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Anti-Black Racism Task Force

Terms of Reference

1. Purpose and Mandate

- 1.1. To focus strategies through education and awareness on anti-Black racism through education and awareness by implementing activities and initiatives, recommending policies and training program guidance.
- 1.2. The Clarington Anti-Black Racism Task Force ('The Task Force') shall provide advice, comments and recommendations on issues affecting anti-Black racism in our community. The Task Force will provide recommendations and guidance to Clarington's Diversity Advisory Committee.

2. Scope of Activities

- 2.1. Serve as a liaison between the community and Clarington's Diversity Advisory Committee and the Region of Durham's Anti-Racism Task Force on matters pertaining to anti-Black racism;
- 2.2. Provide advice, comments, and recommendations on issues concerning anti-Black racism in Clarington;
- 2.3. Serve as a resource to Clarington's Diversity Advisory Committee as they identify and work to remedy potential and existing anti-Black racism within programs, services, and policies;
- 2.4. Foster a greater understanding of issues of anti-Black racism in the community;
- 2.5. Consult with other community groups and committees on issues of mutual interest;
- 2.6. Provide the opportunity to meet with various community partners to build relationships, raise awareness and address barriers surrounding anti-Black racism and discrimination in the community; and
- 2.7. The Task Force will provide an update on their activities to Clarington's Diversity Advisory Committee through the staff liaison through regular reports at Clarington Diversity Advisory Committee meetings.



3. Definitions

- 3.1. **Delegation** means a person desiring to verbally present information on matters of fact or to make a request to Council or Committee, as the case may be.
- 3.2. **Motion** means a proposal moved by a Member and seconded by another Member, for the consideration of the Task Force.
- 3.3. **Municipality** means the Corporation of the Municipality of Clarington and may refer to any agency, board, or commission under its authority.
- 3.4. **Meeting** has the same meaning as Section 238 of the Municipal Act and means any regular, special or other meeting of a council, of a local board, or of a committee of either of them, where (a) a quorum of members is present, and (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 3.5. **Member** means a Member of the Task Force
- 3.6. **Quorum** means a minimum number of appointed members that must be present at the meetings to make the proceedings of the meeting valid.

4. Task Force Members

Composition

- 4.1. The Task Force shall be comprised of the following 8 voting members, appointed by the Clarington Diversity Advisory Committee:
 - a) Five citizen members; and
 - b) Three Diversity Advisory Committee members.
- 4.2. That 75% of the Task Force members be part of the black community, and priority will be given to black applicants.

Qualifications

- 4.3. The following are the minimum qualifications for a member of the Task Force:
 - a) Must be a resident of the Municipality of Clarington; and
 - b) 75% must be part of the black community.

Length of Term



- 4.4. The Task Force shall stagger the terms of members, by appointing half of the membership every two years, for a four-year term, or until their successor is appointed.

Remuneration

- 4.5. Members serve on a voluntary basis and do not receive any form of remuneration.

Election of Members

- 4.6. The Task Force shall elect a Chair, and Vice Chair, from among its voting membership. and the Staff Liaison sitting on the Task Force is not eligible to assume the position of Chair or Vice-Chair, except as Election Chair, as outlined in this Terms of Reference.
- 4.7. These positions are elected every two years.
- 4.8. Before the election of the Chair, a Clarington Staff, or the former Chair, shall be the Election Chair during the election portion of the meeting. Once the Chair is elected, they may take the Chair and conduct the other elections and the remainder of the meeting. See Appendix A for the Election Process.
- 4.9. If any of the elected positions become vacant, another election will be held for that position. If the Vice-Chair becomes vacant, the Chair may appoint a member of the Task Force as Interim Vice-Chair until a new Vice-Chair can be elected. The elections, when required, will be held at the next meeting of the Task Force in accordance with the process set out in Appendix A.

Staff Resources

- 4.10. The municipal department responsible for the Task Force shall provide clerical, administrative, and technical assistance, as deemed appropriate by the Deputy CAO, to ensure the proper functioning of the Task Force, which include:
- a) preparing and forwarding meeting materials to members, including agendas;
 - b) preparation of summary meeting minutes and Task Force correspondence (including assistance in drafting);
 - c) professional advice on matters within the mandate of the Task Force; and
 - d) assist the Task Force in participating in events and activities related to its mandate.



- 4.11. Staff resources are provided only to assist the Task Force in undertaking its mandate. Additional requests of Staff, such as original research or organization of events shall be at the discretion of the Deputy CAO and within Staff, time, and budget constraints.

5. Responsibilities and Obligations of Members

General

- 5.1. A member of a Task Force shall have the following duties:
- a) to contribute time, knowledge, skill and expertise to the purpose and mandate of the Task Force;
 - b) research issues relevant to the Task Force's purpose and mandate as required;
 - c) to attend meetings and work activities;
 - d) to vote when a motion is put to a vote;
 - e) work with the Clarington Diversity Advisory Committee and staff to implement Council's decisions relevant to the Task Force's purpose and mandate;
 - f) commit to attend regular meetings throughout the year and contribute to the completion of action items identified within the annual work plan to read, understand, and respect the Procedures and Rules, including the Code of Conduct, and any guidelines for the Task Force.

Conduct of the Task Force Members

- 5.2. The Chair, or a spokesperson/member appointed by the Clarington Diversity Advisory Committee, may speak on behalf of the Task Force to Council or the public. Other members shall not act, or speak, on behalf of the Task Force without prior approval of the Committee.
- 5.3. The Task Force, or its members, shall not issue petitions, resolutions, or position papers on behalf of the Task Force unless specifically authorized by Council resolution.
- 5.4. The Task Force, and its members, shall also not act outside of the mandate and advisory capacity of the Task Force. Should the Task Force wish to comment on an issue that is within the mandate of another Council committee, the Chair shall consult with the responsible Staff Liaison(s) and the Chair of the Clarington Diversity Advisory Committee.



- 5.5. The Task Force, by resolution, shall have the right to censure members that, in the Task Force's opinion, are misrepresenting the Task Force and may request Clarington Diversity Advisory Committee to remove that person from the Task Force, by providing a brief explanation of the request within a recommendation of the Task Force's minutes (which may include closed session.)

Absences

- 5.6. This section does not apply to a Task Force member who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.
- 5.7. Members unable to attend a Task Force meeting shall notify the Staff Liaison at least 24 hours in advance.
- 5.8. If a member is absent for three consecutive meetings, the Task Force, by resolution, may request that Clarington Diversity Advisory Committee remove the Member, including a Member of Council, from the Task Force.
- 5.9. Members unable to attend a meeting cannot send an alternate.

Resignations

- 5.10. Members who wish to resign shall notify the Chair, and the Municipal Clerk, in writing, of the resignation. The Chair shall notify, either by email or on an agenda, the other members of the resignation but shall not give details of the resignation other than timing.
- 5.11. Clarington Diversity Advisory Committee may appoint new members to a Task Force to fill any vacancies, as required.
- 5.12. Vacancies may be posted on www.ClaringtonVolunteers.ca, www.clarington.net, and promoted through Clarington Diversity Advisory Committee and Task Force members. Task force members are appointed by resolution of the Diversity Advisory Committee.

Chair and Vice-Chair

- 5.13. It shall be the duty of the Chair to:
 - a) provide leadership to the Task Force;
 - b) ensure that the Task Force carries out its mandate;
 - c) act as the primary liaison between the Task Force, Clarington Diversity Advisory Committee, Clarington Staff and Members of the Public.

- d) set the meeting dates and agendas items, with input from Members, and the Staff Liaison (if applicable);
 - e) provide information to Members on any matter relating to the business of the Task Force;
 - f) open the meeting by taking the Chair and calling the members to order;
 - g) announce the business before the Task Force and the order in which it is to be acted upon;
 - h) receive and submit, in the proper manner, all motions presented by the Members;
 - i) enforce the Rules of Procedure; and
 - j) adjourn the meeting when the business is concluded.
- 5.14. The Chair may eject any Task Force Member or member of the public from a meeting if, in the opinion of the Chair, that person is being disruptive or disrespectful.
- 5.15. If the Chair is temporarily absent, or the position becomes vacant, the Vice-Chair will assume the position and responsibilities of the Chair until a new Chair is elected.

Conflict of Interest

- 5.16. A conflict of interest may arise for Task Force members when their personal or business interest conflict with the duties and decisions of the Task Force. The municipal conflict of interest requirements as defined by the Municipal Conflict of Interest Act, will apply to the Task Force. A Task Force member must disclose any potential or perceived conflict of interest and shall remove themselves from the meeting for the duration of the discussion and voting (if any) with respect to that matter.

6. Meetings

Frequency and Location of Meetings

- 6.1. The Task Force will meet a minimum of five times a year, and the meeting schedule shall be established by the Task Force at its inaugural meeting. Additional meetings may be required based on the work of the Task Force.



Quorum

- 6.2. Quorum shall be a simple majority of the total number of currently appointed Task Force members (i.e., 50% plus one). If there is no quorum after 15 minutes of the scheduled start time, the meeting shall be cancelled and/or rescheduled.

Land Acknowledgement Statement

- 6.3. In recognition of a necessary first step towards honouring the original occupants of a place, and to recognize the traditional First Nations, Metis and/or Inuit territories of a place, and to commemorate Indigenous peoples' principal kinship to the land, a Land Acknowledgement Statement shall be read, at the beginning of each meeting, in accordance with the Land Acknowledgement Guidelines.

Procedures and Rules

- 6.4. The Task Force is subject to the Clarington Procedural By-law which governs the proceedings of Council and its Committees and Boards, Council Code of Conduct, this Terms of Reference, and any other applicable policies and/or procedures.

Recommendations

- 6.5. Recommendations and decisions reached by the Task Force must be based on consensus wherever possible. If a consensus cannot be reached and there are different opinions on the issue, the Chair may call for a formal vote by show of hands. Recommendations and decisions will be carried by a simple majority of the voting members present. Each voting member of the Task Force has one vote.
- 6.6. Only recommendations and decisions that appear in the minutes of the Task Force can be considered as officially representing the position of the Task Force.
- 6.7. To approve a recommendation from a Task Force, the Diversity Advisory Committee must put forward a motion to approve the recommendation found within the minutes of the Task Force meeting.
- 6.8. A Task Force shall not forward comments or recommendations directly to other groups or agencies without the consent of Clarington Diversity Advisory Committee.
- 6.9. See Appendix B for details on motions and amendments.



Electronic Participation

- 6.10. A member of the Task Force is permitted to participate electronically in a meeting, if the technology is available, and may be counted in determining whether, or not, a quorum of members is present at any point in time.
- 6.11. A Member may also participate electronically in a meeting that is closed to the public if the meeting is properly held in closed session. See the Open and Closed Meetings section of these Terms of Reference.

Public Participation and Delegations

- 6.12. All Task Force meetings are open to the public.
- 6.13. Members of the public are not permitted to participate in the Task Force discussions but may appear as a delegation before the Task Force.
- 6.14. Delegations shall be for a maximum of 10 minutes.
- 6.15. Those wishing to appear as a delegation at a Task Force meeting must advise the Chair, Secretary, or Staff liaison a minimum of five days before the meeting.

Open Meetings

- 6.16. All Task Force meetings must be open to the public unless discussing items noted below.
- 6.17. The Task Force shall provide at least one week's notice (i.e., an agenda) for a regular or special meeting or 24-hour notice for a rescheduled meeting. Notice will be provided using as many means as possible, including the municipality's website by forwarding the agenda to the Municipal Clerk's Office.
- 6.18. The following are reasons for a closed meeting of an advisory board or committee or Task Force, in accordance with [Section 239 \(2\), Municipal Act, 2001](#):
 - a) Security or property
 - b) Personal matters about an identifiable individual, including municipal and board employees
 - c) Proposed or pending acquisition or disposition of land by the municipality or local board
 - d) Labour relations or employee negotiations



- e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
 - f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- 6.19. In accordance with Section 239 (4) of the *Municipal Act, 2001*, before holding a meeting, or part of a meeting, that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution:
- a) The fact of the holding of the meeting; and
 - b) The general nature of the matter to be considered at the closed meeting.
- 6.20. Where a meeting, or part of a meeting, is closed to the public, the Task Force shall request those persons not specifically invited to the closed meeting to vacate the meeting room in which the meeting is being held.
- 6.21. A meeting shall not be closed to the public during a vote except where the meeting is a closed meeting permitted or required by statute, and where the vote is for a procedural matter or for giving directions or instructions to employees of the board or persons retained under contract with the board, or officers, employees, or agents of the Municipality.
- 6.22. Minutes of the closed session shall be recorded and provided to the Diversity Advisor Committee at their next appropriate meeting.

7. Reporting and Communications

Agendas

- 7.1. The Task Force shall forward all agendas to the Municipal Clerk's Office one week before the meeting and shall include the following:
- a) Date, time, location, electronic participation details (where applicable);
 - b) Land Acknowledgement Statement;
 - c) Disclosure of Pecuniary Interest;
 - d) Presentations / Delegations
 - e) Adoption of Previous Minutes;
 - f) Items for Discussion; and



g) Adjournment.

Minutes

- 7.2. The Task Force shall report to the Clarington Diversity Advisory Committee by presenting the unapproved minutes immediately after the minutes are finalized by the Staff Liaison/Chair. Minutes do not wait to be adopted by the Task Force first. The draft minutes of all Task Force meetings shall be reviewed by the Staff Liaison/Chair and will be included in the next Clarington Diversity Advisory Committee.
- 7.3. Any changes to the minutes at the next Task Force meeting will be reflected in those meeting minutes and a corrected or changed version of the previous minutes shall be provided to the Municipal Clerk's Office for publication.
- 7.4. Minutes shall include:
- a) Date, time, location, and indication of whether electronic participation took place;
 - b) Members absent and present;
 - c) Land Acknowledgement Statement;
 - d) Disclosure of Pecuniary Interest;
 - e) Adoption of Previous Minutes;
 - f) Presentations / Delegations;
 - g) Items and Recommendations Discussed and voted on;
 - h) Date, time, and location of next meeting (where applicable/possible); and
 - i) Adjournment.

8. Purchasing/Procurement Policy (If applicable)

- 8.1. The Task Force has no purchasing or procurement responsibilities.

9. Insurance

- 9.1. The Board/Committee members are covered through the Municipality of Clarington's insurance coverage for accidents and liability.
- 9.2. Coverage could be denied if Members were found not to be acting reasonably or were in the act of committing a crime.

Appendix A Election Process

Nominations – Accepting nominations, from the floor, for any position:

1. Nominator raises their hand to indicate they are going to nominate a member.
2. Does not need a seconder.
3. Nominees' names are recorded in the minutes.
4. A person can nominate themselves.
5. A member can be nominated for more than one position but can only hold one position at a time.
6. A member may be nominated even if they are not in attendance.
7. Nominees do not have to leave the room during the vote. They can participate in the voting.
8. The Election Chair can continue presiding, even if they are one of the nominees for the office.
9. Nominations are open until the Election Chair asks for nominations and there are no names put forth at which time the Election Chair will close nominations.
10. Nominees can remove their name at any point during the process.

Stand – As each member is nominated, the Election Chair asks the nominee if they will have their name stand. If the member does not agree their name shall not be included in the vote.

Voting

1. If there is only one nominee, that person is appointed.
2. If there is more than one nominee the Election Chair asks, for each nominee, "All those in favour of Bob Smith for Chair, please raise their hands". The person with the most votes is appointed.
3. If the vote is tied, and there are more than two people nominated for the position, the person with the least votes is removed and another round of voting with the remaining members is conducted. If a tie vote remains with two people, and all voting members are present, the selection will be made by picking a name out of a hat.

Appendix B Motions and Amendments

1. **Voting on motions and their amendments is done in this order:**

- On the amendment to the amendment (the second amendment)
- On the amendment
- On the motion **or** the motion as amended (this must happen if approved amendments have been added to the motion).

2. **Tied Vote**

If the vote is tied, the motion is lost.

3. **Majority Vote**

Every member present at the meeting, when the vote is called, shall vote unless disqualified under the Municipal Conflict of Interest Act. The vote required to pass a motion shall be a simple majority.

4. **Reconsider a Lost Motion**

A lost motion should not come up again during the same year unless at least two-thirds of the members present to approve a motion that “the question be reconsidered.” This motion shall be added to the agenda, is not debatable and calls for an immediate vote.

5. **Motions**

The following steps are required to introduce, deliberate, and vote on a motion:

- A member asks to speak and when their turn comes up, they make a motion by saying “I move...”.
- Another member seconds the motion. If there is no seconder, no discussion or vote takes place; it is not recorded in the minutes; and the Committee either proposes a different motion or moves to the next agenda item.
- The Chair should restate the motion clearly after it has been made and seconded “It is moved and seconded that ...”.
- Only one motion is addressed at a time.
- Discussion is not in order until a motion has been stated by the chair.

- Discussion follows. The Chair should not allow anyone to speak twice on a motion until everyone has had a chance to speak once.
- The Chair should give up the chair when they move a motion. In this case, the Vice-Chair or any other member may act as Chair until the motion is voted on.
- The vote is taken, and the Chair announces the result – “The motion is carried”, or “The motion is lost.”

6. Negative Motions

Negative Motions are not in order and should not be allowed (i.e. “That the car not be automatic transmission” should be changed to “That the car be standard transmission”).

7. Amendments

Amendments or small changes to a motion may be proposed at any time during the discussion. It cannot be contrary to the main motion. It must be relevant to the motion and can change the motion in only one of three ways:

- By leaving out certain words
- By adding certain words
- By replacing certain words with others.

(Not more than two amendments may be made to an open motion at one time. As soon as one amendment has been accepted or rejected another may be proposed if it is different from the one already defeated).

If dealing with motions or amendments, always state the exact wording. The Chair may ask the secretary to read it if the phrase is forgotten.

Adoption of an amendment does not mean adoption of the main motion. The amendment is carried before the main motion as amended. When the “main motion, as amended” is on the floor, the Chair will state “main motion as amended” before the vote.

8. Withdrawal of Motions

A motion can be withdrawn with the consent of the mover. If the seconder withdraws a new seconder will be required before the motion can be voted on. Amendments must be withdrawn in reverse order. If the mover refuses to withdraw, the motions must be voted on.