

Resolution No.:	<u>19-1330</u>
Introduced:	<u>July 26, 2022</u>
Adopted:	<u>July 26, 2022</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Navarro

SUBJECT: Approval of Executive Regulation 15-21, Office of Racial Equity and Social Justice (ORESJ), Racial Equity and Social Justice Action Plan

Background

1. On March 24, 2022, the County Council received Executive Regulation 15-21, Office of Racial Equity and Social Justice (ORESJ), Racial Equity and Social Justice Action Plan.
2. Executive Regulation 15-21 articulates details about the work required for the County and its departments to develop the capacities and processes necessary to apply a racial equity and social justice lens to the development and implementation of its policies, practices, and procedures enacted through Bill 27-19 and Bill 44-20.
3. Under Method 2 if the Council does not approve, disapprove, or extend the time for consideration within 60 calendar days (May 23, 2022), the regulation automatically takes effect. The Council must review this regulation under Method 2. The Council may extend the 60-day time limit by resolution.
4. On March 10, 2022, the Council extended time for Council consideration of the regulation until November 29, 2022.
5. The Council reviewed the regulation under Method 2 of Section 2A-15 of the County Code.
6. The transmittal memo notes that this regulation was advertised in the October 2021 register; one comment was received by CASA. The letter from CASA dated November 1, 2021, notes “CASA supports regulation 15-21 and respectfully urges for a favorable report.”
7. On June 16, 2022, the Government Operations and Fiscal Policy Committee reviewed the proposed regulation and recommended approval.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

Executive Regulation 15-21, Office of Racial Equity and Social Justice, Racial Equity and Social Justice Action Plan, is approved.

This is a correct copy of Council action.

A handwritten signature in black ink, appearing to read "Judy Rupp", is written over a horizontal line.

Judy Rupp
Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject:

Racial Equity and Social Justice Action Plan

Number:

15-21

Originating Department:

The Office of Racial Equity and Social Justice (ORESJ)

Effective Date:

July 26, 2022

Montgomery County Regulation on

RACIAL EQUITY AND SOCIAL JUSTICE ACTION PLAN

Issued by: County Executive

Regulation No. 15-21

Authority:

Council Review: Method (2) under Code Section 2-64A(d)(1)

Register Vol. 38 No. 10

Effective Date: July 26, 2022

Comment Deadline: Nov. 1, 2021

Summary: The purpose of the regulation is to articulate details about the nature of the work required for the County and its departments to meaningfully develop the capacities and processes necessary for applying a racial equity and social justice lens to the development and implementation of its policies, practices, and procedures. The regulations outline how departments can advance racial equity by incorporating community engagement, data collection and analysis, and systems change work into policy development, resource decisions, and service delivery.

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Rockville, MD 20850

COMCOR 02.64A.01 RACIAL EQUITY AND SOCIAL JUSTICE ACTION PLAN



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A. **Scope:** This regulation applies to all departments and offices in the executive and legislative branch.

B. **Community Engagement Process:**

1. Purpose

- a. Community engagement is a way of ensuring that community members have an opportunity to be able to contribute meaningfully to decisions and develop functional capabilities that enable them to participate fully.
- b. Community engagement is a two-way exchange of information, ideas, and resources. Engagement activities include a range of approaches from informing to sharing leadership to resident-led efforts, depending on the degree of community and county involvement, decision-making and control.
- c. Community engagement should offer opportunities for communities to express their views and have a meaningful role in decision-making. It should also consider the diversity of our communities, including culture and ethnicity, and seek to create an inclusive and accessible process.
- d. Effective engagement removes barriers that may have previously prevented residents from successfully working with County government.
- e. Community engagement can vary in implementation depending on program goals, time constraints, level of program and community readiness, capacity, and resources.



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2. When to use the community engagement process.

- a. While a department or office should consider using the community engagement process whenever it is making decisions that will impact County residents, it is particularly recommended whenever a department or office is developing a strategic plan or major initiative that will have substantive and significant impact on county residents (e.g., Climate Action Plan).
- b. Definition of Strategic Plan - a department or office's plan to achieve short and long term goals, determine its direction, allocate resources, or take actions needed to execute goals.
- c. Definition of Major Initiatives - plans made outside of a traditional strategic planning process or time period but that involve a change of a previously determined direction or a newly created plan intended to solve a particular problem or issue.

3. Process

- a. The County department or office should submit a written proposed community engagement plan to the Office Racial Equity and Social Justice detailing the topic or issue for the community engagement process, the intended stakeholders and partners, and the impacted communities. The plan must explain:
 - i. what the department or office hopes to achieve through the community engagement process and what is the main purpose of the department or office for involving the community?
 - ii. who is most impacted by, involved in, or has a specific interest in the issue area, and why?
 - iii. how the community engagement process will ensure impacted communities that have not historically been included in the initial decision-making phase will be included;



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- iv. the degree of public and community support for the engagement;
 - v. the duration of the community engagement process;
 - vi. potential for unintended consequences should the engagement not be implemented successfully;
 - vii. anticipated costs and timeline for the engagement; and
 - viii. plan for publicizing and promoting the community engagement process to County residents.
- b. The proposed plan must also present research and background information about the affected communities and populations the department or office intends to reach, including:
- i. language or dialect spoken, customs, historical or geographical data, and other relevant data;
 - ii. known barriers and risks, such as trust issues among the community and the public that may prevent full engagement and community willingness to participate;
 - iii. detailed steps and strategies that will be taken to address language and literacy needs.
4. Transparency and Recognition
- a. This plan must be made available to the public by the department or office after approval by the Office of Racial Equity and Social Justice. The Office has 30 days to take action on proposed plan if no action is taken by the Office of Racial Equity and Social Justice the department plan is deemed approved.



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- b. The department or office must conduct a follow-up communication or debrief meeting with the community engagement participants no later than 8 weeks after the conclusion of the engagement. The communication must:
 - i. acknowledge community members for their contributions;
 - ii. indicate opportunities for formal project/program updates and feedback;
 - iii. indicate opportunities for future dialogue and collaboration; and
 - iv. present any resultant decisions or outcomes of the community engagement process.
- c. The lead department or office must provide a final report to community engagement participants presenting any resultant decisions or outcomes after the conclusion of the program/project.

C. Racial Equity and Social Justice Workshops and Training:

- 1. All County employees must participate in at least eight (8) hours of training or workshops on racial equity and social justice on an annual basis. A training or a workshop is a meeting at which a group of people engage in intensive discussion and activity on a particular subject or project.
- 2. Racial equity and social justice training must be conducted by high-quality professionals and consultants in the field of racial equity and social justice.
- 3. Trainings will be conducted by the Office of Racial Equity and Social Justice, approved vendors, contractors, and/or county departments and offices.
- 4. Training curriculum and activities must:
 - a. provide immersive, interactive, and educational modules on comprehensive social, political, and economic history of race and racism and other forms of injustices and oppression in the United States and Montgomery County;



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- b. increase the ability of County employees to understand concepts of structural inequity and its real-life implications;
 - c. increase the ability of County employees to recognize their individually held beliefs about all types of difference, including race, gender, age, socio-economic status, ethnicity, nationality, and religious background;
 - d. give county employees the ability to access how the policies, procedures and practices of their department impact the lives of County resident; and
 - e. give County employees frameworks for assessing their department/office and team cultures as well as strategies for making their department/office and team cultures more inclusive and equitable.
5. Training may be conducted in person or virtually.

D. Use of racial equity and social justice considerations in establishing new programs and evaluating existing programs:

- 1. Racial equity and social justice considerations help reveal how society's benefits and burdens are distributed such that race predicts privilege and disadvantage. It also aids in thinking about what can be done to change the equation. Using racial equity considerations means paying disciplined attention to race and ethnicity, while analyzing problems, looking for solutions, and defining success. A keen awareness of race and ethnicity, and of their impact on access to power and opportunity, is a distinct asset when using an equity lens. Racial equity considerations shed light on racial dynamics that shape social, economic, and political structures. Through examining data on race and ethnicity and openly asking the right questions, racial equity considerations support the development of strategy and programs, shaping guidelines and criteria, and promoting racial equity.
- 2. The Office of Racial Equity and Social Justice will employ racial equity and social justice considerations in its evaluation of new and existing programs.



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3. Racial equity considerations must articulate patterns of oppression, separate symptoms of inequity from causes, and identify new solutions.
4. Racial equity considerations may help clarify current objectives, then shape strategies and align resources to meet them.
5. Racial equity considerations can be used with other lenses. Other lenses illuminate other important dynamics that shape equity issues. “Intersectionality” — of race, class, gender, sexual orientation, and other social identities — is key to identifying the dynamics at play in a particular situation and how they combine and converge.

E. Promotion of racial equity and social justice in the budget:

1. The Executive is required to explain how each management initiative or new program that would be funded in the Executive’s annual recommended operating and capital budgets, including the recommended operating and capital budgets for the County Board of Education, or in a supplemental appropriation promotes racial equity and social justice.
2. To explain how budgets and supplemental appropriation support racial equity and social justice, the Executive must use a racial equity and social justice budget assessment tool that assesses:
 - a. who is burdened and who will benefit from the management initiative or program;
 - b. whether and how the initiative or program reduces social inequity in Montgomery County.
 - c. potential disproportionate effects on communities of color and low-income communities as a result of the initiative or program, and how those effects will be mitigated; and
 - d. additional considerations as determined by the Office of Racial Equity and Social Justice on an annual basis.



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Effective Date:**F. Short- and long-term goals for The Office of Racial Equity and Social Justice:**

1. Short-term goals should include the development of a County-wide equity team that will develop guidelines and monitor progress for each department or office.
2. Short-term goals should include collection of demographic information in leadership positions within County departments or offices.
3. Short-term goals should include an audit of demographic data each department or office collects from the community it serves (client base).
4. All goals must coordinate the design and implementation of an action plan, which emphasizes:
 - a. leadership, operations and services;
 - b. plans, policies and budgets;
 - c. workforce and workplace;
 - d. community partnerships;
 - e. communication and education; and
 - f. facility and system improvements.
5. Goals for promoting racial equity and social justice must include human capital goals, training goals, community development as well as a plan for leadership development and training for the department or office.
6. Goals must articulate systemic changes to the infrastructure that caused the disproportionalities and the resulting community impact.
7. Long-term goals should articulate the improvements in quality of life for underserved communities over time.



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G. Metrics for measuring the Office of Racial Equity and Social Justice 's progress in meeting these goals:

1. Existence of equity plans in each strategic area of services delivered by department and office.
2. Existence of data on staff in department and office.
3. Existence of targets for each department and office.
4. Completion of training for each department and office on definitions and strategies to improve equity.
5. Articulation of inequities and disproportionalities related to the functions of each office and department.
6. Audit on the diversity of vendors for each department and office.
7. Audit and analysis on equitable contracting processes.
8. Increased equity in County services for all members of the community.
9. Increases in the degree of public outreach and community engagement.
10. Increased access to County services for communities of color and immigrant communities.
11. Frequency and quantity of changes to existing County services using equity best practices and racial equity and social justice impact analyses.
12. By 2023, all supervisors, managers and directors will have equity and social justice measures written into their contracts and job descriptions for Director positions and below.
13. By 2023, racial equity and social justice indicators will be included in performance evaluations.
14. By 2025, there is a system for County wide display of progress on equity measures for each department or office. Departments and offices must update progress on equity measures every three (3) years.
15. By 2023, all departments and offices will establish racial equity and social justice values.



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16. By 2023, all departments and offices will include racial equity and social justice values in the guidance documents related to their operations, service delivery and programs, including:
- a. early childhood development;
 - b. jobs and job training;
 - c. health and human services;
 - d. food systems;
 - e. parks and natural resources;
 - f. built and natural environment;
 - g. transportation;
 - h. community economic development;
 - i. neighborhoods;
 - j. housing;
 - k. community and public safety; and
 - l. law and justice.

H. Guidelines for each department and office to develop its own racial equity and social justice action plan:

1. By 2025, each department and office will develop an equity action plan which:
- a. details specific targets and strategies for the improvement toward equity goals and
 - b. identifies the historical context and data for equity issues related to each office and department



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2. Goals must articulate the intended impact of each strategy.
3. Community input must be sought by each department and office. In the establishment of the equity plan per activities listed in A (2) above, including:
 - a. identifying the priorities of the local residents and businesses in the community and
 - b. determining the impact on those most impacted by the department and office.
4. The action plan must evaluate and analyze data related to equity. This audit should assess each department and office:
 - a. cultural and organizational diversity;
 - b. degree of equity and inclusion in the department or office's culture, and worksite culture, when appropriate;
 - c. suggestions for improvements that support the diversity in composition and engagement;
 - d. disaggregated data of the demographic makeup of employees, vendors, contractors, population of the community served (client base);
 - e. current equity strategies including levels of engagement and budget allocations for these efforts; and
 - f. resources currently spent on expanding diversity, improving equity in services provided, and tracking community satisfaction.
5. The action plan must address policies and practices such as:
 - a. structuring racial equity programming;
 - b. gathering data;
 - c. modeling diversity and inclusiveness;
 - d. communicating consistently; and
 - e. exercising community leadership.



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6. Racial equity and social justice action plans must be updated every two years.

I. Recommended racial equity and social justice tools and strategies for a department or office to use in redressing disparities based on race or social justice issues:

1. Strategies and tools for redressing disproportionate outcomes, racial equity and social justice issues must be recommended best practices by the Office of Racial Equity and Social Justice.
2. Tools for supporting racial equity and social justice issues should offer guidance in the planning, measurement, training, monitoring of strategies designed to impact equity.
3. Tools should assist in the articulation of racial equity disparities and disproportionality of outcomes.
4. Strategies must include staff training and consensus building on definitions of equity and approaches related to the work of each department and office.

J. Priority areas for additional County efforts:

1. Economic Opportunity: having economic opportunities and resources that enable residents to lead sustainable lives in their communities.
2. Affordability: having access to affordable housing and safety net services.
3. Mobility/transportation: getting where and when residents want to go safely and cost-effectively.
4. Safety: being safe in residents' home, at work, and in their communities.
5. Health: being able to maintain a healthy life both physically and mentally.
6. Cultural and Learning Opportunities: being enriched by our unique civic, cultural, ethnic, and learning opportunities.



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7. Government that Works: believing that County government works for everyone, that it is fair and equitable; serves as a good, continuously improving, and innovating steward of its resources; recruits and retains a high performing, ethical workforce; effectively collaborates with the public; and delivers the results people expect and an experience they welcome.

A handwritten signature in black ink, appearing to read "Marc Elrich", written over a horizontal line.

Marc Elrich, County Executive
Office of the County Executive

3/24/2022

Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY

By: A handwritten signature in blue ink, appearing to read "Edmund B. Hutton", written over a horizontal line.

Date: March 23, 2022