



Oregon

Kate Brown, Governor

Oregon Commission on Black Affairs

"Advocating Equality and Diversity"

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Oregon Commission on Black Affairs

BYLAWS

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OREGON COMMISSION ON BLACK AFFAIRS BYLAWS

ARTICLE I – PURPOSE

The Oregon Commission on Black Affairs was created to work for the implementation and establishment of economic, social, legal and political equality for Blacks in Oregon. (ORS 185.410).

ARTICLE II – COMMISSIONERS

Section 1 – Number of Members

The Commission on Black Affairs shall be comprised of eleven (11) members. Two of the eleven commissioners shall be representatives from the Legislative Assembly.

Section 2 – Appointment of Eleven Members

Nine members of the Commission shall be appointed by the Governor and confirmed by the Senate. The President of the Senate and the Speaker of the House shall each appoint one Legislative member.

Section 3 – Length of Term

Members appointed by the Governor shall serve three-year terms. Legislators shall serve two-year terms.

Section 4 – Government Ethics Law

All Commission members must adhere to the Oregon Code of Ethics set forth in ORS 244.050. This code prohibits public officials from:

1. Using their position to obtain financial gain for themselves, members of their household, or any other business with which they or members of their household are associated;
2. Using confidential information received in their position for private gain;
3. Soliciting or receiving a promise of future employment for official action; or
4. Offering, Soliciting or receiving, during a calendar year, gifts totaling over \$50 in value, from any source with an economic interest in the public official's governmental agency.
5. Attempting to represent or represent a client for a fee before the governing body of a public body of which the person is a member.

ARTICLE III – RESPONSIBILITIES OF THE COMMISSION

Section 1 – Monitoring Function

Commissioners shall monitor existing programs and legislation designed to meet the needs of Black Oregonians.

Commissioners must foster a cooperative and supportive team approach with other members of the OCBA and the Advocacy Commissions, OACO Administrator and staff, as well as the community at large.

Section 2 – Identifying and Researching Problems

Commissioners shall study program and services, identify and analyze problem areas and issues affecting the Black Community and recommend actions to the Governor and the Legislative Assembly, including recommendations on legislative programs.

Commissioners may offer new proposals and recommend changes in programs, policies and standards.

Section 3 – Liaison Role

Commissioners, as individuals, must use discretion to avoid the appearance of speaking for the Commission unless specifically authorized to do so.

The Commission shall maintain liaison between the Black Community, nonprofit organizations, private sector organizations, and government entities.

Commissioners must interpret community opinions, attitudes, and needs to the Commission for transmittal to agencies, the Legislature, and the Governor.

Commissioners must represent the Commission and its policies, mission, and reputation.

Commissioners must represent the Commission in a positive manner and must remember that when speaking with the media, that they must not give personal opinions.

Section 4 – Citizen Participation

Commissioners shall encourage Black representation on state boards and commissions, and other task forces and committees.

Commissioners must build and maintain a relationship with the Black community they represent.

Section 5 – Black History Month

OCBA partners with the Governor of Oregon to celebrate Black History Month with a proclamation and may, when requested by the Governor, represent the Governor in reading the proclamation at gatherings when the Governor cannot attend.

ARTICLE IV – OFFICES

Section 1 - Principal Office

The Commission is staffed by the Oregon Advocacy Commission Office. The principal OACO office is located in the city of Portland, County of Multnomah, State of Oregon.

ARTICLE V – MEETINGS

Section 1 – Public Access

All Commission meetings (regular and special) are open to the public. (See Attorney General’s Public Records and Meetings Manual).

Section 2 – Notice of Meetings

Commissioners shall be given at least 10 days’ notice, in writing, of the date and place of each regular, adjourned or special meeting. (ORS 182.120)

Section 3 – Regular Meetings

A regular Commission meeting or committee meeting shall be held no less than bi-monthly (every two months). The general business and action of the Commission shall take place at regular meetings.

Section 4 – Committee Meetings

Committee meetings (operational, standing, and program) shall be scheduled as needed in accordance with the public meeting requirements.

Section 5 – Special Meetings

Special Commission meetings may be called at any time and place provided that fully adequate notice of the location and matter(s) to be discussed are given, so that interested persons may attend. The Chairperson, any three Commissioners, or the OACO Administrator, at the consent of the Chairperson, or any three Commissioners may call special meetings.

Section 6 – Executive Session

At any regularly called meeting, the Commission may (by majority vote) go into Executive Session and exclude there-from any and all persons, except Commissioners or others allowed under pertinent statutes. Executive Sessions are subject to the Public Meeting Law. (See Attorney General’s Public Records and Meetings Manual.)

Section 7 – Quorum

At all regular and special Commission meetings, a quorum shall be a simple majority of Commissioners serving.

Section 8 – Dissent

A Commissioner, who is present at a Commission meeting at which official action is taken, shall be presumed to have assented to the holding of the meeting and action taken. Their dissent must be entered in the meeting minutes or filed as written dissent or objection with the person acting as meeting Recorder before the meeting adjourns. Such right of dissent shall not apply to a Commissioner who voted in favor of such action.

Section 9 – Proxies

All votes before the Commission must be personally cast and there shall be no votes by proxy.

Section 10 – Attendance & Removal Governor’s Appointee

The office of a Commissioner serves at the pleasure of the appointing authority. If the member ceases to possess the qualifications required for appointment, to include status designations as provided in ORS 236.010, or has two successive unexcused absences, and unless prevented from attending for reasonable cause, as provided in ORS 182.010, the Governor shall appoint a successor.

Commissioners and the OACO Administrator shall attend all meetings unless excused by the Chairperson of the Commission. A request to be excused from a meeting must be submitted by email, fax, telephone or in writing 24 hours prior to the meeting when possible.

After a Commissioner has missed two consecutive meetings the Chair or designee will contact the commissioner concerning their intention to serve. The Chair or designee will report back to the full commission at its next meeting. If the member is absent again the Commission will inform the governor’s office regarding the lack of attendance of the Commissioner and need for a new appointment.

Section 12 – Attendance - Legislative Appointees

A Commissioner, appointed by the President of the Senate or the Speaker of the House, who fails to attend two consecutive meetings of the Commission shall forfeit his/her office, unless he/she is prevented from attending by legislative responsibilities or serious illness of himself/herself or his/her family, or for any other cause in the judgment of the President or Speaker constituting a valid reason for failing to attend.

ARTICLE VI – OFFICERS

Section 1 – Designation

The officers of the Commission shall be a Chairperson and a Vice-Chairperson. Both the Chairperson and Vice Chairperson shall be Commissioners.

Section 2 – Nominations

Nominations for Chairperson and Vice Chairperson shall be made in October of each year. An official ballot shall be prepared and ballots shall be cast at the December meeting.

Section 3 – Election

The Chairperson and Vice Chairperson shall be elected by the Commissioners every biennium at the December regular meeting of the Commission. Officers shall hold office for two years, unless removed by a two- thirds vote of the Commission, and until their successors are elected.

Section 4 - Special Election

A special election may be held to fill the positions of the Chairperson and/or Vice Chairperson, subject to limitations defined in Article 8 - Section 2 of these bylaws.

ARTICLE VII – STAFF & VOLUNTEERS

Section 1 - Commission Staff

The Commission shall be staffed by the Oregon Advocacy Commissions Office. The OACO Administrator serves as staff for the four Advocacy Commissions so they may carry out their duties.

Section 2 - Hiring

In accordance with Oregon law, the Commission, in partnership with the Oregon Commission on Asian and Pacific Islander Affairs, the Oregon Commission on Black Affairs, the Oregon Commission on Hispanic Affairs, the Oregon Commission for Women, and the Commissioner of the Oregon Bureau of Labor and Industry, shall set for the qualifications of the OACO Administrator and appoint a qualified person, and may, subject to Oregon Revised Statute and administrative rules, employ other persons to provide such services as the commission shall require.

Section 3 - Responsibilities

The Administrator shall ensure the fiscal health and overall operation of the agency and the implementation of program goals. Duties include, (but are not limited to), an Administrators report on her/his accomplishments at each of the Commission’s regular meetings, fiscal monitoring, fundraising, grant writing, community networking, public relations, systems and legislative

advocacy, general oversight of program services, liaison to the Commission, office administrator, and supervisor of any staff.

The OACO Administrator shall:

- A. Keep the Commissioners informed regarding the implementation of decisions made by the Commissioners, legislative activities, community-based activities and status affecting the Black community.
- B. Be present at all Commission meetings unless excused by the Chair.
- C. Present matters requiring policy decisions before the full Commission for their review and approval.
- D. Establish and maintain a relationship with state agencies, public and private industries.
- E. Report at least monthly to the Chairperson of the Commission on activities and actions taken on behalf of the Commission that may need action.
- F. In coordination with the Legislative Committee present a draft of the Commission's annual legislative agenda for review and approval.
- G. Inform the Chair and Vice Chair of any public disclosure requests of Commission records. The Administrator will work with DAS and/or DOJ to determine which portion of document in the request may be made public.
- H. Communication with the Chair on all news releases and significant newsworthy items statewide.
- I. Manage the day-to-day operations of the Commission office, budget, and personnel, including staff assignments and annual performance evaluations.
- J. Manage the budget and provide a status report on the budget expenditures and goals.

Section 4 – Evaluation

The Administrator will be evaluated by the appointing Committee six months after the hire date, and each year thereafter. The purpose of the evaluation shall be to communicate the assessment of the Administrator performance and to identify, performance or project priorities for the coming year.

Section 5 – Volunteers

As volunteer opportunities arise the commission shall utilize community volunteers to expedite its work.

ARTICLE VIII – DUTIES OF OFFICERS

Section 1 – Duties of Chairperson

The duties of the Chairperson shall be to:

- A. Preside at all meetings of the Commission ensuring all meetings are conducted in an orderly manner

- B. Serve as the spokesperson, and has the authority to make public statements on behalf of the Commission. The Chairperson must assure that any public statements accurately reflect the Commissions position.
- C. Call special meetings, subject to “Special Meetings” rules.
- D. Coordinate and recruit new members in coordination with the Vice Chairperson.
- C. Appoint all operational, standing and program committee members and their respective Chairpersons, subject to the ratification of the Commission.
- D. Advises the OACO Administrator on issues or other matters that require attention.
- E. Reviews the Commissions biennial budget proposal with the OACO Administrator prior to it be presented to the full Commission and public for recommendations.
- F. Represent the Commission in its reports to the Governor, media and other agencies.
- G. Perform all duties necessary and incidental to the office, unless otherwise specifically delegated to another Commissioner or the OACO Administrator.

Section 2 – Duties of Vice Chairperson

The Vice-Chairperson shall

- A. Perform the duties of the Chairperson in the absence of the Chairperson or in the event of the Chairperson’s inability to act. Should the Chairperson vacate the position of chair during his/her unexpired term, the Vice-Chairperson shall assume the position of Chairperson.
- B. Have the responsibility of coordinating and monitoring the activities of standing and program committees.
- C. Coordinates and recruits new members along with the Chairperson. The Vice Chair coordinates with the OACO Administrator to inform Commissioners in their third year of serving that a letter of interest must be submitted if they would like to be re-appointed by the Governor’s Office.

ARTICLE IX - COMMITTEES

Section 1 – Operational Committees

The names, composition, and duties of the operational committees of the Commission shall be designated or renewed at the first meeting of the fiscal year. Unless otherwise designated by the Commission, the following shall be Operational Committees: Executive Committee and Outreach and Visibility Committee.

A. Executive Committee - shall consist of the Chairperson, Vice Chairperson, and Committee Chairperson(s).

1. The Commission Chairperson shall preside at Executive Committee meetings. The Executive Committee shall also function as the committee responsible for developing, reviewing, and monitoring the Commission's budget.

2. The Executive Committee monitors status of all projects and initiatives

3. In the event a full Commission meeting cannot be called and immediate action must be taken, the Executive Committee is empowered to act, with their action to be ratified at the next regular meeting of the full Commission.

4. The Executive Committee assists the OACO Administrator in coordination of orientation and training for new Commissioners, and serves as a mentor to newly appointed Commissioners.

5. The Executive Committee, may consult with the Chair to provide input to the annual performance appraisal of the OACO Administrator-

6. Solicit and submit names of members of the Black community to serve on state boards and commissions, task forces and other pertinent committees.

Section 2 – Standing Committees

The Commission, in keeping with its duties and purpose, shall have three standing committees: Advocacy, Research, and Legislative.

A. Advocacy Committee shall:

1. Develop strategies for monitoring and making recommendations to state agencies and other organizations to ensure that programs, processes, and procedures positively, or do not negatively, impact, social, legal, economic, and/or political equality of the Black community statewide.

2. Review and report recommendations to the Commission regarding letters of complaint and general issues or matters affecting the Black community that surface in the media or in other forums.

3. Enhance the visibility and recognition of the Commission statewide and formulate a statewide outreach strategy for the Commission to reach Black communities members statewide

4. The Advocacy Committee will implement the actions and recommendations assigned by the Commission.

B. Research Committee shall:

1. Work with staff to ensure that the Commission is able to access statistics regarding the Black community statewide.
2. Conduct preliminary research on issues that are of concern to the Commission.
3. Make recommendations to the Commission regarding further research and/or communication with the Governor, Legislature, and city, county, and state agencies regarding the social, economic, legal or political status of the Black community statewide.
4. Work with staff in the development, publication, and distribution of the Commission's biennial report to the Governor and the legislature.

C. Legislative Committee shall work with staff to:

1. Monitor and report the impact of specific legislation on Black Oregonians to the Commission.
2. Propose legislative concepts for review by the Commission and formulate an annual legislative agenda for the Commission to be strategic, intentional and focused on policies most important to Black communities statewide
3. Coordinate the Commission's testimony on specific legislation.
4. Carry out any other tasks assigned by the Commission.

Section 3 – Committee Chairpersons

The Commission Chairperson, subject to ratification of the Commission shall appoint committee Chairpersons. Committee Chairpersons terms is one year.

Section 4 – Committee Membership

Every Committee of the Commission shall have no less than two Commissioners, and a Commissioner shall serve as the Committee Chairperson. Depending on the needs of the Committee, members of the Community or representatives of other agencies or organizations may serve on a Commission Committee. Non-Commissioners may be recommended by Commissioners and shall be appointed by the Commission Chairperson, subject to the ratification of the Commission.

ARTICLE X – RULES OF PROCEDURE

Robert's Rules of Order shall govern commission meetings, unless other designated by the majority of Commissioners present.

ARTICLE XI – OREGON LAW

In the event any provisions of these by-laws are in conflict with Oregon Law, Oregon law shall be controlling.

ARTICLE XII – AMENDMENTS, REVISIONS, AND REPEAL

Amendments, revisions, and repeal of these Bylaws may be made by a majority vote of Commissioners at any annual, regular, or special meeting, provided that the notice of such meeting set forth that such amendment, revision or repeal will be considered at such meeting.

ADOPTION OF BY-LAWS

The by-laws were adopted at a meeting of the Commission members on January 23, 2019, at which a quorum was present, and received majority of the votes from the Commission members.