Marion areas. • Improve knowledge and access to resources and other opportunities available to the LGBTQIA+ community. • Identify gaps and needs in the LGBTQIA+ community and work towards solutions. 	Stefanie Munsterman-Robinson	September 4 th , 2014	Over 60 participants Survey results: Very Satisfied with event	<i>Completed: Successfully Conducted</i>
Latino Professional Development Institute	<ul style="list-style-type: none"> • Strengthening and Valuing Latino/a Communities in Iowa • Support Latino and Non-Latino professionals working with Latino youth, families and communities 	Lead: Elizabeth Macias Assisted: Johnny Alcívar-Zúñiga,	October 3 rd , 2014	150+ Youth and 90+ Professionals Survey results: 68% Very Satisfied	<i>Completed: Successfully Conducted</i>
Fair Housing Movie Night	<ul style="list-style-type: none"> • Jumpstart Fair Housing Media Contest momentum • Spread awareness about Fair Housing and the CRCRC in our community • Event will help to measure level of interest in November 2014 and track progress through April 2015 	Johnny Alcívar-Zúñiga Elizabeth Macias LaSheila Yates	November 6 th , 2014	24 participants and Surveys sent to registrants results-TBA	<i>Completed: Successfully Conducted</i>
“Roll of the Dice” Game Training	<ul style="list-style-type: none"> • Mt. Mercy University • Training for game facilitation to spark conversations about systematic racial and economic disproportionalities • Training CRCRC staff and MCRC commissioners 	Lead: Stefanie Munsterman-Robinson Assist.: Janet Abejo Elizabeth Macias, Johnny A.Z.	November 18 th , 2014	Training for CRCRC Staff and MCRC commissioners 75+ participants	<i>Completed: Successfully Conducted</i>

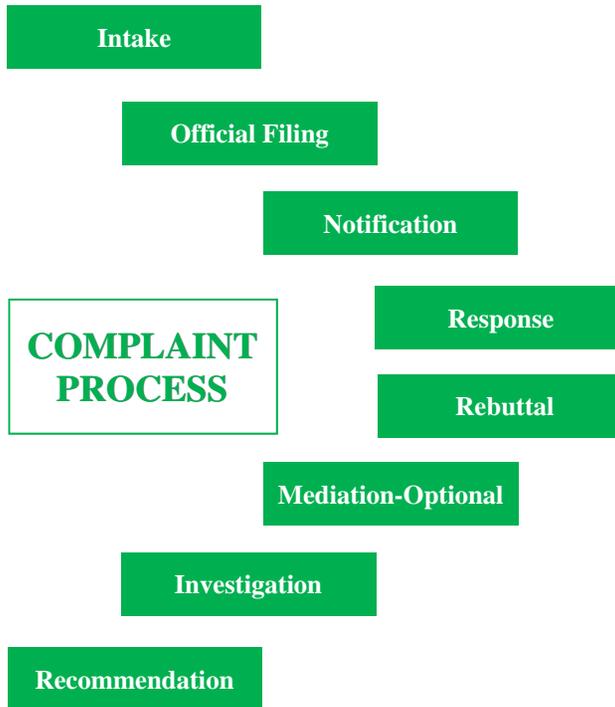
Action Plan
Education and Outreach Plan

Train-the-Trainer Program Material for Commissioners	<ul style="list-style-type: none"> • Develop training programs for commission to conduct outreach activities • Thematic trainings based on CRCRC efforts including but not limited to: Fair Housing, Know Your Rights, How to File a Complaint, etc... 	Johnny Alcívar-Zúñiga	First Training February 26 th , Second Training March 30 th	Training Materials and Guide for Trainers	<i>Ongoing</i>
Fair Housing Media Contest Awards Ceremony	<ul style="list-style-type: none"> • To spread awareness of Fair Housing in Cedar Rapids and Marion • Educate community about importance of Civil Rights and Fair Housing 	Johnny Alcívar-Zúñiga	Awards ceremony takes place on April 30 th , 2015	Participants for each contest aim: 30 minimum	<i>Ongoing</i>
Outreach Events and Trainings	<ul style="list-style-type: none"> • New opportunities per month • Ongoing trainings and events to promote outreach and education (including MOUs) • CRCRC and Fair Housing Presentations, Donna/Donald the Dolphin at Schools, Trainings 	Lead: Johnny Alcívar-Zúñiga Assist: CRCRC Staff and Commissioners	Continuous as opportunities arise	Training community members and youth + meet performance standards Aim: 250+	<i>Ongoing</i>
Neighborhood Association Trainings	<ul style="list-style-type: none"> • Attend Neighborhood Association meetings for educational purposes • Present information regarding the role of the CRCRC, Fair Housing, and the anti-discrimination laws that exist in our communities 	Johnny Alcívar-Zúñiga Commissioners	Late Spring and Summer, 2015	Participation in N.A. meetings: Aim 5+ meetings	<i>Starting April 13th</i>
Outreach Plan 15-16	<ul style="list-style-type: none"> • Begin work on plan for upcoming year 	Johnny Alcívar-Zúñiga	Summer, 2015	Based on 14-15 Plan	<i>Preliminary stage</i>
“Roll of the Dice” Game	<ul style="list-style-type: none"> • Marion CRC event 	Johnny Alcívar-Zúñiga, CRCRC Staff	TBA, Fall 2015	Event for the City of Marion	<i>Awaiting FY2015</i>

Accomplished events

IMPORTANT TO REMEMBER:

- There is no cost for our services.
- We do not represent any of the parties in the complaint.
- We are a neutral, fact-finding agency
- We do not give legal advice to either party.
- A formal complaint must be filed within 300 calendar days of when the last incident took place for employment, public accommodation, education or credit cases.
- A formal complaint must be filed within one year when the last incident took place for housing cases.
- The incident must have occurred in Cedar Rapids or Marion.
- The Commission does not investigate complaints against the City of Cedar Rapids.
- The complaint must be on file for 60 days before the complainant can request the right to sue from the Iowa Civil Rights Commission.
 - This allows for the complainant to take the case to private court with a private attorney.
 - If such a request is made and granted, the case will be closed by our agency.



Cedar Rapids Civil Rights Commission

50 2nd Avenue Bridge, 7th Floor

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[Twitter.com/CRCivilRights](https://twitter.com/CRCivilRights)



Civil Rights Commission



OVERVIEW OF THE COMPLAINT PROCESS

OVERVIEW OF THE COMPLAINT PROCESS

Step 1 - Fill out an Intake Form

- Important information to include:
 - The exact or approximate date(s) of the event(s) of discrimination.
 - A detailed explanation of the event(s).
 - Names and titles of involved parties.
 - Copies of all relating documents and all witness information.

Step 2 - Official Filing

- The completed Intake Form will be reviewed to determine jurisdiction.
- The Civil Rights office will complete an official Charge Form.
- Once this is ready, you will be contacted and you are required to sign the Charge before you can formally file the complaint.
- It is your responsibility to ensure all information is correct before signing.

Step 3 - Notification

- Notification of the formal complaint will be sent by certified mail, within 10 business days to the following:
 - the person filing the claim (complainant).
 - person(s) against whom the complaint was filed (respondent).
 - A copy of the complaint will be included with the letter of notification.

Step 4 - Response

- Each respondent must file a formal response to the complaint.
- They will have approximately two weeks to file their response, with documentation.
- A reasonable extension may be granted upon request.

Step 5 - Rebuttal

- Once the Civil Rights Office receives a response, the complainant will receive a redacted copy.
- The complainant will have approximately two weeks to submit a rebuttal.
- A reasonable extension may be granted upon request.

Step 6 - Mediation (Optional)

- Mediation is an informal, flexible, and voluntary process.
- Mediation is an alternative dispute resolution where both parties sit down with a trained, neutral mediator who will facilitate the process towards resolution. Parties jointly explore common interests and reconcile differences.
- This is a confidential process. None of the information provided may be shared, discussed or used outside of the process.

Step 7 - Investigation

- Please, keep in mind that investigators are assigned multiple cases and there are several steps to complete before a case is assigned to an investigator.
- Investigators will be in contact with the complainant and respondent.
- Data requests will be sent to the complainant and respondent.
- Interviews will be conducted with the complainant, respondent and witnesses.
- An on-site investigation will be scheduled as needed.

Step 8 - Recommendation

- The investigator will write up the case analysis and recommended finding.
- The case analysis will then be submitted to the Executive Director for review and approval.
- Once approved, the case analysis is submitted to a Civil Rights Commissioner for review and response.
- Depending on the recommended finding the case will either be closed or moved to conciliation.
- If the case is closed the complainant will have 10 days to appeal the decision. New facts must be submitted as part of the appeal.



Protected Classes

The alleged discriminatory or unfair treatment must be based on one (or more) of the following:

- ◆ Age: 18+ (Parents/guardians may file on behalf of their minor children)
- ◆ Association with a person of a protected class
- ◆ Color
- ◆ Creed
- ◆ Familial Status: includes the presence of a child under 18 in the household.
- ◆ Gender identity
- ◆ Marital Status
- ◆ Mental Disability
- ◆ National Origin
- ◆ Physical Disability
- ◆ Race
- ◆ Religion
- ◆ Retaliation: For participation in a protected activity (i.e., filing a complaint)
- ◆ Sex (Gender)
- ◆ Sexual Orientation: Real or Perceived
- ◆ Lawful Source of Income (*Marion Only*)



What Should I Do if I Experience Discrimination?

Contact The Cedar Rapids Civil Rights Commission to File a Complaint.

Act Quickly

- ◆ If you wait too long, you may not be able to file a complaint. (See “Important to Remember”)
- ◆ The longer you wait, the harder it is to prove your case. Over time, witnesses may forget important details and essential documents may be lost.

Document Your Situation

- ◆ Keep detailed notes about every negative action taken against you. Write down exactly what was said and done, the dates, times and people involved.
- ◆ A complete list of the names, addresses and phone numbers of witnesses can also support your case if you file a discrimination complaint.

Keep Records

- ◆ Keep all documents related to your situation. These may include letters exchanged, voice mail messages, lease agreements, and employment notices.
- ◆ Without your full cooperation, your discrimination complaint may be hard to prove.
- ◆ Keep in mind, as the person filing the complaint, the burden of proof is on you.

KNOW YOUR RIGHTS

*WHAT TO DO
IF YOU
EXPERIENCE
DISCRIMINATION*



Civil Rights Commission

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What We Do

The Cedar Rapids Civil Rights Commission is a resource if you feel you were discriminated against in the area of housing, employment, public accommodation, education or credit.

If you feel you were treated differently based on your protected class, contact the Cedar Rapids Civil Rights Commission.

Areas of Coverage

The discrimination must have occurred in one of the following areas:

Housing

- ◆ Refuse to rent, sell or negotiate to rent or sell.
- ◆ Discriminate in the terms or conditions of a rental or sale.
- ◆ Refuse reasonable accommodations for persons with a disability.
- ◆ Make, print or publish any notice, statement or advertisement that indicates any preference, limitation or discrimination.
- ◆ Indicate a housing unit is not available for inspection, sale, or rental when it actually is available.
- ◆ Fail to construct new multi-family dwellings in accordance with accessibility requirements.

- ◆ *Example: I applied to rent a house and noted that I have two children under 18. The owner said the unit was no longer available, but when my friend called and told them he didn't have kids they said the property was still available.*

Employment

- ◆ Hiring: recruiting, accepting, registering, classifying, referring or discharging.
- ◆ Membership in labor organizations.
- ◆ Advertising/publicizing an individual's characteristics.
- ◆ *Example: I believe I was fired because of my age. Younger co-workers with less experience and worse performance were not terminated.*

Public Accommodation

- ◆ Providing services: dispositions, financial aid or benefits (includes providing them in a different manner than the general public).
- ◆ Subjecting individuals to segregation.
- ◆ Determining admission, membership or eligibility.
- ◆ *Example: You utilize a wheelchair and there is no accessible entry available at a restaurant.*

Education

- ◆ Includes all grade levels and their governing bodies. Includes the denial of benefits and discrimination in any academic, extracurricular activities, research, training or activities.
- ◆ Denial of opportunities in intramural and

interscholastic athletic programs.

- ◆ *Example: I have a child who has a disability that affects his reading comprehension. I requested a reasonable accommodation to have more test time and it was denied.*

Credit

- ◆ Entering into credit transactions.
- ◆ Terms and conditions: finance charges (higher interest rates than general public).
- ◆ Offering of credit insurance (includes life, health and accident).
- ◆ *Example: My co-worker and I applied for a similar loan and have similar qualifications. She is White and I am African American. She received a lower rate for her loan than me.*

Important to Remember

- ◆ An incident must have occurred:
 - In the city of Cedar Rapids or Marion.
 - In the past **300 days** for education, employment, credit, or public accommodation.
 - In the past **one year** for housing.
- ◆ We do not advocate on behalf of either party or provide any legal advice.
- ◆ The Commission does not investigate complaints against the City of Cedar Rapids.



Scenarios

- I am African American. In July 2010, I applied for a loan at the bank to buy a house. The loan officer reviewed my application and credit report, and then told me I did not qualify for their lowest interest rate. The loan officer told me I qualified for a loan, but at a higher rate. After I signed the loan paperwork, on August 1, 2010, I learned of another person, not African American, whose financial situation is no better than mine, qualified for the lower rate. I believe the loan officer and the bank refused to give me the lower rate because of my race.
- I am disabled. My doctor stated it would be therapeutic if I kept a companion animal. I presented a note from my doctor to the apartment manager and asked that their "no pets" rule be waived as a reasonable accommodation for my disability. The manager refused, and stated that they do not allow pets of any kind. I believe I was discriminated against due to my disability.



Scenarios

- I applied to rent a house. I have two children under the age of 18. The owner took my application and said he would get back to me. He never called me so I called him back. He said the house was rented so I had a friend call the owner. The owner asked my friend if she has any children. She replied, "No." The owner told my friend that the house was still available. I believe that I was refused rental because of my familial status.



EQUAL HOUSING
OPPORTUNITY

Have Any Questions?

Contact Us!



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Civil Rights Commission



Your Fair Housing Rights



Your Fair Housing Rights



AM I PROTECTED?

Everyone has the right to Fair Housing. It is unlawful to discriminate in housing based on a person's membership in one or more of the following protected classes:

- Age: 18+(Parents/guardians may file on behalf of their minor children)
- Association with a protected class
- Color
- Creed
- Familial Status: includes the presence of a child under the age of 18 in the household.
- Gender Identity
- Marital Status
- Mental Disability
- National Origin: Country of origin, ethnicity or accent.
- Physical Disability
- Race
- Religion
- Sex /Gender
- Sexual Orientation: Real or Perceived
- Retaliation: For participation in a protected activity (i.e., filing a complaint)
- Lawful Source of Income (Marion only)

DISCRIMINATORY PRACTICES

Based on someone's protected class, it is unlawful to:

- Refuse to rent, sell, or negotiate for rent or sale.
- Discriminate against a person in the terms or conditions of a sale or rental.
- Make, print, or publish any notice, statement, or advertisement that indicates any preference, limitation, or discrimination.
- Indicate a housing unit is not available for inspection, sale, or rental when it actually is available.
- Steer individuals toward or away from specific properties or neighborhoods.
- Refuse reasonable accommodations for persons with disabilities.
- Fail to construct new multifamily housing units in accordance with accessibility requirements.



WHAT CAN I DO?

If you feel you have been subject to a discriminatory housing practice in Cedar Rapids or Marion, you may file a complaint with the Cedar Rapids Civil Rights Commission.

The following jurisdictional requirements must be met for us to investigate the claim:

- * The claim must be filed within **the last year** of the alleged discriminatory incident.
- * The incident must have occurred within Cedar Rapids or Marion city limits.
- * The incident must have been based on at least one protected class status.



IMPORTANT TO REMEMBER

- We are a neutral, fact-finding agency.
- We do not advocate on behalf of either party or provide any legal advice.
- There is no fee to file a complaint.
- Legal representation is not required, though you may seek it.

Why Mediate?



- ◆ **Free**
Available at no cost to the parties.
- ◆ **Fair and neutral**
Parties have an equal say in the process and they, not the mediator, decide the terms of the settlement. There is no determination of guilt or innocence in the process.
- ◆ **Saves time and money**
Mediation usually occurs early in the charge process, and many mediations are completed in one meeting.
- ◆ **Confidential**
All parties sign a confidentiality agreement. Information disclosed during mediation will not be revealed to anyone, including investigative or legal staff.
- ◆ **Avoids litigation**
Costs less than a lawsuit and avoids the uncertainty of a judicial outcome.
- ◆ **Design your own solution**
A neutral third party assists the parties in reaching a voluntary and mutually beneficial resolution.



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Civil Rights Commission

Mediation



Fair

Free

Confidential

What is mediation?

- ◆ Mediation is an alternative to the traditional investigative and litigation processes.
- ◆ It is an informal process in which a trained mediator assists the parties to reach a negotiated resolution of a charge of discrimination.



How does it work?

- ◆ All parties with open cases with the Cedar Rapids Civil Rights Commission may request mediation.
- ◆ If both parties agree, the mediation is scheduled.
- ◆ If the complaint is resolved during mediation, a settlement agreement is created and signed by both parties. The case will then be closed within our agency.
- ◆ If the complaint is not resolved during mediation, the case will return to the investigation process.
- ◆ You can hire an attorney to help you through this process, but it is not required.

How soon can mediation occur?

- ◆ Mediation can be scheduled after the initial position statement has been provided by the respondent.

Who should attend the mediation

- ◆ All parties to the charge should attend.
- ◆ To insure success of the mediation it is imperative that all parties and decision-makers be present and participate in the process.
- ◆ Representatives should have FULL authority to settle.

How to prepare for mediation

- ◆ Determine ideas for settlement.
- ◆ Be prepared to discuss the issues with the mind-frame of moving towards a resolution.
- ◆ Keep an open mind.

Who is the mediator?

- ◆ Only mediators who are experienced and trained in mediation and the law are assigned to mediate.
- ◆ The CRCRC has trained mediators on staff.
- ◆ All mediators are neutral unbiased professionals with no stake in the outcome of the mediation process.
- ◆ The mediator does not decide who is right or wrong and has no authority to impose a settlement on the parties.
- ◆ The mediator helps the parties to jointly explore and reconcile their differences.

What is the role of the complainant and respondent?

- ◆ Approach mediation in good faith and with an open mind with realistic expectations regarding the possible outcome of your case.
- ◆ Be respectful and willing to listen to all sides of the story.
- ◆ Participate and actively attempt to settle the dispute with the assistance of the mediator.



The day of the mediation

Each mediator will conduct a mediation slightly differently, but mediations usually follow this structure:

- ◆ The mediation begins with an introduction with a joint session attended by all participants.
- ◆ The procedure is clarified.
- ◆ The Confidentiality Agreement is signed.
- ◆ You should be prepared to summarize your position during that session.
- ◆ Please remember, the goal is not to prove your case, but to clarify your views and educate the mediator and other parties.
- ◆ Statements should be non-antagonistic and designed to share important information that could lead to compromise.
- ◆ These opening summaries should only last 5-7 minutes.

How long does the process take?

- ◆ Mediations usually last for approximately 3-4 hours.
- ◆ This may vary depending on the facts of the case.

Who is Protected?

To be protected by the Cedar Rapids Ordinance and the Fair Housing Act regarding service or companion animals, three criteria must be met:

1. Person must have a disability.
2. Animal must serve a function directly related to the person's disability.
3. Request must be reasonable.

Disability Defined

- An individual who has a physical or mental impairment that substantially limits one or more major life activities, or;
- Has a record of an impairment, or;
- Is regarded as having an impairment (regardless of whether that perception is accurate).

Service Animals

Service animals perform a wide variety of tasks for people with disabilities.

Examples:

- Alerting a person with hearing impairment to noises such as alarms, doorbells, a baby crying, etc.
- Assisting wheelchair users by retrieving dropped items, opening doors, pulling a wheelchair, or carrying supplies.
- Sensing and warning about a person's oncoming seizure.
- Providing assistance with balance.

The Fair Housing Act recognizes that service or companion animals are necessary for the individuals with disabilities who have them, and does not categorize service animals as “pets”. These animals cannot be subjected to “pet rules”.

Companion Animals

Companion animals, also referred to as assistive, emotional support, or therapeutic animals, assist individuals with disabilities in their daily living to overcome limitations and barriers in their environment.

A service or companion animal is *not* a pet. It is unlawful to require any additional deposits or monthly fees.



Reasonable Accommodation

The Fair Housing Act requires that owners and landlords provide *reasonable accommodations* to persons with disabilities.

These refer to changes in rules, policies, practices, and services which are necessary to permit persons with disabilities to use and enjoy their housing units.

Tenants

Individuals with disabilities may request other reasonable accommodations regarding their service or companion animals.

For example, a person with a mobility impairment may find it difficult to walk a service/companion dog. Tenant and landlord might work together to identify a mutually agreeable, and accessible, area of the property on which the dog can relieve itself.

It is the responsibility of the person with the disability to request any reasonable accommodations necessary for tenancy.

Tenant Responsibilities

The tenant is responsible for the actions of his/her animal and can be held accountable for any damage to property. Additionally, the tenant must comply with established policies such as cleanliness and maintenance of the unit, as well as leash requirements and noise guidelines.

Housing Providers

It is legal for housing providers to inquire about any individual's ability to meet the requirements of ownership or tenancy when the same inquiries are made of all applicants, whether or not they have disabilities.

*For service and companion animals housing providers **cannot**:*

- Impose breed, size, or weight restrictions of a pet rule.
- Exclude from areas where people are generally welcome, or access restrictions to only a particular door or elevator.
- Require special tags, equipment, certification, or special identification.

A housing provider is obligated to attempt resolution of the problem before eviction proceedings are initiated.

The Act does not specifically limit the number of service or companion animals an individual with a disability may have. Requests for multiple animals may be reviewed on a case-by-case basis.

Documentation Requests

Housing providers **can ask** an applicant or tenant to provide documentation from a qualified professional that the individual has a disability and requires a Service or Companion Animal as a reasonable accommodation.

Housing providers **can not ask** an applicant or tenant to provide:

- Any details about the applicant's/tenant's disability.
- Medical records.
- Proof of training (such as a training certificate).

Qualified Professionals may include a doctor, social worker, counselor, therapist, psychiatrist.

Complaints and Damages

Individuals with disabilities are solely responsible for the conduct of their service or companion animals, and housing providers may have recourse available if the tenant fails to satisfy this obligation.

For example:

- A housing provider may require payment for damages (such as chewed carpeting).
- Insist that the animal be prevented from repeated barking that disturbs neighbors.

Complaints about a service or companion animal must be substantiated and not based on speculation.



If you feel that you have been discriminated against or would like more information, contact the Cedar Rapids Civil Rights Commission.



Guide to Service and Companion Animals



50 Second Avenue Bridge, 7th Floor
Cedar Rapids, IA 52401
Phone: (319) 286-5036
Fax: (319) 286-5136
Email: CivilRights@cedar-rapids.org
www.cedar-rapids.org/CivilRights
[Facebook.com/Cedar.Rights](https://www.facebook.com/Cedar.Rights)
[Twitter.com/CRCivilRights](https://twitter.com/CRCivilRights)



Civil Rights Commission

Scenarios within the Protected Areas from the Iowa Civil Rights Commission

Employment:

A. I was terminated by John Doe, my supervisor, on November 15, 2010. I believe I was fired because of my age. I am 67 years old. Younger co-workers who had less experience and inferior work records were retained.

B. Since my date of hire, June 12, 2001, I have been harassed by Jane Doe, a supervisor, because of my race. She calls me names and criticizes my work constantly. He treats me very differently from my white co-workers. I am African American. I believe he is treating me differently because of my race.

C. On October 25, 2009, I applied for a sales position at the organization's downtown location. I was qualified for the position. I am Latino. I had 10 years of experience. A non-Latino with no experience was selected over me. The organization has approximately 35 sales persons. Only 1 is Latino. I believe my national origin was a factor in the organization's decision not to hire me.

D. On July 31, 2010, I learned that I was being paid less than my heterosexual co-workers. I started working at the organization on July 1, 2007. I make \$10.00 per hour. My co-workers make \$11.50 per hour. We all do the same job. We have the same duties. I am homosexual. I believe that I am being paid less because of my sexual orientation.

E. I injured my back on the job. I was off work for four weeks. My doctor released me to return to work with a 30 pound lifting restriction. The Organization refused to allow me to return to work unless I was 100% with no restrictions. On May 2, 2010, the Organization refused to accommodate my disability restriction with light duty even though there were jobs I could perform.

F. I am pregnant. On September 29, 2010, I gave my boss a letter from my doctor that stated I could not lift more than 20 lbs. because of my pregnancy. My boss said the company would not accommodate my restriction. My boss said the company does not accommodate restrictions or limitations caused by non-work related temporary health conditions. I believe the company could have accommodated my restriction without causing an undue hardship.

G. I am female. Since I started working for my current employer, my supervisor has made comments about my looks, has touched me inappropriately and has indicated that my career could really go places with the company if I would have an affair with him. I complained to the owner of the company but nothing happened and he did not stop. I believe I am being sexually harassed because I am female.

Public Accommodation:

A. On November 15, 2010, I went to the department store to return a shirt I had previously purchased. I handed the receipt to the clerk who told me the store "does not do returns." However, the person in front of me returned merchandise without any receipt. That person was white. I am African American. I believe I was discriminated against because of my race.

B. On January 8, 2011, I pulled into the store's parking lot. I parked behind another car. Police drove by and asked the driver of the car in front of me to move. The police then approached my car and gave me a ticket for parking in a no parking zone. I'm Latino, I believe my national origin was a factor in being ticketed.

Housing:

A. I applied to rent a house on May 15, 2010. I have two children under the age of 18. The owner took my application and said he would get back to me. He never called me so I called him back. He said the house was rented so I had a friend call the owner. The owner asked my friend if she has any children. She replied, "No." The owner told my friend that the house was still available. I believe that I was refused rental because of my familial status (presence of children).

B. I am disabled. My doctor stated it would be therapeutic and beneficial if I kept a companionship pet such as a cat. On June 26, 2010, I presented a note from my doctor to the apartment manager and asked that their "no pets" rule be waived as a reasonable accommodation for my disability. The manager refused, and stated that they do not allow pets of any kind. I believe I was discriminated against due to my disability.

C. I am African American. I moved into this rental property in August 2008. I received an eviction notice from the management on January 23, 2011 stating that my tenancy was being terminated for violating the rules. I have seen white tenants violate the rules but their tenancy is not terminated. I believe the management is attempting to terminate my tenancy due to my race.

D. I am African American. In early-July 2010, I applied for a loan at the bank to buy a house. The loan officer reviewed my application and credit report, and then told me I did not qualify for their lowest interest rate. The loan officer told me I qualified for a loan, but at a higher rate. After I signed the loan paperwork, on August 1, 2010, I learned of another person, not African American, whose financial situation is no better than mine, who qualified for the lower rate. I believe the loan officer and the bank refused to give me the lower rate because of my race.

Education:

A. I am the parent of a twelve-year-old boy. Other boys in his class at school have been harassing him by calling him names and pushing him around. On September 10, 2010, I reported the other boys' conduct to my son's teacher and the school principal. I expected them to stop the harassment. They did not. The harassment has continued and escalated. I know of other parents who have made complaints that the school acted on promptly. I believe the school failed to act on my complaint because my son and I are Muslim.

B. I have a disability which hinders the speed at which I read and comprehend information. Prior to taking the first exam for one of my college courses, I requested a reasonable accommodation of additional time to take the exam. My request was denied. I subsequently failed the exam. I believe I was discriminated against due to my disability.

Credit:

A. My bank advertised personal loans at 4.5% interest. A co-worker and myself both applied for \$5,000 loans. I am Latino, and my co-worker is white. We both earn about the same amount. We both have been with the company the same amount of time. My credit is good. My co-worker filed for bankruptcy six years ago. We both were approved for a loan, but my co-worker got his loan at 4.5 % and I got my loan at 6%. I believe I was discriminated against due to my national origin.

Reference

Iowa Civil Rights Commission. *Complaint Form*. <https://icrc.iowa.gov/forms/complaint-form>