



Internal Operating Procedures

Minneapolis Commission on Civil Rights

Amended June 2019

Internal Operating Procedures

Minneapolis Commission on Civil Rights

City of Minneapolis

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ARTICLE I: Officers – Election

Section 101 Commission Officers

101.1 Chair

- (1) Represents Commission in its business before the Mayor, City Council, Department of Civil Rights, and community in person and in correspondence;
- (2) Convene and Chair all Executive Committee and Commission meetings;
- (3) With input from the Commission, sets agenda for Commission meetings;
- (4) Appointments members to standing committees;
- (5) Ex-officio member of all Commission committees;
- (6) With Department of Civil Rights, assures processing of contested case hearings (signing needed forms, constituting panels, etc.)
- (7) Delegates tasks as necessary to assure that Commission work gets done.

101.2 Vice-Chair

- (1) Assist Chair in duties related to the MCCR, as directed by the Chair;
- (2) Fill in for Chair when the Chair is unavailable; and
- (3) Attend Executive Committee meetings.

101.3 Treasurer

- (1) Oversight over MCCR's separate bank account, and expenditures from - can sign checks alone up to \$100.00; above \$100.00 requires co-signature of Chair;
- (2) Report to Commission on MCCR's finances quarterly or upon request;
- (3) Prepares and submits a Commission budget for inclusion in the Department of Civil Rights annual budget;
- (4) Attend Executive Committee meetings;
- (5) Third in line to run Commission meetings; and
- (6) Other tasks as directed by Chair.

101.4 Secretary

- (1) Attend regular MCCR meetings, take notes, produce minutes and submit them to the Liaison for formatting and distribution;
- (2) Track attendance, record votes at MCCR meetings;
- (3) Attend Executive Committee meetings, take minutes;
- (4) Fourth in line to chair meetings; and
- (5) Other tasks as directed by Chair.

Section 102 Election Procedure

102.1 The election of officers shall take place at the first regular Commission meeting in January.

102.2 The current Chair shall preside through the entire election process. The election of each office shall be completed before proceeding to elect the next office.

- 102.3 The order of election shall be: Chair, Vice-Chair, Treasurer and Secretary. All four offices are one -year terms. There is no limit on the number of terms a Commissioner may hold an office. No Commissioner shall hold more than one office at a time.
- 102.4 Nominations for an office may be made by any Commissioner present at the meeting. Nominations do not require a second. After nominations are closed, each candidate will be allowed a maximum of three minutes for a speech. After all candidates have completed their speeches, a question and answer period will follow for a maximum time limit of five minutes. The question and answer period shall involve all candidates. The process shall not involve screening or nominating committee.
- 102.5 Election shall be by written and signed ballots. Immediately after all ballots are cast, they shall be read into the record. The new officers shall take their positions immediately after all offices have been elected: Election shall be by simple majority of the Commissioners present and voting. There shall be no absentee ballots or proxy voting.102.6 Any vacancy in a Commission office shall be filled by special election at the first regular Commission meeting after the vacancy occurs.

ARTICLE II: Regular Commission Meeting Procedure

Section 201 Meeting Agenda and Minutes

- 201.1 The agenda of all regular meetings of the Commission shall be set by the Chair of the Commission, after consultation with the Executive Committee, before each regular Commission meeting. Agenda items shall be described with as great a degree of particularity as the nature of the item allows.
- 201.2 The first item on the agenda shall be approval of the agenda; once the agenda is approved by majority vote, it may not be modified except upon motion by a Commissioner and approval by majority vote or by unanimous consent.
- 201.3 Copies of the agenda shall be available to the public at the Department of Civil Rights office at all regular meetings of the Commission. Copies of the minutes of the regular Commission meetings shall be available to the public at the Department of Civil Rights office.

Section 202 Public Participation in Regular Commission Meetings

- 202.1 Any member of the public who wishes to place an item on the written agenda of any regular Commission meeting shall notify the Commission Liaison, who shall notify the Chair who shall place the request before the Executive Committee. Upon a majority vote of the Executive Committee, an item may be placed on the proposed agenda for the following regular Commission meeting. At such meeting, the member of the public proposing the agenda item may speak for such time and upon such conditions as the Executive Committee shall approve-in advance.
- 202.2 Members of the public may speak at regular Commission meetings during the Public Commentary portion of the regular Commission meeting agenda. Members of the public wishing to address the Commission should notify the Commission Liaison or the Commission Secretary prior to the Public Commentary portion of the agenda. No person addressing the Commission under this section may speak for more than two minutes. A speaker's time may be extended upon a majority vote of the Commission. Speakers shall speak in the order in which they are called on by the Chair.
- 202.3 Any Commissioner may request a roll call vote on any item.

ARTICLE III: Committees

Section 301 Executive Committee

Consists of the Officers of the Commission and the Chair of each Standing Committee. The Executive Committee shall meet monthly to set the agenda for the regular Commission meeting.

Section 302 Standing Committees

- 302.1 Public Relations and Education is responsible for creating a public image for the Commission and educating the various constituent communities about the Commission; monitors treatment of protected classes within the educational system.
- 302.2 Standards and Procedures monitors and revises Commission internal procedures and external rules and procedures.

Section 303 Standing Committee Membership and Procedure

303.1 Standing Committee Appointment

- (1) Commissioners shall indicate their committee preferences in writing to the newly elected Chair of the Commission at the January meeting;
- (2) A newly appointed Commissioner shall indicate his/her committee preferences at his/her second regular Commission meeting;
- (3) The Chair shall appoint the members of each Committee based on each Commissioner's preference; and
- (4) Attorney Commissioners shall be members of the Standards and Procedures Committee, but membership in this committee is not limited to attorneys.

303.2 Standing Committee Procedure

- (1) Each committee shall meet briefly at the February regular Commission meeting to elect a Chair of the committee and schedule the committee meetings;
- (2) Election of each committee Chair shall be by simple majority of the committee members present and voting;
- (3) Committees may, but need not, schedule regular meetings;
- (4) Each committee shall set its own agenda and may also be assigned tasks by the Commission, Executive Committee or Chair of the Commission;
- (5) Following the resignation of a Chair of a committee, the committee shall elect a new chair at its next meeting.
- (6) The quorum at any meeting of a Standing Committee shall consist of half (1/2) of the committee membership; in the event that the committee membership falls below three (3) members, two (2) members are required for a quorum.¹

¹ Added June 17, 2019

Section 304 Task Force

- 304.1 Task forces may be appointed by the Commission from time to time to address or make recommendations to the Commission concerning specific issues.
- 304.2 Unless otherwise specified by the Commission, a task force shall remain in existence until completion of its assigned duties but not in excess of one year. A task force's existence may be extended by the Commission.
- 304.3 Task forces shall operate in accordance with Section 303.2.

ARTICLE IV: Public Hearings

Section 401 Chair-Related Procedure

- 401.1 The Chair of the Commission shall appoint a hearing panel chairperson and two additional panel members. In addition, an alternate shall be appointed to each panel. The designated alternate shall be available and on call by telephone during the first half-hour of the scheduled hearing.
- 401.2 Once a hearing has been commenced, an alternate may not be substituted for a panel member.
- 401.3 The hearing panel chair shall notify the Chair of the Commission as soon as possible if a panel member misses a scheduled pre-hearing conference, public hearing or review hearing. The Chair shall immediately send a letter to the commissioner, with a copy of the letter to the commissioner's appointing authority, stating that such conduct cannot be condoned, and directing the commission's attention to Minneapolis Code of Ordinance, Chapter 141.20 (c).

Section 402 Full Commission Issue-Related Procedure

- (1) The public hearing will be chaired by the Chair of the Commission on Civil Rights.
- (2) Testifiers will be asked, but not required, to give sworn testimony.
- (3) The time limit for individual testimony will depend upon the number of individuals wishing to testify.
- (4) Commissioners may conduct a five-minute follow-up question and answer period after each individual's testimony. If time permits, the Chair may recognize questions from the public.
- (5) All testimony given will become part of the Commission's public record.
- (6) Persons wishing to give private testimony can do so by contacting the Commission Liaison.

Section 403 Full Commission Charge-Related Procedure

Reserved for later addition.

ARTICLE V: Official Communications

Section 501 Commission Stationary

The Commission officers, committee chairs and hearing panel chairs shall use official letterhead only for official duties that are specifically authorized by the commission or for such notices and requests for information as are necessary for specific commission business. Letters sent on commission letterhead must be filed concurrently with the Commission Liaison.

Section 502 Written Communications

Any written communication by a commissioner shall clearly indicate that the commissioner is writing in his or her individual capacity and not on behalf of the commission unless specifically authorized to represent the position of the commission. A specific disclaimer is not required.

Section 503 Oral Communications

In speaking before a public agency, a commissioner shall make clear by giving a disclaimer that he/she is not representing the commission when presenting individual views.

ARTICLE VI: Attendance and Removal

Section 601 Removal of Commission Members

601.1 (1) Definitions

- Absence: not being physically present for part or all of any Commission meeting
- Unexcused absence: an absence that has not been deemed excused by the Executive Committee or by the Commission as a whole

(2) Attendance policy:²

- a) If a Commissioner has more than three unexcused absences in a calendar year, that Commissioner shall be dismissed from the Commission.
- b) A Commissioner may contact the Chair or Vice Chair at any time to request that the Executive Committee excuse an absence.
- c) After every Commission meeting, the Executive Committee shall notify staff of the Department of Civil Rights of the names of the Commissioners who were absent from that meeting.
- d) Within one week of receiving the notification described in paragraph (c), staff of the Department of Civil Rights shall email the following notification to any Commissioner who was absent from the Commission meeting:

The Executive Committee of the Minneapolis Commission on Civil Rights has noted that you were absent for all or part of the Commission meeting on [date]. Under the Commission's attendance policy, if a Commissioner has more than three unexcused absences in a calendar year, that Commissioner shall be dismissed from the Commission. You may contact the Commission Chair [email address] or Vice Chair [email address] to request that the Executive Committee excuse your absence. The Executive Committee has the discretion to deem your absence excused if you: (a) provide timely notice of your absence; and (b) show good cause for your absence. If the Executive Committee denies your request, you may appeal that decision to the Commission as a whole.

- e) The Executive Committee has the discretion to deem an absence excused if the absent Commissioner: (1) provides timely notice of the absence; and (2) shows good cause for the absence.
- f) The Executive Committee shall notify the absent Commissioner of its decision no later than one week after the Executive Committee meeting immediately following receipt of the Commissioner's request to excuse an absence.
- g) If the Executive Committee denies a request to excuse an absence, the absent Commissioner may appeal that decision to the Commission as a whole. The Commission shall decide the appeal by a majority vote. The decision of the Commission is final and not subject to appeal.

601.2 Whenever a commissioner is removed from the commission pursuant to any provision of Minneapolis Code of Ordinances, Chapter 141.20 (c), he/she shall immediately be barred from participating in all commission activities and functions. The portion of the Minneapolis Code of Ordinances, Chapter 141.20

² Added July 16, 2018

(b) providing that a commissioner shall continue to serve until his/her successor has been appointed shall not apply to any commissioner removed pursuant to Chapter 141.20 (c)

ARTICLE VII: Miscellaneous Rules

Section 701 Orientation and Retreat

A retreat of the full commission shall be held each fall on a date determined by the commission at its September meeting. Orientation for new commissioners shall be held upon appointment.

Section 702 Commission Roster

A roster of commission members, their addresses and telephone numbers shall be distributed to all commissioners, the Mayor's office, City Council and the Director of the Department of Civil Rights. The roster shall be stamped 'Confidential', and no information in it shall be disclosed without the consent of the commissioner. Any person who wishes to speak to a member of the commission shall contact the Commission Liaison who will then contact the commissioner.

Section 703 Informative Materials

Except for documents prepared by the Commission, the Department or commissioners, no informative materials of more than five (5) pages in length shall be duplicated or distributed to commission members. Material in excess of five (5) pages may be filed with the Commission and a copy shall be sent to any commissioner who specifically requests it.

Section 704 Minnesota Clean Indoor Air Act

Smoking is prohibited at all commission meetings and public hearings.

Section 705 Accessibility of Meeting

All commission meetings, public hearings and other functions shall be held in facilities that are architecturally accessible and barrier free to people with mobility impairments.

Section 706 Martin Luther King, Jr. Education Fund: Guidelines for Distributions

Moneys will be dispersed from this account for civil rights education related activities for the Minneapolis elementary and secondary schools and which support the principles and philosophies of Dr. Martin Luther King, Jr. Activities which promote civil rights education should include the development of curriculum, or other written or audio/visual material and should have long term impact on its proposed audience.

Section 707 Conference/Travel Expenses

Any Commissioner may request that the Commission approve a request to the Department of Civil Rights to pay conference and travel expenses for the Commission to attend a civil rights related event. The Department is not bound by the recommendation from the commission, but may pay such expenses on a funds available basis.

Section 708 Transcript Orders

The presiding officer of an oral or public hearing may request the ordering of a transcript at the Department's expense with the Chair's approval. If the Chair is serving on the hearing panel, the approval of the Vice-Chair shall be required.

Section 709 Amendment(s) to the Internal Operating Procedures

If the Standards & Procedures Committee (hereafter, "S&P Committee") seeks to amend the Internal Operating Procedures, the following procedure must be followed:

- (1) The S&P Committee shall present a written draft of the amendment(s) at the regularly scheduled Commission meeting;
- (2) At the aforementioned meeting, the Commission will discuss the amendment(s) and give notice that the Commission will vote on the amendment(s) at the next regularly scheduled meeting;
- (3) The Commission shall vote on the amendment(s) at the next regularly scheduled meeting; and
- (4) If adopted by the Commission, the S&P Committee shall incorporate the amendment(s) into the Internal Operating Procedures.

If the Commissioner proposing the amendment(s) is not a member of the S&P Committee, then he/she shall submit the amendment at the S&P Committee meeting prior to the regularly scheduled Commission meeting.

The S&P Committee shall vote on the amendment after it is presented and if approved, present a written draft of the amendment(s) at the next regularly scheduled Commission meeting per subsection (1) above.

The procedure will then proceed as noted in the first paragraph of this section.³

³ Added September 17, 2018