

submitted: A of D 2-6-19

**BARNSTABLE COUNTY**

In the Year Two Thousand Nineteen

Proposed Ordinance 19- 02

To amend Ordinance 05-18: Establishing the Human Rights Commission

*The Cape Cod regional government, known as Barnstable county hereby ordains;*

**Section 1.**

Policy is unchanged. "Policy of Barnstable County"

"It is the Policy of Barnstable County to promote equal opportunity for all persons of Barnstable County regardless of race, color, religious creed, national origin, sex, age, ancestry, sexual or affectional preference, marital, family or military status, source of income, neighborhood or disability, where unlawful discrimination exists in housing, employment, education, public accommodations, Town or County services, insurance, banking, credit and health care. Barnstable County will not tolerate retaliation or reprisal against persons exercising or supporting the exercise of equal opportunity rights."

**Section 2.**

By deleting the word Commissioners where ever referenced and inserting in place thereof Human Rights Advisory Board (HRAB) as follows:

"The Human Rights Advisory Board (HRAB) is hereby established. Said Board shall consist of 9 members appointed by the Barnstable County Board of Regional Commissioners to a term of 3 years staggered at the discretion of the Board of Regional Commissioners.

- (A) The HRAB shall be comprised of three (3) members nominated county wide based upon a selection process weighted towards the prior experience of each applicant and according weight to regional representation as determined by a three (3) person panel to be appointed by the County Administrator that may include the Human Rights Coordinator. Present appointees may be given preference. Six (6) members shall be approved by the Regional Board of Commissioners. The Commissioner appointees shall exhibit specialized knowledge and a proven history of working in education, with youth services, healthcare, religious or other fields routinely and customarily associated with Human rights. One of these six nominees may be nominated by the Mashpee Wampanoag Council.
- (B) Appointees shall meet as soon as practical following their initial confirmation to select a chair and vice chair and thence in January each year. No appointee shall serve more than six (6) consecutive years.
- (C) The HRAB shall serve in an advisory capacity to the Human Rights Coordinator, shall assist municipalities, public agencies and public schools as requested by promoting equality and human rights by way of publication, education and assisting in the development and coordination of forums and other events. The HRAB shall create and maintain a data base referring citizens as

needed to Federal and State regulatory and enforcement agencies including but not limited to publicly certified interveners, responders, counselors and certified public mediators.

- (D) Assist the Human Rights Coordinator reporting periodically as requested to the Board of County Commissioners and the Assembly of Delegates.

All prior provisions of Section 2 of Ordinance 05-18 are hereby abolished and deleted.

### **Section 3.**

Section 3 is hereby amended in its totality.

Section 3: Human Rights Coordinator as amended.

The County through its administrator shall appoint a Human Rights Coordinator who shall be an employee of the County directly responsible to the County Administrator and subject to all County Personnel Policies and Procedures. All normal and customary County support shall be available to the Coordinator as directed by the Administrator to fulfill the duties assigned by this Ordinance to the Coordinator and the

HRAB subject to annual appropriation.

- (A) The Coordinator shall be the County's representative on Human Rights and shall promote as directed by the Barnstable County Board of Regional Commissioners and the Assembly of Delegates a consistent unified message within the scope of this Ordinance consistent with County Policy and Procedures, as well as relevant applicable State and Federal legislation. To facilitate and accomplish the Coordinator's responsibilities and those of the HRAB, the Coordinator shall have access to all of the County Departments at the direction of the Administrator and whenever it is deemed to be a benefit to the process of defining a consistent County Message through the County's communications coordinator.

The Coordinator shall engage countywide with the various stakeholders to gather and to disseminate information pertaining to human rights concerns and to serve the Towns of Barnstable County when called upon to address issues encompassed by this Ordinance. The Coordinator shall assist the Towns and meet with the regions various diverse communities and gather and record data, promote equality and equal protection, minimize acts and patterns of discrimination by promoting awareness through education and when necessary directing those offended by apparent violations to appropriate Local, State and Federal officials and agencies including, if necessary, the Massachusetts Commission Against Discrimination.

### **Section 4.**

The provisions of this Ordinance shall be construed as limited to the authority granted to the County under our Charter and is not intended to conflict with or contravene and General Laws of this Commonwealth. This Ordinance is intended to serve the citizens of Barnstable County in an advisory capacity and is in no way intended to conflict with police and enforcement powers granted to and reserved to other agencies of the Commonwealth by the General Court.

Approved by the Board of County Commissioners on January 23, 2019 at 9:00AM.  
Date Time

  
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Ronald Bergtrom, Chair

  
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Mary Pat Flynn, Vice-Chair

  
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Ronald R. Beaty, Commissioner