

Gender Balance Requirements

Certain boards and commissions are created at the state level through the state's laws, known as Iowa Code. Boards and commissions specifically created by Iowa Code must be gender balanced. The Iowa Code section on gender balance, section 69.16A, is included on the next page.

Gender balance means that if the body has an even number of appointees, it must be evenly made up of applicants who identify as different genders. For example, three female-identifying members and three male-identifying members must serve on a six-member board. If the body has an odd number of appointees, it must be "one half plus one" of either gender. For instance, if there are five members, three could be male-identifying and the other two could be female-identifying, or vice versa.

Under the law, cities that make a good faith effort to find a qualified person of the necessary gender to fill the position for a period of three months and are unable to do so may appoint a person to the position regardless of the gender balance requirement. Cities should be able to demonstrate an effort to recruit qualified members of the necessary gender before appointing a member that creates gender imbalance.

The City of Dubuque Boards and Commissions that are created by Iowa Code and are therefore subject to the gender balance requirements are:

- Airport Commission
- Airport Zoning Board of Adjustments
- Airport Zoning Commission
- Civil Service Commission
- Equity and Human Rights Commission
- Historic Preservation Commission
- Library Board of Trustees
- Zoning Advisory Commission
- Zoning Board of Adjustments

References:

Iowa League of Cities, Cityscape September 2009 edition

69.16A Gender balance.

1. All appointive boards, commissions, committees, and councils of the state established by the Code, if not otherwise provided by law, shall be gender balanced. No person shall be appointed or reappointed to any board, commission, committee, or council established by the Code if that appointment or reappointment would cause the number of members of the board, commission, committee, or council of one gender to be greater than one-half the membership of the board, commission, committee, or council plus one if the board, commission, committee, or council is composed of an odd number of members. If the board, commission, committee, or council is composed of an even number of members, not more than one-half of the membership shall be of one gender. If there are multiple appointing authorities for a board, commission, committee, or council, they shall consult each other to avoid a violation of [this section](#).

2. All appointive boards, commissions, committees, and councils of a political subdivision of the state that are established by the Code, if not otherwise provided by law, shall be gender balanced as provided by [subsection 1](#) unless the political subdivision has made a good faith effort to appoint a qualified person to fill a vacancy on a board, commission, committee, or council in compliance with [subsection 1](#) for a period of three months but has been unable to make a compliant appointment. In complying with the requirements of [this subsection](#), political subdivisions shall utilize a fair and unbiased method of selecting the best qualified applicants. [This subsection](#) shall not prohibit an individual whose term expires prior to January 1, 2012, from being reappointed even though the reappointment continues an inequity in gender balance.

[86 Acts, ch 1245, §2041; 87 Acts, ch 218, §8; 88 Acts, ch 1150, §1; 2009 Acts, ch 162, §1, 2](#)

Referred to in [§8D.3, 15F.102, 15H.3, 23.3, 28A.7, 35A.2, 80.28, 84A.1A, 84A.4, 135.43, 135.109, 142A.3, 148.2A, 155A.2A, 159A.13, 216A.12, 216A.92A, 216A.132, 216A.162, 217.43, 235B.1, 252B.22, 256.5A, 256.35A, 272.3, 273.15, 284.15, 303A.5, 314.22, 418.5, 455A.20, 455B.150, 514E.2, 542.4, 904A.2A](#)