

# California Racial Equity Commission

## Bylaws

### **Preamble**

*The State of California continues to march towards equality and to address historical wrongs. Despite continued progress, more work remains to attain our shared goals of providing equal opportunity for all and addressing persistent disparities in outcomes. The Racial Equity Commission is committed to creating time and space for all to be heard and valued by taking responsibility for our own voices, listening, and participating fully. We believe in working collaboratively from discussion to action and recognize that it will take multiple conversations and cohesive efforts to make effective recommendations on tools, best practices, and methodologies to address structural racism and inequities. We actively embrace the opportunity to be solution oriented, maintain democratic principles, and ensure all Californians are encouraged to contribute to this collective effort.*

### **ARTICLE I. NAME**

The name of this Commission shall be the Racial Equity Commission or the “Commission” established pursuant to [Assembly Bill \(AB\)127 \(Committee on Budget, Chapter 45, Statutes of 2023, Section 10\)](#) and [Executive Order N-16-22](#).

### *Authority, Statutory Requirements, other Laws and Policies*

The Commission shall comply with all applicable laws. To fulfill this obligation, members of the Commission may be required to undertake mandatory trainings and adhere to state and federal disclosure requirements.

### **ARTICLE II. PURPOSE**

The Commission is an appointed advisory group composed of subject matter experts on (i) analyzing, implementing, or developing public policies that impact racial equity, (ii) developing or using data or budget equity assessment tools, (iii) providing technical assistance in developing and implementing strategies for racial equity, and (iv) being a member of or representing an equity-focused organization who works with an impacted community whose lived experience will inform the work of the commission.

The Commission has the authority to hold hearings and perform acts necessary to carry out the commission’s duties and engage with advisors or advisory committees.

The Commission shall develop a statewide “Racial Equity Framework” (“the Framework”). The Framework shall be approved by the Commission, submitted to the Governor and the Legislature and posted to the Commission’s internet website. The Framework shall include (i) methodologies and tools that can be employed in California to advance racial equity and address structural racism, (ii) budget methodologies to inform how funding allocations benefit or burden communities of color, (iii) processes for collecting and analyzing data, including disaggregated data as appropriate, and (iv) summaries of input and feedback from stakeholder engagement. The Commission shall prepare annual reports that summarizes feedback from public engagement with communities of color, provides data on racial inequities and disparities

in the State, and recommends best practices on tools, methodologies, and opportunities to advance racial equity. The first annual report shall be submitted to the Governor and the Legislature and posted on the Commission's website in accordance with legal directives.

The Commission, through its staff, shall also provide technical assistance at the request of a state agency on implementing strategies for racial equity in alignment with the Framework. The Commission, through its staff, shall also provide technical assistance to local governments on racial equity programming, upon request, and encourage the development and implementation of racial equity initiatives by local government entities.

### **ARTICLE III. MEMBERSHIP**

As outlined in [Section 8303.1 of the Government Code](#) and [Executive Order N-16-22](#), the Commission is composed of 11 members and is staffed by the Governor's Office of Planning and Research. The Governor shall appoint seven (7) members of the Commission. Two (2) members of the commission shall be appointed by the Speaker of the Assembly and two (2) members of the commission shall be appointed by the Senate Committee on Rules.

#### **SECTION 1. ACTIVE MEMBERS**

Active voting members shall be appointed Commissioners, who shall serve two-year terms. Active members will constitute the majority (not less than 11) and the voting members of the Commission.

#### **SECTION 2. QUORUM AND ADJOURNMENT**

Meetings with 51% of the voting membership shall be necessary and sufficient to constitute a quorum for the transaction of business.

#### **SECTION 3. RESIGNATIONS AND REMOVAL**

Any Commission member may resign from the Commission at any time by giving written notice to the Chair of Commission and the appropriate appointing body. Resignation shall take effect upon receipt of letter by the Chair of Commission. Acceptance of resignation shall not be necessary to make it effective.

When a Commission member's resignation has been received by the Chair of Commission, their seat on the Commission shall be deemed vacant. The Chair of the Commission may request the appropriate appointing body to appoint a new member to any vacant position. All appointments shall serve a full term on the Commission.

#### **SECTION 4. VOTING**

Each active member of the Commission is entitled to one vote. A quorum (Art. III, Sec 2) is required to vote to adopt a motion or to elect an officer. The Commission will apply a majority vote to approve a motion or to elect officers. A majority vote is defined as "more than half" of the votes cast by persons entitled to vote, excluding a vacant position or abstention, at a regular or properly called meeting.

## **ARTICLE IV. MEETINGS**

### **SECTION 1. TIME OF MEETINGS**

There shall be at least quarterly meetings in the state of California, the time to be determined by the Executive Director of the Commission. The meetings of the Commission must be preceded by at least ten (10) days of public notice and are subject to the Bagley-Keene Act. The meetings of the Commission shall use Robert's Rules of Order, Newly Revised to facilitate the decision making process of the Commission during meetings. The meetings of the Commission may coincide with Stakeholder Engagement meetings.

### **SECTION 2. ATTENDANCE**

Commission members have a duty to attend Commission meetings, and its committees of which they are members. After three successive Commission meeting absences by a member, the Chair shall remind the member of the Commissioner's obligation to attend and participate in meetings.

### **SECTION 3. STAKEHOLDER MEETINGS**

The Commission shall hold quarterly stakeholder meetings and engage/consult with policy experts to build upon and collaborate with existing entities advancing racial equity in California.

## **ARTICLE V. OFFICERS**

The officers of Commission shall be the Chair and Vice Chair of the Commission.

### **SECTION 1. CHAIR**

The Chair of Commission shall be nominated by the Commission and subject to vote to confirm nomination. The Chair of the Commission shall serve for a maximum of two consecutive two-year terms.

As the presiding officer of the Commission, the Chair shall preside over the meetings of the full Commission. The Chair may appoint any ad hoc committees necessary for the functioning of the Commission. The Chair will work closely with the Vice Chair and the Executive Director to develop meeting agendas to advance the work of the Commission.

### **SECTION 2. VICE CHAIR**

The Vice-Chair of Commission shall be nominated by the Commission and elected by the full commission. The Vice-Chair of the Commission shall serve for a maximum of two consecutive two-year terms.

The Vice-Chair shall preside over the meetings of the full Commission in the absence of the Chair. The Vice-Chair will work closely with the Chair and Executive Director to develop the meeting agendas to advance the work of the Commission.

## **ARTICLE VI. SELECTION OF CHAIR AND VICE CHAIR**

Selection of a new Chair and Vice Chair shall be initiated by the Commission. This selection will be accomplished through a nominating and voting process conducted by the Commission.

## **ARTICLE VII. BUDGET**

### **SECTION 1. ANNUAL BUDGET**

Annually a financial budget shall be established in the Office of Planning and Research to support the administration, programs, and activities of the Commission. The Commission members shall serve without compensation, but they may be reimbursed for necessary, pre-approved expenses incurred in connection with their duties, consistent with Government Code section 11009.

### **SECTION 2. FUNDRAISING AND DEVELOPMENT**

The Commission may accept federal funds for the purposes of this Commission. The Commission may accept gifts, donations, grants, or bequests for the purposes of this Commission.

## **ARTICLE VIII. COMMITTEES**

### **SECTION 1. AD HOC COMMITTEES**

The Chair of the Commission may establish Ad Hoc Committees to address issues as deemed necessary and appropriate. The Chair of the Commission will recommend active members for appointment to an Ad Hoc Committee. Recommended appointments to an Ad Hoc Committee shall be approved by majority vote by the Commission. Ad Hoc Committees may include no more than two (2) active members and be supported by Commission staff. Entities with a vested interest, community members, and policy experts may be engaged to inform the work of the Ad Hoc committees.

The Ad Hoc Committees may present recommendations for action to the full Commission at a regular meeting of the Commission.

Ad Hoc Committees shall meet at the time to be determined by the Executive Director of the Commission. The meetings of the Ad Hoc Committees may coincide with Stakeholder Engagement meetings.

### **SECTION 2. STANDING COMMITTEES**

The Standing Committees are necessary to implement ART. II. The Chair of the Commission will recommend active members for appointment to a Standing Committee. Recommended appointments to a Standing Committee shall be approved by majority vote by the Commission. All Standing Committees shall consist of no more than five (5) active members and may be supported by Commission staff. Entities with a vested interest, community members, and policy experts may be engaged to inform the work of Standing Committees.

- A. Executive Committee - work with Commission Staff to develop meeting agendas and facilitate the Commission's public meetings. The Executive Committee will review all documents prior to dissemination to the Commission and public;
- B. Data Committee – will develop recommendations, including best practices and strategies for the collection and analysis of data effectively and safely;

- C. Budget Equity Committee – will develop recommendations, including best practices and strategies for the analysis of how budget allocations benefit or burden communities of color;
- D. Community Engagement Committee – will develop recommendations, including best practices and strategies for engaging entities with a vested interest, especially community residents on racial equity;
- E. Implementation and Technical Assistance Committee – will develop recommendations including best practices and strategies for implementing the Racial Equity Framework and providing technical assistance to state agencies, local government entities, and others.

The Standing Committees may present recommendations for action to the full Commission at a regular meeting of the Commission.

Standing Committees shall meet at the time to be determined by the Executive Director of the Commission. The meetings of the Standing Committees must be preceded by at least ten (10) days of public notice and are subject to the Bagley-Keene Act. The meetings of the Standing Committee may coincide with Stakeholder Engagement meetings.

### **SECTION 3. Parliamentary Authority**

The Ad Hoc and Standing Committees shall use Robert's Rules of Order, Newly Revised to facilitate the decision making process during meetings.

### **ARTICLE IX. AMENDMENT OF BYLAWS**

These bylaws can be amended only at a regularly scheduled meeting of the Commission, provided that the amendment has been submitted in writing to the Chair for review, and upon the Chair's recommendation has been forwarded to the full Commission for consideration. Approval shall require an affirmative vote of a majority of the voting membership of the full Commission.

The bylaws shall be effective upon their adoption at a regularly scheduled meeting of the Commission and shall supersede any bylaws previously adopted by the Commission.

### **ARTICLE X. DISSOLUTION OF COMMISSION**

The Commission shall become inoperative on January 1, 2030, and as of that date is repealed (Gov Code, § 8303.3) unless the life of the commission is extended by statute or executive order.

These bylaws were adopted at a Full Commission meeting of the Commission on **January 24, 2024.**

## REVISION HISTORY

- ❖ January 24th, 2024
  - Bylaws Adopted.
  
- ❖ March 21, 2024
  - Added/Amended Article VII. Section 1-3 Clarified Ad Hoc Committees, Defined Standing Committees, Specified Ad Hoc and Standing Committee operations, and Outlined Parliamentary Authority. Added Revision History to the Document.