

Bill No. 21-10

Concerning: Establishing an Office

Of Equity and Inclusion

And Equity and Inclusion Commission

Introduced: September 21, 2021

Revised: _____ Draft No. _____

Enacted: October 19, 2021

Effective: December 18, 2021

Expires: December 20, 2021

Frederick County Code, Chapter 1-2,

Article XVI

Section(s) 700, 700.1

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Kai Hagen on behalf of County Executive Jan Gardner

AN ACT to: Establish an Office of Equity and Inclusion, including the position of Chief Equity and Inclusion Officer, and create an Equity and Inclusion Commission as an advisory commission to the Office of Equity and Inclusion.

Date Council Approved: October 19, 2021 Date Transmitted to Executive: October 21, 2021

Executive: Jan Gardner Date Received: Oct. 21, 2021

Approved: ✓ Date: 10/21/21

Vetoed: _____ Date: _____

Date returned by County Executive with no action: _____

By amending:

Frederick County Code, _____

Other: _____

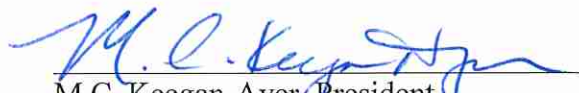

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law.</i>
[Single boldface brackets and strikethrough]	<i>Deleted from existing law.</i>
***	<i>Existing law unaffected by bill.</i>

Bill No. 21-10

The County Council of Frederick County, Maryland, finds it necessary and appropriate to revise the Frederick County Code to establish the Office of Equity and Inclusion including the position of Chief Equity and Inclusion Officer in the Executive Branch, as established by the County Executive on July 23, 2020.

Further, to create an Equity and Inclusion Commission of Frederick County, state the powers and duties of the Commission, set the standards for appointment of members, provide for the term of members, designate the Commission as advisory to the Office of Equity and Inclusion, and provide for matters generally relating to the Commission of Frederick County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and they are hereby, amended as shown on the attached Exhibit 1.


M.C. Keegan-Ayer, President
County Council of Frederick County, 
Maryland

CHAPTER 1-2: ADMINISTRATION

ARTICLE XVI. OFFICE OF EQUITY AND INCLUSION AND EQUITY AND
INCLUSION COMMISSION

DIVISION 1. OFFICE OF EQUITY AND INCLUSION

§1-2-700. DEFINITIONS

EQUITY refers to an intentional and systemic approach to remedy and address historical practices, policies, and structures that have produced distinct disparate outcomes which have resulted in the oppression, marginalization, hindrance to the success of, and restricted access to opportunities and benefits for historically underrepresented and oppressed populations. The goal of equity is achievement of equitable outcomes for all.

INCLUSION is more than simply diversity and numerical representation. Inclusion exists when historically oppressed and marginalized groups are empowered to participate in all elements of society in a manner that is culturally relevant to them, and when their full engagement is both welcomed and exercised to the degree that it redefines and helps to shape communities and culture. True inclusion requires changing or eliminating various historical practices that limit, hinder, and fail to provide opportunities for members of historically oppressed and marginalized groups to contribute, lead, and influence decisions and outcomes.

§1-2-701. CREATION AND PURPOSE

- (A) There shall be an Office of Equity and Inclusion (hereinafter referred to as the “Office”) in the Office of the County Executive of Frederick County, Maryland.
- (B) The Office will raise and sustain the visibility of equity and inclusion as a leadership, social, and economic imperative for the County.
- (C) The functions of the Office shall include, but not be limited to the following:
 - (1) Develop and provide management of a strategic framework to shape, direct and advance racial, gender, ethnic, inclusion and social equity priorities and to achieve equitable opportunities within all levels of County Government and for all residents in Frederick County;
 - (2) Work to ensure county employees are aware of Frederick County’s diversity, inclusion and equity goals and to provide employees with the opportunity to take on an active role in fostering a county-wide culture that acknowledges, values and celebrates diversity, equity, inclusion and belonging within all levels of Frederick County Government;

- (3) Coordinate with County Divisions to initiate organizational change through utilization of an equity lens that results in equity-informed planning, policy development and decision-making, as well as in the development of legislation;
- (4) Provide staff support to the Equity and Inclusion Commission, work with, evaluate and act on, as appropriate, the recommendations of the Equity and Inclusion Council;
- (5) Develop and implement programs, services and trainings for County staff and county residents that support achievement of the County's diversity, equity, inclusion and belonging goals;
- (6) Coordinate with and refer complaints or issues of discrimination to the Human Relations Department and Commission, as appropriate;
- (7) Create a review process of Bills and Resolutions, including the preparation of an impact statement, that will assist the Council in the legislative function;
- (8) Report annually, on or before July 1, to the County Executive and County Council, goals, activities, accomplishments and outcomes.

§1-2-702. STAFF

- (A) The Office of Equity and Inclusion will include a Chief Equity and Inclusion Officer (CEIO) to carry out the responsibilities of the office. The County Executive shall appoint the CEIO, subject to confirmation of the Council. The CEIO will serve at the pleasure of the Executive.
- (B) At the discretion of the County Executive, the Office staff or structure may be modified or expanded to meet the goals of the Diversity, Equity, Inclusion, and Belonging Strategic Plan.

Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

*** - indicates existing law unaffected by bill.

ARTICLE XVI.

DIVISION 2. EQUITY AND INCLUSION COMMISSION

§1-2-703. CREATION AND PURPOSE

- (A) There shall be a Frederick County Equity and Inclusion Commission (hereinafter referred to as “the Commission”).
- (B) The Commission shall act as an advisory body to the Frederick County Executive, County Council, and the CEIO. The Commission will help identify issues, concerns, and needs of County residents to improve diversity, equity, inclusion, and belonging and make recommendations as appropriate.

§1-2-704. DUTIES

- (A) Advise and work collaboratively with the Chief Equity and Inclusion Officer on issues of diversity, equity and inclusion issues such as:
 - (1) Enhancing and improving equitable and fair access to County government opportunities, resources and services;
 - (2) Conducting community education and awareness to encourage dialogue and understanding;
 - (3) Examining and analyzing the impacts of Frederick County Government policy, practice, and services in relation to equity and inclusion.
- (B) Provide assistance in the planning of community outreach, initiatives, and events that affirm, celebrate, and advance diversity, equity and inclusion throughout the County;
- (C) Coordinate its engagement and advocacy with the Human Relations Commission, and other Commissions as appropriate;
- (D) Refer potential complaints of discrimination to the Human Relations Department;
- (E) Provide input on the Diversity, Equity, Inclusion, and Belonging Strategic Plan or framework as developed by the Office of Equity and Inclusion and the Chief Equity and Inclusion Officer; and
- (F) Prepare a report annually, on or before July 1, to the County Executive and County Council of the Commission’s activities, accomplishments and outcomes.

§1-2-705. APPOINTMENTS AND MEMBERS

- (A) Members. The County Executive shall appoint, subject to confirmation by the County Council, members of the Commission. The Commission shall consist of thirteen (13) members, who shall be registered voters and residents of the County, and should reflect a range of ethnicities, professional backgrounds, socioeconomic status, and places of origin

to reflect the racial, economic, and linguistic diversity of the County. All members should have a commitment to building equity, inclusion, and understanding of the issues regarding diversity, equity and inclusion, as evidenced by knowledge and awareness of cultural competency, structural and institutional barriers to equity, previous work or leadership, particularly in traditionally marginalized communities. The County Executive shall strive to include individuals from the following groups:

- (1) One at-large member who has shown a commitment to diversity and inclusion within the County
- (2) One member from local African American serving organization
- (3) One member from a local Hispanic or Latina serving organization
- (4) One member from a local Asian American serving organization
- (5) One member from an organization working in affordable housing
- (6) One member from a locally owned minority business
- (7) One member from a local higher education institution
- (8) One member from Frederick County Public Schools
- (9) One member from local clergy
- (10) One member representing the LGBTQ community
- (11) One member from the Frederick County Health Department
- (12) One member from Law enforcement
- (13) One member from the Frederick County Human Relations Commission

(B) Term. Members will serve for a three (3) year term as a volunteer without compensation. A member may not serve more than two (2) consecutive full terms. The initial terms of members shall be staggered so that one-third of members shall serve an initial term of three (3) years, one-third of members shall serve an initial term of two (2) years, and one-third of members shall serve an initial term of one (1) year.

- (1) An initial term of one or two years shall not be considered a full term.
- (2) Any member who is appointed to fill a vacancy shall not be considered to have served a full term.
- (3) Vacancies for an unexpired term shall be filled on the same basis as the original appointment. Members appointed in this way shall continue in office until their successors are appointed and qualified.

(C) Removal. The County Executive may remove a member for neglect or inability to perform the duties of the office.

§1-2-706. CHAIR, VICE CHAIR.

The Commission shall annually elect one member as chair and another as vice-chair.

§1-2-707. MEETINGS AND QUORUM

- (A) The Commission shall meet as frequently as determined by the Chair as often as required to perform its duties, but not less than six meetings annually.
- (B) All meetings shall be subject to the Open Meetings Act.
- (C) A majority of the Commission members shall constitute a quorum for the transaction of business.

§1-2-708. RULES AND REGULATIONS

The Commission shall be subject to Robert's New Rules of Order, but may adopt additional rules to govern its procedures and activities.

§1-2-709. COUNTY STAFF

Staff assistance shall be provided by the Office of the County Executive and the Chief Equity and Inclusion Officer.

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