

# **FREDERICK COUNTY, MARYLAND**

# **BYLAWS**

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## **FREDERICK COUNTY**

## **HUMAN RELATIONS COMMISSION**



These Bylaws were adopted by the Frederick County Human Relations Commission (HRC) on 30 May 2023. They replace all previous versions and amendments of the HRC's Bylaws. The Office of the County Attorney has approved these Bylaws for form and legality.

## **Frederick County Human Relations Commission**

### **Bylaws**

#### **ARTICLE I - NAME**

**Section 1.** The name of this commission is the Frederick County Human Relations Commission, also known as the HRC.

#### **ARTICLE II - LEGISLATIVE HISTORY**

**Section 1.** By Section 2-2-68 of the Frederick County Code of Public Local Laws, the Frederick County Board of County Commissioners (BOCC) was given authority to establish a Human Relations Commission (HRC) and a Human Relations Department (HRD). Pursuant to that authority, BOCC established the HRC and the HRD by Ordinance Number 89-48-579.

- A.** ORDINANCE NO. 89-48-579 was adopted on August 1, 1989 and became effective on September 16, 1989. The Ordinance has since been amended by Ordinances 03-20-343 (12-16-03), 05-26-387 (10-11-05), and 09-09-513 (4-21-09).
- B.** Section 1-2-91 of the Frederick County Code (Code) establishes the Frederick County HRC.
- C.** Section 1-2-92 of the Code establishes the HRD as a Department of Frederick County Government.
- D.** Section 1-2-93 of the Code states, in part, that discrimination based upon race, color, religion, national origin, sex, age, marital status, disability, familial status or source of income is contrary to public policy.
- E.** Section 1-2-93 further provides that discrimination based upon race, color, religion, national origin, sex, age, marital status or disability in employment, housing or public accommodation is unlawful in Frederick County. Under that section, discrimination based on familial status in housing or employment or discrimination based on source of income in housing is also unlawful in Frederick County.
- F.** Section 1-2-94 states that the HRC shall have all of the powers and responsibilities allowed under Section 2-2-68 of the Frederick County Code.
- G.** Section 1-2-95 authorizes the HRC to provide remedial relief, including equitable relief and monetary damages.
- H.** RESOLUTION NO. 89-24 (adopted September 5, 1989, effective September 16, 1989) adopted the Regulations of the HRC.

- I.** RESOLUTION NO. 90-20 (September 25, 1990) adopted the revised Regulations of the HRC effective October 29, 1990.
- J.** RESOLUTION NO. 98-15 (April 30, 1998) amended the HRC Regulations governing Administrative Hearings.
- K.** RESOLUTION NO. 08-33, effective October 21, 2008, adopted new Regulations for the HRC, to replace the former Regulations adopted and amended by Resolutions 89-24, 90-20, and 98-15.

### **ARTICLE III - PURPOSE and FUNCTION**

**Section 1.** The Purpose and Function of the HRC shall be to foster and encourage the elimination of discrimination within Frederick County.

- A. Vision Statement:** The vision of the HRC is a county free of discrimination and injustice, where everyone is valued and respected regardless of their differences.
- B. Mission Statement:** The mission of the HRC is to pursue and promote equal opportunity for everyone; raise public awareness about human justice issues; and foster the positive aspects of multiculturalism and its impact on the community.
- C. Objectives:** Five objectives have been established to implement the HRC's vision and mission. They are:
  - 1. To educate and engage the community regarding the role of the HRC on human relations matters by providing a forum for the presentation of problems concerning discrimination in Frederick County;
  - 2. To hear appeals resulting from disputed HRD decisions;
  - 3. To eliminate discrimination in Frederick County;
  - 4. To advise and inform the County Executive and other elected officials on matters under HRC's purview; and
  - 5. To increase the HRC's ability to achieve its mission.

### **ARTICLE IV - MEMBERS**

**Section 1.** The HRC is composed of 15 residents of Frederick County appointed by the County Executive, subject to confirmation by the County Council. The HRC shall be broadly representative of the citizens of Frederick County. Members are appointed for overlapping terms of three (3) years and serve until a successor is appointed. Vacancies on the HRC are filled for the unexpired term of the departing member. Members may serve no more than two (2) successive full terms. Members serve without compensation.

**Section 2.** A citizen who is a registered voter may apply for appointment to the HRC by writing a letter of interest to the County Executive with a statement of their qualifications and desire to serve. Open positions may be advertised through the media, in accordance with Frederick County policy.

**Section 3.** In order to receive a recommendation from the HRC to the County Executive, all candidates for appointment are interviewed by the HRC Chairperson and other members of the Executive Committee or their representatives. Prospective candidates must attend at least one HRC monthly meeting and one HRC-sponsored event or two HRC monthly meetings within three months, and be approved by a simple majority vote of those HRC members present and voting. If approved, candidates will receive written notification of their appointment from the County Executive's office.

**Section 4.** All HRC members are expected to participate to the fullest extent possible in all HRC activities. This includes, but is not limited to, attendance at monthly HRC meetings, and active participation on Standing and Special Committees.

**Section 5.** Any unexcused absences from three (3) consecutive regular monthly HRC meetings, or insufficient participation in Standing Committees and/or Special Committee activities, may result in a written recommendation from the Executive Committee to the County Executive that the member in question be dismissed as an HRC member. The decision to excuse a member from any meeting shall be made by the Executive Committee.

## **ARTICLE V - OFFICERS**

**Section 1.** HRC Officers shall consist of a Chairperson, Vice-Chairperson, Treasurer, Parliamentarian and At-Large member.

**Section 2.** The Administrative Specialist of the HRD shall serve, without vote, as the Recording Secretary for the full HRC. Specific duties include:

- 1) Attending all meetings and hearings of the full HRC.
- 2) Maintaining current, accurate copies of all documents of the full HRC.
- 3) Filing reports and issue written notices of meetings as needed.
- 4) Maintaining the membership roster and terms of office of each HRC member.
- 5) If the At-Large Member is unable, preparing the agenda for full HRC meetings.
- 6) Maintaining a list of all committees and their members.
- 7) Arranging interviews for potential HRC Commissioners and forward applications of recommended persons for appointment to the Frederick County Manager.
- 8) Maintaining a record of all monthly HRC meetings.

**Section 3.** In the absence of the County Recording Secretary at a monthly HRC meeting, an HRC officer will take notes and provide the minutes to the designated County Administrative staff within five (5) business days.

## **ARTICLE VI - COMMITTEES**

**Section 1.** All members of the HRC are required to be a member of at least one (1) Standing Committee. The HRC Chairperson shall serve as an ad-hoc member of all Standing and Special Committees, unless otherwise prohibited by these Bylaws.

Members of Standing and Special Committees shall be responsible for establishing their own meeting schedules and notification processes. Committee and Special Committee meetings may be conducted by teleconference, and shall not be scheduled so as to conflict with any other activity of the full HRC. A Standing Committee Chairperson shall be responsible for the following:

1. Informing the HRC Chairperson of all Standing and Special Committee meetings;
2. Maintaining accurate minutes and attendance records of all Committee/Special Committee meetings;
3. Providing the required information for 1 and 2 above to the HRC Recording Secretary and the HRC Executive Committee.

## **Section 2. Standing Committees**

### **A. Executive Committee**

The HRC Officers named in Article V, Section 1 shall serve as the Executive Committee of the HRC. The immediate past Chairperson, while he/she remains a member of the HRC with no interruption in service, shall be an ad hoc member of the Executive Committee, with full voting rights and privileges.

The Executive Committee shall have authority over the affairs of the full HRC between the monthly meetings of the full HRC, consistent with the directives of the full HRC, these Bylaws, HRC Regulations, Rules of Procedure and all other applicable laws, codes and ordinances. The Executive Committee is responsible for setting the agenda for the full monthly meetings of the HRC and any Special Meetings determined to be needed that are not specifically addressed in these Bylaws.

The Executive Committee shall have the power to adopt rules governing its own proceedings and shall establish its own meeting day, time and place, which will be provided to all members of the HRC. A record shall be kept of all Executive Committee meetings by the At-Large member.

Any HRC member may attend the meetings of the Executive Committee.

### **B. Community Relations Committee**

The Community Relations Committee of the HRC is a Standing Committee. It shall have as Officers a Committee Chair and a Recording Secretary. It is designated to serve as the lead committee for liaising with the Frederick County public and for the purposes of promoting and/or conducting:

1. Education related to the purpose, purview and powers of the HRC;
2. Sharing information related to the nature, characteristics, harmfulness and incident reporting of illegal discrimination under the purview of the HRC;
3. Citizen appreciation of multiculturalism and a county free of illegal discrimination;

4. Public forums and hearings into matters of community interest under the purview of the HRC;
5. Partnerships with nonprofits and community organizations on matters of mutual interest;
6. A research capability to investigate matters related to illegal discrimination coming under the purview of the HRC;
7. Positive media relations through informed representation of HRC positions, plans and programs;
8. Proactive identification and elimination of illegal discrimination under HRC purview through committee member involvement in and monitoring of the community, publicly available commission brochures on relevant subjects, outreach to local media, a speakers bureau, and through community organization partnerships and regular information-exchange meetings with local law enforcement;
9. Citizen/community organization attendance at HRC monthly meetings;
10. Maintenance of a speakers bureau whose members will present before interested community organizations on all matters within HRC's jurisdiction.

**C. Government Relations Committee**

The Government Relations Committee is responsible for implementation of Strategic Plan (Plan) milestones assigned to it by the Plan. These duties include, but are not limited to:

1. Ensuring that all HRC members are trained in the Appeal Hearing process;
2. Conducting human relations/discrimination studies and research and sharing the results with elected officials and other policy makers;
3. Holding an annual luncheon with elected officials;
4. Advocating/testifying on behalf of the HRC regarding legislation involving matters within HRC purview;
5. On behalf of the full HRC, serving as the primary liaison to the County Executive and County Council.

**D. Internal Relations Committee**

The Internal Relations Committee is responsible for implementation of Strategic Plan (Plan) milestones assigned to it by the Plan. These duties include, but are not limited to:

1. Researching and determining the need for new and/or amendments to current legislation, Code and/or Regulations;
2. Seeking grant opportunities in furtherance of HRC activities;

3. Annually reviewing the HRC's Regulations for appropriateness and relevancy and making recommendations to the full HRC as needed;
4. Annually reviewing the HRC's Rules of Procedure for appropriateness and relevancy and making recommendations to the full HRC as needed;
5. Annually reviewing the HRC's Bylaws for appropriateness and relevancy and making recommendations to the full HRC as needed;
6. Seeking, from other members of the full HRC and the public at large, candidates for appointment to the HRC who have concern for human rights, equal opportunity and anti-discrimination practices;
7. Preparing a slate of HRC Officers for nominations and presenting it to the full HRC at the HRC's regular May public meeting (Refer to Article X below).

### **Section 3. Special Committees**

- A.** The Chairperson of the HRC shall have the authority to establish Special Committees that are consistent with the purposes of the HRC and in conformance with the HRC's overall Committee structure as outlined above and in its Plan.
- B.** The HRC chairperson shall appoint all Special Committee Chairpersons from members of the respective Standing Committee and the full HRC.
- C.** Special Committees shall plan and carry out activities assigned to them by the full HRC. They shall be composed of members of the parent/respective committee and any other HRC member who wants to join them. A majority of the appointed members shall constitute a quorum. Special Committees shall appoint a clerk/secretary and keep minutes of meetings, motions, decisions, expenditures and attendance. A Special Committee may appoint working groups, consistent with the Special Committee's duties to assist it in carrying out its activities.
- D.** Special Committees shall report to their respective Standing Committees, and upon request, to the full HRC. Otherwise, Committee reports will be consolidated with its Standing committee reports for delivery at the monthly full HRC meeting. The Chairperson, at the conclusion of the work of the Special Committee, shall submit a written report to the full HRC, attaching a financial report with a recommendation for future actions. Interim reports may also be requested or submitted as appropriate. Upon submission of the final report, the Special Committee is dissolved and can act no more unless it is revived by a vote of the full HRC to reconvene upon recommendation by the HRC chairperson.
- E.** Every three years, the Chairperson of the HRC shall establish a Special Committee to conduct a Strategic Plan review, monitor the accomplishments of the Strategic Plan's milestones, and report findings and recommendations to the Executive Committee for transmission to the full HRC at its monthly meeting.

## **ARTICLE VII – DUTIES OF OFFICERS**

**Section 1.** HRC officers shall perform their duties as set forth in the HRC's Regulations, Rules of Procedure, these Bylaws and any other applicable laws. Specific duties of Officers are as follows:

**A. Duties of the Chairperson:**

- 1) Preside over all full HRC meetings, hearings and events.
- 2) Appoint members of Standing Committees.
- 3) In consultation with, and upon the recommendations of Standing Committee members, appoint Standing Committee Chairpersons.
- 4) Establish Special Committees; appoint members and Chairpersons, in consultation with the Committees' members.
- 5) In consultation with the other members of the Executive Committee, prepare the agenda for the Executive Committee monthly meetings.
- 6) Receive and ensure appropriate distribution of applications for membership and interview new member applicants.
- 7) Oversee and administer information regarding member terms, workload (such as committee appointments), resignations, and forfeitures of position, suspensions, and terminations.
- 8) Serve as the official spokesperson of the HRC.
- 9) Serve as an ex-officio member of all Standing Committees and Special Committees.
- 10) Perform such other duties as the full HRC or the Executive Committee may direct.
- 11) Appoint HRC members to fill vacancies as they occur on the Executive Committee.
- 12) Oversee the establishment of annual goals and preparation of the annual budget for the recommendation of the Executive Committee and the final approval of the full HRC.
- 13) Appoint HRC members to Hearing Panels when the need arises.
- 14) Ensure HRC attendance at community events associated with HRC activities by attending or designating HRC Executive Committee member(s) attendance at such events.

**B. Duties of the Vice-Chairperson:**

- 1) Carry out the duties of the Chairperson in their absence.
- 2) Evaluate the composition of the HRC and its Committees/Special Committees and advise the Chairperson as to possible imbalances or shortcomings of demographic, geographic, or area of interest distribution of membership.
- 3) Serve on the Recruitment/Roster Special Committee of the IRC and work with that committee to direct recruitment efforts whenever a vacancy occurs on the HRC to ensure composition of the HRC is broadly representative of the citizens of Frederick County.
- 4) Support community events associated with the HRC as directed by the Chairperson.
- 5) Continually monitor the status of the HRC Strategic Plan.
- 6) Coordinate and oversee the annual updating of the HRC Strategic Plan.
- 7) Coordinate and oversee the development of the HRC Annual Report.
- 8) Oversee HRC's inventory of promotional and educational material.
- 9) Other duties as may be assigned by the Chairperson.



**C. Duties of the Treasurer:**

- 1) Monitor HRC expenditures.
- 2) Raise an objection if any action pending before the HRC requires an expenditure of funds that is not within the approved budget.
- 3) Work with the Human Relations Director regarding the preparation of HRC's annual budget.
- 4) Receive requests for annual appropriations from Standing Committees and Special Committees of the HRC.
- 5) Report the status of the budget to the full HRC at all meetings and to the Executive Committee.
- 6) Support community events associated with the HRC as directed by the Chairperson.
- 7) Other duties as may be assigned by the Chairperson.

**D. Duties of the Parliamentarian:**

- 1) Monitor the conduct and progress of all HRC meetings for compliance with the most recent edition of Robert's Rules of Order.
- 2) Maintain a record of all main motions and their status upon final disposition.
- 3) Advise the Chairperson on HRC compliance with HRC Regulations and Bylaws.
- 4) Serve as "timekeeper" at HRC meetings.
- 5) Act as sergeant-at-arms when directed by the Chairperson.
- 6) Support community events associated with the HRC as directed by the Chairperson.
- 7) Other duties as may be assigned by the Chairperson.

**E. Duties of the At-Large Member:**

- 1) In consultation with the Chairperson and other members of the Executive Committee, prepare the agenda for full HRC meetings.
- 2) Serve as Secretary for the Executive Committee and maintain record of all Executive Committee meetings.
- 3) Report to the full HRC the activities and appropriate decisions of the Executive Committee.
- 4) Serve as a liaison between the Executive Committee and other HRC members.
- 5) Support community events associated with the HRC as directed by the Chairperson.
- 6) Other duties as may be assigned by the Chairperson.

**ARTICLE VIII - MEETINGS**

**Section 1.** The time, date, and place of all regular meetings of the full HRC shall be determined by its Executive Committee consistent with these Bylaws.

**Section 2.** The full HRC may meet monthly. All full HRC meetings shall be scheduled at or after 6:00 p.m. on a designated day between Monday and Friday. Meetings may be in person or virtual, with notice to all members and the public no less than three (3) business days before the meeting.

**Section 3.** The HRD shall designate its Administrative Specialist to serve as the Recording Secretary for the full HRC, as referenced herein Article V, Section 2.

**Section 4.** All full HRC meetings shall be conducted consistent with the requirements of the Maryland Open Meetings Act.

**Section 5.** Public meetings of the HRC must be held in places accessible to the public, whether in person or virtually.

**Section 6.** Each member will be notified by email at least three (3) business days prior to every full HRC meeting. In emergency situations, a reasonable attempt will be made to notify all members. If this notice is by telephone, an accurate phone log will be maintained.

**Section 7.** The Executive Committee shall determine the means by which the public and the media shall be notified of Public Meetings of the HRC, consistent with the Maryland Open Meetings Act.

**Section 8.** Special Meetings of the full HRC may be called by the Chairperson, any three (3) members of the Executive Committee, or by the written request of a majority of the current membership of the HRC.

**Section 9.** All calls for Special Meetings of the full HRC shall be in writing, signed by the ordering authority, and shall contain the date, time, place of the meeting and include an agenda for the meeting.

**Section 10.** No business other than that stated on the agenda may be conducted at any Special Meeting of the full HRC.

**Section 11.** Any committee reports provided at monthly HRC meetings will be included in the minutes and approved and validated at the subsequent HRC monthly meeting.

## **ARTICLE IX - HEARINGS**

**Section 1.** Upon being notified that an appeal from a ruling made by the HRD has been filed, or where there is a finding that a case has failed conciliation, and is therefore referred by the HRD to the HRC for hearing, the HRC Chairperson shall appoint no less than three (3) Commissioners, who may or may not include the HRC Chairperson, or the same Commissioners for every case, to serve as a hearing panel.

**Section 2.** A member of the HRC may not be appointed to serve on the hearing panel until that member has completed training provided by the HRC. The training shall include recognizing illegal discrimination and proper procedures for conducting appeal hearings.

**Section 3.** A decision of the hearing panel shall be:

- 1) by a majority of the vote of the entire membership of the hearing panel;
- 2) in writing; and
- 3) submitted to the HRC.

**Section 4.** Unless within 15 business days after the HRC hearing panel submits its decision to the full HRC, the full HRC finds that a full hearing by the HRC is required, the decision of the HRC hearing panel is final; and, that decision is a final decision of the full HRC.

**Section 5.** A party who is aggrieved by the decision of the full HRC may appeal that decision to the Frederick County Circuit Court in accordance with Code Section 1-2-95(C) and Section 2-2-68(d)(3) of the Code of Public Local Laws.

## **ARTICLE X - ELECTION OF OFFICERS**

**Section 1.** The Internal Relations Committee shall prepare a slate of nominations of Officers and present it to the full HRC at its regular May public meeting. This slate shall be voted on at the full HRC June meeting. At the time the election is held, nominations may also be made from the floor after the Internal Relations Committee makes its report, provided the person making the floor nomination has prior permission from the person whose name is being added to the slate. Nominations do not require a second.

**Section 2.** In all cases where more than one person has been nominated for a single position, the election shall be by ballot. In cases where only one person has been nominated for a position and nominations have ceased, the Chairperson may conduct the election by voice vote if so desired.

**Section 3.** In the event of a ballot election, balloting for election of Officers shall take place in the following order: the position of Chairperson shall be voted on first; the position of Vice-Chairperson, second; Treasurer, third; Parliamentarian fourth; and the Member At-Large position, fifth.

**Section 4.** No member shall hold more than one office at a time.

## **ARTICLE XI - VOLUNTARY RESIGNATIONS**

**Section 1.** Any member may resign their appointment at any time by submitting a letter of resignation to the County Executive with copies to the HRC Chairperson and the Executive Director of the HRD. The resignation becomes official at the following full meeting of the HRC upon the declaration of vacancy by the Chairperson.

## **ARTICLE XII - LIMITATIONS AND RESTRICTIONS (Except as otherwise noted)**

**Section 1.** Except for the Chairperson, no member or staff person shall represent or speak on behalf of the HRC, unless duly authorized by the Chairperson or by a two-thirds vote of those HRC members present and voting.

**Section 2.** No Committee, Special Committee, or member may take any position, make any public statement, testify or otherwise act on any matter as an official entity or representative of the HRC unless the position, statement, testimony, or action has been previously approved by a two-thirds vote of those HRC members present and voting. In cases where the issue is of considerable urgency or importance, the approval of the Executive Committee shall suffice.

**Section 3.** No Standing or Special Committee member may spend or commit to spending HRC funds, unless such expenditures are within the fiscal limits of the HRC's approved annual budget; and is also approved by a two-thirds (2/3) vote of the full HRC. Spending must be consistent with any policy adopted by the full HRC for approval of expenditures of funds. In cases where the matter is of considerable urgency or importance, the approval of the Executive Committee shall suffice. Upon justification, items may be added to the annual budget provided revenues are available to offset costs.

**Section 4.** No business may be conducted except in the presence of a quorum.

### **ARTICLE XIII - AMENDMENTS**

**Section 1.** Proposed amendments to these Bylaws may be submitted by any HRC member to the Internal Relations Committee for consideration and recommendation in its committee report at the monthly HRC meeting.

**Section 2.** Bylaws require two-thirds (2/3) vote of members present and voting to amend.

**Section 3.** Unless otherwise provided, amendments shall become effective immediately upon adoption.

### **ARTICLE XIV - QUORUM**

**Section 1.** A majority of the current membership of the HRC shall constitute a quorum for all HRC monthly meetings.

**Section 2.** A quorum for Standing and Special Committees is a majority of the membership for each committee.

### **ARTICLE XV - PARLIAMENTARY AUTHORITY**

All HRC meetings and other official matters shall be governed in compliance with the most recent edition of Robert's Rules of Order.