



**FCHR GOVERNANCE POLICY
ARTICLE II: GOVERNANCE PROCESS
[ALL-IN-ONE DOCUMENT]**

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GOVERNANCE POLICY | FCHR

ARTICLE: II GOVERNANCE PROCESS

POLICIES: 1 through 9



ARTICLE II POLICY 1 | GOVERNANCE COMMITMENT

The Commission, on behalf of the people of the State of Florida, will strive to achieve its established Objectives for all eligible persons at a reasonable cost and avoid any actions and situations specifically and clearly limited by this governance document.

***History.** – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)*



ARTICLE II POLICY 2 | GOVERNANCE STYLE

The Commission will govern lawfully with an emphasis on (a) collective outward vision, (b) encouragement of diversity of viewpoints, (c) strategic leadership rather than administrative detail, (d) clear distinction of roles, (e) collective rather than individual decisions, (f) future rather than past or present, and proactive rather than reactive focus.

Accordingly,

1. The Commissioners will develop and initiate governance policies for the Commission. The expertise of individual Commissioners may be used to enhance the understanding of the Commissioners as an entire body.
2. The Commissioners' major policy focus will be on the Mission, Objectives, and intended long-term effects of the FCHR as a whole.
3. The Commissioners will govern themselves professionally and respectfully in all matters of Commission business.
4. Continual Commissioner development will include orientation of new Commissioners on the Commission's governance processes, the Florida Civil Rights Act, and other pertinent state statutes, including Florida's Sunshine laws, administrative rules, and federal law, as well as periodic discussion of process improvement.
5. The Commissioners will not allow any officer, Commissioner, or committee of the Commission to hinder or be an excuse for not fulfilling their commitments.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)

ARTICLE II POLICY 3 | COMMISSIONER JOB DESCRIPTION

Specific job outputs of the Commissioners, as informed agents of the people of the State of Florida, are those that ensure appropriate organizational performance. Accordingly, the Commissioners have the direct responsibility to:

1. Create a link between the people of the State of Florida and the FCHR.
2. Write a Governance Policy that addresses the broadest levels of all organizational decisions and situations.
3. Support successful Executive Director performance.
4. Participate in Commission meetings and serve on deliberation panels and committees.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)

ARTICLE II POLICY 4 | CHAIR'S ROLE

The Chair assures the integrity of the Commission's process.

Accordingly,

1. The assigned result of the Chair's jobs is that the Commission behaves consistently with its own policies and those legitimately imposed upon it by the State of Florida.

a. Meeting discussion content will be on those issues that, according to Commission policy, clearly are under the jurisdiction and within the scope of the Commission to decide or to monitor.

b. Deliberation will be fair, open, and thorough, but also timely, orderly, and as brief as possible to effect a thorough discussion.

2. The authority of the Chair consists in making decisions that fall within topics covered by Commission's Governance Processes and the Commission-Executive Director Linkage, with the exception of employment or termination of the Executive Director.

a. The Chair is empowered to chair Commission meetings with all the commonly accepted powers of that position using the most recent copy of Roberts Rules of Order.

b. The Chair has no authority to make decisions about policies created by the Commission within the Governance Policy and Executive Limitations. Therefore, the Chair has no individual authority to direct the Executive Director. However, the Chair and the Executive Director shall maintain an ongoing, productive, and effective working relationship that continually ensures that the mission, goals, and priorities of the Commission are achieved.

c. The Chair may represent the Commission to outside parties. The Chair may delegate this authority but remains accountable.

3. In the event the office of the Chair becomes vacant, the Vice Chair shall temporarily assume the title of Chair and will perform all responsibilities and duties of the Chair until such time as an election for filling the office of Chair can be held. Such election shall be held within ninety (90) days from the date that the Chair's vacancy occurs. In the event that there is no Vice Chair serving at the time of the Chair's vacancy, any Commissioner whose current term has been in effect for the longest period of time, and is able, shall temporarily serve as Chair until elections for filling both the office of Chair and Vice Chair can be held, as long as such elections are held within ninety (90) days from the date the Chair's vacancy occurs.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)

ARTICLE II POLICY 5 | VICE CHAIR'S ROLE

1. In the absence of the Chair, the Vice Chair will assume the duties of the Chair, unless delegated otherwise by the Chair.

2. If a vacancy occurs in the office of the Chair, the Vice Chair shall temporarily assume the title of Chair and perform all responsibilities and duties of the Chair until such time as an election, pursuant to Article II, Policy 4 of this Governance Policy, can be held. If a vacancy occurs in the office of the Vice Chair, the Commission will select another member to fill the unexpired term of the Vice Chair.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)

ARTICLE II POLICY 6 | COMMISSIONER'S CODE OF CONDUCT

The Commissioners commit themselves to ethical, professional, lawful, and respectful conduct, including proper use of authority and appropriate decorum when acting as Commissioners.

1. Commissioners must not be conflicted by loyalties to any staff, other private and public organizations, or personal interests.
2. Commissioners must have a personal commitment to civil rights and uphold the mission of the Commission, the meaning and intent of the Florida Civil Rights Act, other pertinent state statutes, administrative rules, and federal law.
3. Commissioners will adhere strictly to the provisions of Florida's Sunshine Laws and will refrain from discussing any issue, without proper meeting notice and allowance for open discussion, upon which they may potentially have to vote.
4. Commissioners must avoid conflicts of interest with respect to their fiduciary responsibilities.
 - a. Commissioners will annually complete a State of Florida financial disclosure statement.
 - b. All Commissioners present at a meeting must vote unless a conflict of interest, or the appearance of a conflict of interest is disclosed on the record; a Commissioner may abstain from voting if the abstention is to assure a fair proceeding free from potential bias or prejudice. Should a Commissioner choose to vote after disclosing a conflict, paperwork may need to be completed at the direction of the Chief Legal Counsel.
 - c. Commissioners will not use their Commission position to obtain FCHR employment and/or contracts for themselves, family members, or close business associates. Should a Commissioner wish to apply for such employment or contracts, he or she must first resign his or her position as Commissioner.
5. Commissioners who qualify to run for public office must resign from the Commission in accordance with Florida Statutes. Commissioners shall not attempt to exercise individual authority over other Commissioners, the Executive



Director, or any of the staff unless specifically authorized by the Commission.

6. Commissioners' interaction with the public, press, or any other entities must recognize the inability of any Commissioner to speak on behalf of the Commission except to repeat explicitly stated Commission decisions and in furtherance of the FCHR's mission.

7. Commissioners will be properly prepared for deliberations and discussions at scheduled meetings.

8. Commissioners shall not plan events in the name of the Commission or use the name, logo, letterhead, tangible property, or any other item of the FCHR, unless approved by the Executive Director.

9. Commissioners shall timely review and return all paperwork related to case deliberations.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)

ARTICLE II POLICY 7 | COMMISSION PRINCIPLES

Any committees created by the Commission will be assigned so as to reinforce the FCHR's Mission and so as never to interfere with the Commission-Executive Director Linkage.

Accordingly,

1. Committees are to help the Commission do its job; committees are not to advise, help, or instruct staff. Committees ordinarily will assist the Commission by preparing policy alternatives and implications for Commission deliberation. In keeping with the Commission's broader focus, neither Commissioners nor Commission committees will interfere with staff operations or personnel decisions.
2. Committees may not speak or act for the Commission except when formally given such authority for specific and time-limited purposes.
3. Committees cannot exercise authority over staff. Because the Executive Director works for the Commission, he or she will not be required to obtain approval of a committee before undertaking any operational, administrative, or executive action.
4. Committees are to avoid over-identification with organizational parts rather than the whole.
5. Committees will be used sparingly.
6. This policy applies to any group, whether or not it is termed a "committee" or whether or not it includes Commissioners, which is formed by Commission action. It does not apply to committees formed under the authority of the Executive Director.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)

ARTICLE II POLICY 8 | COST OF GOVERNANCE

Because poor governance costs more than learning to govern well, the Commission will invest in its governance capacity.

Accordingly,

1. Commissioner skills, methods, and supports will be sufficient to assure governing with excellence.
 - a. Training and retraining will be used to orient new Commissioners as well as maintain and increase existing Commissioners' skills and understanding.
 - b. The Commissioners will fully support and cooperate with outside monitoring/audits.
 - c. Outreach mechanisms will be used as needed to ensure the Commissioners' ability to listen to and understand diverse viewpoints.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)

ARTICLE II POLICY 9 | UNITY OF CONTROL

Only officially passed motions of the Commission are binding on the Executive Director. Accordingly, decisions or instructions by individual Commissioners, officers, or committees are not binding on the Executive Director except where the Commission has specifically authorized such action.

History. – (New 11/06. Revised 9/14. Revised 1/22. Updated 4/23)



APPENDIX



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