



Berea Human Rights Commission Bylaws **REVISED 06/05/17**

Purpose It is the purpose of these Bylaws to guide the Berea Human Rights Commission in carrying out those duties and functions as prescribed to it in the Berea Code of Ordinances Sect. 22.700-22.708 under the auspices of the laws and Constitution of the United States, the statutes and Constitution of the Commonwealth of Kentucky and the Ordinances and Administrative Code of the City of Berea, in an open, orderly and transparent manner. Questions concerning the functioning of the Commission and the above cited authorities shall be referred to the Corporate Counsel for clarification. Procedural issues concerning conduct of meetings shall be guided by the latest edition of Robert's Rules of Order.

OFFICERS

Election of Officers. The Commission shall conduct annual officer elections during the first regular meeting of each calendar year. All elected officers shall serve one year terms. There is no limit to the number of terms a Commissioner may serve as an officer, but a Commissioner shall not serve more than one office during a term. When a quorum is present, a majority vote is sufficient to elect officers. To remove an officer requires (30 day) notice and a one (1) more than a majority vote at the following meeting. Elections take effect following the adjournment of the meeting during which officer elections are conducted. Officer Nominations may be proposed by any member during an election. Members may not be nominated if they are absent, unless they have previously consented in writing.

Chairperson. The Chairperson shall preside at Commission meetings, represent the Commission at public functions, prepare meeting agendas, sign the final meeting minutes upon approval of the Commission, supervise Commission

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staff, and perform such other duties as the Commission may direct. A designee may represent the Commission at public meetings.

Vice-Chair. The Vice-Chair shall assume the functions of the Chairperson in the Chairpersons absence or incapacity, and to perform such duties as assigned by the Chair or other Commissioners.

Secretary. The Secretary shall be responsible for taking minutes at all meetings of the Commission, drafting correspondence as directed, keeping a Commission minute book and referring to Roberts Rules of Order as requested. The minutes shall include the date the minutes were recorded and the date the minutes were formally approved. The Secretary is responsible for drafting and issuing public notices and other Commission-approved communications. These duties may be delegated to Commission staff, although Secretary retains responsibility.

Treasurer. The Treasurer shall prepare a draft annual budget for the Commission's approval prior to submission to the City Administrator for inclusion in the overall City budget. The Treasurer shall also prepare and have distributed a financial summary for each regular Commission meeting. The Treasurer shall receive all requests for expenditures and reimbursements from the Commission's budget and forward these on to the City Administrator.

The Treasurer shall submit grant and education proposals to the Mayor and follow the process outline in the Expenditure Process.

The Treasurer shall also prepare semi-annual financial reports to the Mayor and Council. Such reports will be submitted to the Commission prior to submission to the Council.

The Commission may combine the offices of Secretary and Treasurer upon amending the Bylaws.

Staff

Staff. The Administrative Assistant, staff of the BHRC is an employee of the City of Berea and is paid from the City payroll at a rate consistent with City policy. One person working up to 23 hours per week is currently authorized. Supervision has

been delegated to the Chair of the Commission or the Chair's designee.

This position is an important point of contact for the public and as such employee(s) must be committed to the mission of the Commission; must be respectful of confidences; willing to learn and keep current on policies under which the Commission operates and must understand the importance of clearly defining personal and professional roles. The ability to honor deadlines is essential.

The Administrative Assistant does not speak for the Commission and shall refer matters to the Chair for decisions about their disposition.

Position descriptions for employee(s) will be available for review. Annual performance reviews will be conducted.

MEETINGS

The date, time and location for regularly scheduled BHRC monthly meetings shall be determined during the first meeting of the calendar year following officer elections. Changes to this schedule will fall under the "special meeting" requirements. Meetings shall be conducted in compliance with open meetings statutes (KRS 61.800-61.850).

It is the purpose of regular meetings for the Commission to conduct its business and to hear authorized presentations and items from the audience. During the public comments section, the Chairperson may ask that comments to be limited to a determined length.

The Berea Human Rights Commission shall take appropriate action to ensure that meetings are conducted in an orderly manner.

Quorum

Greater than 50% of the then sitting members shall constitute a quorum. If a quorum for any meeting is not present within thirty (30) minutes of the posted time, no official meeting may held. The Chairperson may call a special meeting using the posted agenda of the unconvoked meeting as the agenda for the special

meeting following statutes governing “special meetings.”

Special Meetings

Special Commission meetings may be called by the Chairperson or by four (4) members of the Commission upon notice to all members of the Commission. Official meeting notices must be delivered personally or by email at least twenty-four (24) hours before the time of such a meeting. In addition, written notification shall be provided prior to any special meetings to the media and those who have requested prior notification. Those persons, including the news media, that have requested notification with the City Clerk, shall also receive notice at least twenty-four (24) hours in advance of the special meeting. The notice must also be posted on the door of the building hosting the meeting as well as on the door of the Commission offices. The notice must contain the time, location address and the items to be discussed at the special meeting. No other items may be discussed or added to the agenda of the special meeting.

Education

Orientation

Whenever new members are appointed to the Commission, the Commission will schedule an orientation session conducted by the Kentucky Commission on Human Rights. The Commission shall provide members with an orientation packet.

Continuing

Commissioners remain committed to continuing education about issues relevant to the Commission’s charge. The Commission shall endeavor to monitor any changes to the laws, statutes, judicial rulings, or executive orders that may alter the Commission’s charge as laid out in the Berea Code of Ordinances section 22.700. Further, the Commission shall apprise the Berea City Council of potential need to change the Berea Code of Ordinances section 22.700. The Corporate Counsel should draft appropriate wording for any ordinance amendments upon

instruction from the City Council.

AGENDA

The agenda sets out an orderly format to conduct Commission meetings following Robert's Rules of Order.

AGENDA PREPARATION

The Chairperson may delegate agenda preparation and distribution. Commission members may request inclusion of specific agenda items by submitting a request to the Chairperson at least four (4) days prior to a Commission meeting. Any request cosigned by at least three (3) Commissioners shall automatically be included as an agenda item for the subsequent regular meeting. The Chairperson shall have a copy of the agenda distributed to all the Commission members at least three (3) days prior to the scheduled meeting. The agenda and supporting documents may be distributed via email. A packet containing meeting documents will be available at the meeting. In no case should confidential information, including contents of discrimination complaints, be sent out before the meeting.

MINUTES

The official record of the BHRC is comprised of the minutes of the meetings and those resolutions and correspondence approved by the Commission. Therefore, a description of the minutes' content follows:

- Time of meeting, Listing of those Commissioners present, listing of official guests of the Commission and such others as wish to be identified.
- Topics discussed, and description of actions taken: which include votes taken and resolutions adopted.

Structure of minutes should correspond to structure of agenda as much as possible.

Final copies of any resolutions, financial statements, or authorized correspondences should be attached to minutes.

Description of any presentations made to the Commission by non-members or

guests shall be included as a supplement to the minutes.

BUDGET PROCEDURES

The Commission shall submit a proposed budget to the Mayor and City Council utilizing the same process as other city departments. The proposed budget shall contain estimates for all receipts and expenditures expected in the upcoming fiscal year. A proposed budget shall be prepared by the Treasurer for consideration, amendment and adoption by the Commission prior to submission to the Mayor and Council.

All expenditures or encumbrances by the Commission must fall within the adopted budgetary line items and require an affirmative vote of the Commission. The Commission budget may be amended by majority vote to add, delete, or transfer balances within line items so long as the total amount of the budget allocation approved by the Council is not exceeded. All unanticipated special gifts, grants or donations to the Commission will require budget amendments by both the Commission and City Council before expenditure or encumbrance.

FINANCIAL REPORTING

A monthly financial report shall be prepared for each regular meeting. The report shall indicate encumbrances incurred and expenses paid on behalf of the Commission during the time period since the last regular meeting. The report shall also show all budgeted line items, encumbrances, expenditures and balances remaining.

EXPENDITURE PROCESS

All encumbrances and expenditures shall have prior approval of the Commission. Exceptions to this procedure are for recurring routine operating expenses.

The Chairperson, with the approval of the Treasurer or other officer if the Treasurer is not available, may incur expenses on behalf of the Commission within budgeted line items without prior approval of the Commission not to exceed two hundred dollars (\$200). Should the Commission not agree to the disbursement it

shall become the obligation of the authorizing officers to satisfy the expense.

All encumbrances and expenditures authorized by a vote of the Commission shall be forwarded by the Treasurer to the city administration for payment along with a copy of the Commission minutes approving the expense.

The Treasurer shall submit grant and education proposals to the city administration for approval and preparation of appropriate contracts.

All requests for reimbursement shall include receipts or other documented proof of the expense and the person's name and address to whom the reimbursement is to be sent. The requests and documentation shall be given to the Treasurer. The Treasurer shall incorporate the request into the next financial report. The Treasurer shall also forward the reimbursement requests to the city administration.

Mileage reimbursement shall follow standard City policy.

RESIGNATIONS

Member Resignations

A member who seeks to resign from the Commission shall submit a written resignation to the Chairperson and the Mayor. It is requested, if possible, that resignation allow for a thirty (30) day notice to allow for the appointment of a successor. If no date is specified, the resignation shall be effective upon presentation to Mayor.

Officer Resignations

An officer may resign their office by providing written notice to the chairperson. All resignations take effect immediately following an acceptance vote by the Commission. The vacant office may then be filled following the procedures for election of Commission officers.

REMOVAL FROM THE COMMISSION

A member of the Commission may be removed by the Mayor upon recommendation of the remaining Commissioners stating the reasons for the removal. Such reasons could include but not be limited to, no longer meeting the qualifications for commission membership as defined by the organizing ordinance (Section 22.700 - 22.708); failure, unwillingness, or inability to carry out the duties of the commission as defined in the organizing ordinance; or non-attendance at more than one half of the Commission regular meetings during the course of the previous twelve (12) months.

CONFLICTS OF INTEREST

The Commission will comply with the City of Berea's Code of Ethics.

INCOMING CORRESPONDENCES

All incoming official correspondences shall be dated and the Chairperson notified as soon as possible if a copy of the correspondence has not been sent separately to the Chairperson. In the case of a discrimination complaint, the correspondence shall have the time received noted and initialed for the record.

All Official Discrimination reports shall be kept in a locked secure file. All statements alleging discrimination involving race, color, religion, national origin, sex, age (over forty (40) years of age), physical disability or familial status of any type shall be forwarded to the Kentucky Commission on Human Rights unless the allegation is withdrawn by the submitting party or their agent.

As the Commission is charged with conducting research projects and studies into discrimination in employment, housing, public accommodations and financial transactions within the community, the Commission shall duly note, catalogue, and report all incidents alleging discrimination based on all protected classes, and sexual orientation and gender identity.

As federal, state, and local laws addressing civil protections based upon sexual orientation and gender identity develop, the Commission shall research and monitor such legislation insofar as it impacts the Commission's charge and activities.

OFFICIAL DISCRIMINATION COMPLAINT PROCEDURES

Official complaints alleging that an individual has suffered a discriminatory action must be submitted by the individual or the person's agent, in writing to the Commission. Complaints shall be filed within 180 days of an incident alleging employment discrimination or discrimination in public accommodations, and 365 days of an incident alleging housing discrimination. Official complaints are to be filed utilizing the Complaint Form or in a format that contains all the required information found on the Complaint Form. Complaint Forms are accessible on the City of Berea website and at the Commission's office. Notwithstanding the method of delivery, no Official Complaint will be disregarded and shall be date and time stamped as required under incoming correspondence.

INCIDENT REPORTS

The Commission shall also develop an incident report form and procedures for addressing those allegations of discrimination or harassment that may not meet the criteria for official Discrimination Complaints. All incident reports shall be dated upon receipt. A copy of the incident report shall be forwarded to the Berea Police Department and the Mayor's office, and Berea College Director Public Safety and Vice President of Labor and Student Life (as appropriate) within 10 days. The Commission copy of the report shall be kept in a locked file and used by the Commission only in statistical and historical research.

AMENDING THE BYLAWS

Amendments to these Bylaws may only be made at a regularly scheduled meeting for which an appropriate agenda item was established for that purpose. It shall require an affirmative vote of no less than one (1) more than a majority of the then sitting members of the Commission to amend the Bylaws.

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The Bylaws shall be reviewed no less than each third year by a committee appointed by the Chairperson.

Addendum One

The entirety of the organizing ordinance (Section 22.700-22.708) is included by this reference as part of these By-laws and attached as an addendum. In any matters pertinent to the interpretation of these Bylaws, the ordinance shall supersede the Bylaws.