

# **LSC Greenbook**

**Analysis of the Enacted Budget**

**Ohio Civil Rights Commission**

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# TABLE OF CONTENTS

<b>OVERVIEW</b> .....	<b>1</b>
Duties and Responsibilities.....	1
Appropriation Overview .....	1
Staffing Levels.....	2
Ohio Civil Rights Law Amendments.....	2
<b>ANALYSIS OF ENACTED BUDGET</b> .....	<b>3</b>
Operating Expenses (GRF line item 876321).....	3
Operations Support (GSF line item 876604) .....	3
Federal Programs (FED line item 876601).....	4

**ATTACHMENT:**

Budget Spreadsheet By Line Item

# Ohio Civil Rights Commission

- Biennial funding drops 22%
- Reduction in force continues
- Federal funding exceeds 40%

## OVERVIEW

### Duties and Responsibilities

The Ohio Civil Rights Commission is charged with enforcing Chapter 4112. of the Revised Code, which prohibits discrimination in the following areas:

- Employment on the basis of race, color, sex, religion, national origin, age, ancestry, or disability;
- Places of public accommodation on the basis of race, color, sex, religion, national origin, age, ancestry, or disability;
- Housing on the basis of race, color, sex, religion, national origin, ancestry, disability, or familial status;
- Granting of credit on the basis of race, color, sex, religion, national origin, age, ancestry, disability, or marital status;
- Higher education on the basis of disability.

The Commission was established in 1959 with the enactment of Am. S.B. 10 of the 103rd General Assembly. Before being renamed the Ohio Civil Rights Commission in 1961, the agency was originally known as the Fair Employment Practices Commission.

### Appropriation Overview

Table 1 below summarizes the Commission's budget by fund group.

Fund Group	FY 2009*	FY 2010	% change, FY 2009-FY 2010	FY 2011	% change, FY 2010-FY 2011
General Revenue	\$5,758,066	\$4,897,185	-15.0%	\$4,897,185	0.0%
General Services	\$42,511	\$8,000	-81.2%	\$8,000	0.0%
Federal Special Revenue	\$4,898,343	\$3,876,500	-20.9%	\$3,281,500	-15.4%
<b>TOTALS</b>	<b>\$10,698,919</b>	<b>\$8,781,685</b>	<b>-17.9%</b>	<b>\$8,186,685</b>	<b>-6.8%</b>

\*Actual expenditures in FY 2009.

Most notable in comparison to the Commission's FY 2009 expenditures are the decreases in the amount of GRF and federal funding appropriated to pay for its annual operating expenses in each of FYs 2010 and 2011. Moneys appropriated from the GRF will provide approximately 60% of the Commission's funding. Virtually all of the remaining funding (about 40%) will be drawn from reimbursement contract payments received from two federal agencies: the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD).

### Staffing Levels

As can be seen in Table 2 below, as a result of budget reductions and various related actions taken to cut operating costs, the Commission's number of full-time equivalent (FTE) staff positions has declined annually. The Commission has made earlier staff reductions through a variety of mechanisms, including abolishing positions, implementing an early retirement incentive plan, downsizing by attrition, and ending the practice of using college interns. Based on the reduced funding levels in the FY 2010-FY 2011 biennial budget, the Commission plans to cut roughly two dozen FTEs (from 119 to 97), and anticipates that it may need to make further staffing cuts in order to decrease operating expenses.<sup>1</sup>

Table 2. Commission Staffing Levels, FYs 2002-2011*									
2002	2003	2004	2005	2006	2007	2008	2009	2010	2011*
179	162	154	147	140	142	124	119	97	TBD

\*These staffing levels are expressed in terms of full-time equivalents (FTEs). The number of FY 2010 FTEs is an estimate; the number of FY 2011 FTEs has yet to be determined (TBD).

### Ohio Civil Rights Law Amendments

The budget amends existing Ohio Civil Rights Law, largely for the purpose of bringing Ohio Fair Housing Law into compliance with federal law and thereby reducing the risk posed for the funding that the Commission receives from the federal Department of Housing and Urban Development (HUD). The Commission receives approximately \$1.2 million per year from HUD.

<sup>1</sup> The Commission indicated that the decision to reduce its staff to 97 FTEs was based on the executive recommended GRF appropriation of approximately \$5.4 million in each of FYs 2010 and 2011. The Commission's enacted annual GRF appropriation is roughly \$500,000 less than the executive recommended GRF appropriation in each fiscal year and, as such, will likely be inclined to further reduce staff to a level not yet determined.

## ANALYSIS OF ENACTED BUDGET

This section provides an analysis of each line item in the Commission's budget, followed by a description of the services and activities that it delivers with those appropriated moneys. Table 3 below shows the enacted annual appropriation for each line item.

<b>Table 3. Appropriations for the Civil Rights Commission</b>				
<b>Fund</b>	<b>ALI and Name</b>		<b>FY 2010</b>	<b>FY 2011</b>
<b>General Revenue Fund (GRF)</b>				
GRF	876321	Operating Expenses	\$4,897,185	\$4,897,185
<b>General Services Fund (GSF)</b>				
2170	876604	Operations Support	\$8,000	\$8,000
<b>Federal Special Revenue Fund (FED)</b>				
3340	876601	Federal Programs	\$3,876,500	\$3,281,500
<b>Total Funding: Civil Rights Commission</b>			<b>\$8,781,685</b>	<b>\$8,186,685</b>

### Operating Expenses (GRF line item 876321)

This GRF line item provides in the range of 55%-60% of the funding for the Commission's annual operating expenses associated with payroll, personal services, maintenance, and equipment purchases. The budget provides this line item with an appropriation of \$4,897,185 in each of FYs 2010 and 2011, a 15.0% decrease from its FY 2009 total GRF expenditure of \$5,758,066. With these reduced funding amounts, the Commission will not be able to maintain its FY 2009 staffing and service levels.

### Operations Support (GSF line item 876604)

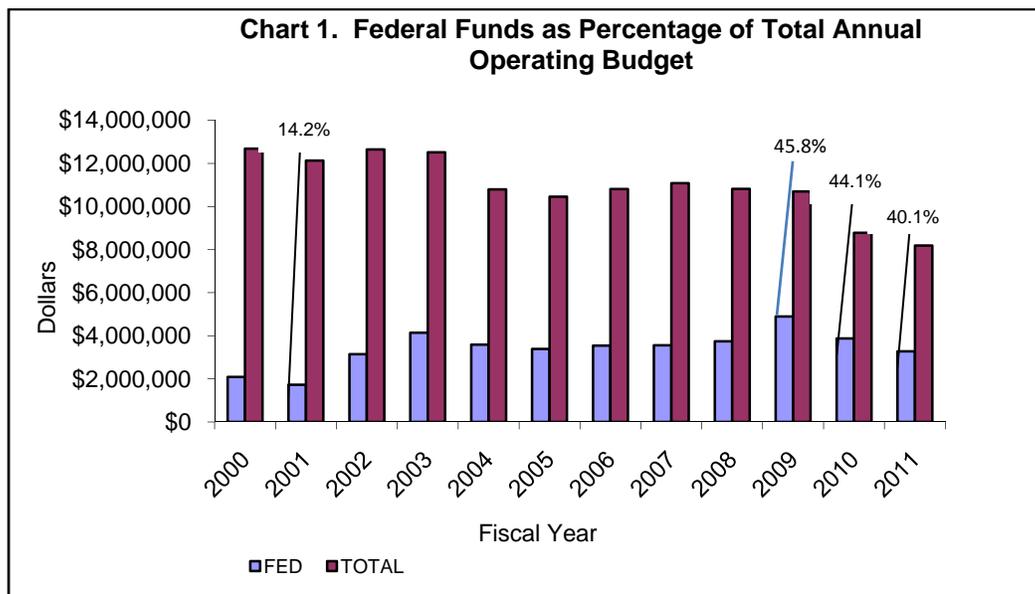
This GSF line item draws its appropriations from a relatively small stream of moneys collected by the Commission from various sources, e.g., copying charges and legal cost reimbursements, and is statutorily restricted for the purpose of paying operating costs of the Commission. For this line item, the budget appropriates \$8,000 in each of FYs 2010 and 2011, a decrease of 81.2% from its FY 2009 total expenditure of \$42,511 that likely reflects heavier use and draining of the available cash balance. Historically, expenditures have been largely for copying costs, and a 0.5 FTE staff position assigned primarily to administrative tasks, such as making copies to fulfill records requests.

### Federal Programs (FED line item 876601)

This federal line item consists of reimbursement payments from the U.S. Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD), which are then used to offset the cost of investigating cases. For this line item, the budget appropriates \$3,876,500 in FY 2010, a 20.9%, or \$1,021,843, decrease from its FY 2009 total expenditure of \$4,898,343; in FY 2011, the budget appropriates \$3,281,500 to this line item, a 15.4%, or \$595,000, decrease from its FY 2010 appropriation. With these reduced funding amounts, the Commission will not be able to maintain its FY 2009 staffing and service levels.

Of note is that these reimbursement payments do not cover the full cost of processing the cases; the remainder of the cost must be absorbed by GRF funds. In the matter of EEOC cases, federal reimbursement covers approximately \$550 per case for a fixed number of cases. And in the matter of HUD cases, federal reimbursement covers approximately \$2,400 per case based upon the number of eligible cases processed during the previous year.

Previous budget reductions have required the Commission to rely more heavily on its reserve of federal funds. The percentage of federal funds comprising the overall budget of the Commission increased from a low of 14.2% in FY 2001 to a high of 45.8% in FY 2009, and is projected to increase to nearly 42% in FYs 2010 and 2011. Federal funds as a percentage of the Commission's total annual operating budget from FYs 2000 through 2011 are depicted in Chart 1 below.



Note: FYs 2000-2009 are actual amounts; FYs 2010 and 2011 are appropriated amounts.

**FY 2010 - 2011 Final Appropriation Amounts**

**All Fund Groups**

<i>Line Item Detail by Agency</i>			<i>FY 2008</i>	<i>FY 2009</i>	<i>FY 2010</i> <i>Appropriations</i>	<i>% Change</i> <i>FY09 - FY10</i>	<i>FY 2011</i> <i>Appropriations</i>	<i>% Change</i> <i>FY10 - FY11</i>
<b>Report For: Main Operating Appropriations Bill</b>			<b>Version: Enacted</b>					
<b><i>CIV Ohio Civil Rights Commission</i></b>								
GRF	876321	Operating Expenses	\$ 7,012,394	\$ 5,758,066	\$ 4,897,185	-14.95%	\$ 4,897,185	0.00%
<b>General Revenue Fund Total</b>			<b>\$ 7,012,394</b>	<b>\$ 5,758,066</b>	<b>\$ 4,897,185</b>	<b>-14.95%</b>	<b>\$ 4,897,185</b>	<b>0.00%</b>
2170	876604	Operations Support	\$ 58,800	\$ 42,511	\$ 8,000	-81.18%	\$ 8,000	0.00%
<b>General Services Fund Group Total</b>			<b>\$ 58,800</b>	<b>\$ 42,511</b>	<b>\$ 8,000</b>	<b>-81.18%</b>	<b>\$ 8,000</b>	<b>0.00%</b>
3340	876601	Federal Programs	\$ 3,745,300	\$ 4,898,343	\$ 3,876,500	-20.86%	\$ 3,281,500	-15.35%
<b>Federal Special Revenue Fund Group Total</b>			<b>\$ 3,745,300</b>	<b>\$ 4,898,343</b>	<b>\$ 3,876,500</b>	<b>-20.86%</b>	<b>\$ 3,281,500</b>	<b>-15.35%</b>
<b>Ohio Civil Rights Commission Total</b>			<b>\$ 10,816,494</b>	<b>\$ 10,698,919</b>	<b>\$ 8,781,685</b>	<b>-17.92%</b>	<b>\$ 8,186,685</b>	<b>-6.78%</b>