

City of Biddeford
Diversity, Equity and Inclusion Committee
August 14, 2023 5:30 PM City Hall Second Floor Conference Room

Please click the link below to join the webinar:

<https://biddeford.zoom.us/j/96478079931?pwd=cFREZEZVcm9JbzNHUzZUMTNNQXJqZz09>

Passcode: 116861

Or One tap mobile :

+13126266799,,96478079931# US (Chicago)

+16465588656,,96478079931# US (New York)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

Status: In person, City Hall Second Floor Conference Room, and via Zoom

1. Call to Order

2. Minutes

2.1. June 12 Meeting Minutes

[June 12, 2023 DEI Committee Meeting Minutes.pdf](#)

3. Subcommittee Updates

3.1. Education & Outreach Subcommittee

[World Suicide Prevention Day.pdf](#)

3.2. Policy Subcommittee

4. Discussion

4.1. Flag Policy Draft Revisions

[20230710 Flag Policy Memo.pdf](#)

[20230710 DRAFT Flag Policy Language Updates - Strikethrough.pdf](#)

[20230710 DRAFT Flag Policy Language Updates - Clean.pdf](#)

4.2. Review Member Term Limits

4.3. Style Guidance for Communications

4.4. DEI Coordinator - Updates

5. Adjourn

DEI Committee Meeting Minutes – June 12th, 2023

Meeting Called to Order at 5:34 PM

Present: Liam, Sydney (via zoom), Irene, Danica, Martha, Andrew, Flo, Kayla, Anne, Liam (left at 6:30), Bistra, Shelly

Motion to accept minutes made by Irene and seconded by Martha. Approved unanimously.

Public Attendance & Comment: Jane Carol, community member and local business owner- working on flag policy & Biddeford community member- Veteran

Agenda Items:

1. Introduce Shelly Gibson, new D.E.I. Coordinator for City of Biddeford
 - a. Introduce committee members
2. Flag Policy- put in place in 2021
 - a. Challenging for staff to handle because requests weren't coming in the way was hoped-full duration, very far in advance.
 - b. Maximum of 7 days now vs. 30 days previously. Cannot be reserved for too far in advance. No flag may fly more than 2 times a calendar year.
 - c. How can this policy better represent the community's needs?
 - i. Jane reached out to Liam to discuss how everyone can have a voice and create a safe space for everyone.
 - ii. Awareness of how people might be less than kind to other people.
 1. If the city allows community members to make requests for all kinds of special events then this will continue to be an issue- flag flying or sidewalk painting etc.
 2. How do you stop attacks from happening between flying flags?
 - d. Separation between church & state, whose speech (Private citizens vs. government) is it when a flag is flown on the pole?
 - e. Continue to allow requests from private citizens or utilize the DEI calendar to determine which flags can fly when.
 - i. Ability to request additional events be added to this calendar.
 - f. A horizontal flag pole rather than vertical to prevent one flag from being flown above another & more flags can be flown
 - g. A time-bound element- tied to an event, date, recent legislation, a new study, etc.
 - h. rewriting the policy in a way that defines which flags fly & when with more structure- tied to calendar, Shelly is available for further discussion and to field

requests for amendments to calendar- Jane's firm will write a policy amendment for DEI Committee to review.

3. Subcommittee check-ins:
 - a. Policy committee: the ways people can provide feedback and recommendations; what are other municipalities doing and how is that going?
 - b. Education & outreach committee: people love the brochure, small crowd for pride celebration because of weather-great overall
4. Requests for next meeting:
 - a. Go through Diversity Calendar for the year to assign tasks and ensure that the burden of the work is distributed fairly and care is taken to value all events
 - b. Discuss stylistic expectations for writeups
 - c. Set a maximum amount of time to address the flag policy at future meetings so that other important work can continue

Upcoming Dates: next meeting: July 10th; policy subcommittee: June 29th; education & outreach subcommittee: to be determined

Motion to adjourn at 7:05 pm made by Bistra and seconded by Flo, passed unanimously

Whereas, the City of Biddeford, bound by strong bonds of community, has felt the profound and heart-wrenching impact of suicide;

Whereas, every life lost to suicide represents a painful loss for our community, leaving behind grieving families, friends, and neighbors;

Whereas, it is our duty to come together as a compassionate community to address the stigma surrounding mental health and suicide, and to offer support to those who are struggling;

Whereas, World Suicide Prevention Day provides us with an opportunity to reflect on the lives that have been lost and to recommit ourselves to preventing further loss through education, awareness, and empathy;

Whereas, by fostering open dialogue, providing resources, and promoting mental health initiatives, we can create a more resilient community where individuals feel safe seeking help and expressing their emotions;

Therefore, we pledge to honor the memories of those lost to suicide by amplifying awareness about mental health struggles and the critical significance of seeking assistance.

Therefore, we commit to cultivating an atmosphere within our community where discussions about mental health are open, destigmatized, and marked by an environment of understanding.

Therefore, I, Alan Casavant, Mayor of the City of Biddeford, do hereby proclaim September 10th as World Suicide Prevention Day, a day to remember, support, and take action.



Diversity, Equity and Inclusion Committee

Meeting Date: July 10, 2023

Meeting Time: 5:30 p.m.

Agenda Item No: 5.1

Item Description: Flag Policy

Submitted by: Danica Lamontagne, Assistant to the City Manager

Supporting Information/Documentation:

Flag Policy with Suggested Changes (Strikethrough version)

Flag Policy with Suggested Changes (Clean version)

Detailed Review:

These draft edits take into account the feedback that you shared at the previous meeting about the Flag Policy. I have provided two different versions of the same proposed changes to the policy – a strikethrough version and a clean version – so you can choose which option is easiest for you to review.

Relationship to Diversity Calendar

The biggest question that the committee will be asked to answer at Monday's meeting is whether the flag policy should allow for residents to ONLY request to fly flags that are associated with events that are on the Diversity Calendar. This was an idea considered at the June meeting, but no formal decision was made on whether or not that should be the path forward.

The benefit of choosing to frame the policy around the Diversity Calendar would be that the policy could be much simpler. Having a pre-vetted set of events would likely completely eliminate the chances of the flagpole being used by one group to antagonize or intimidate another group. It would also likely eliminate the need for us to develop and implement a multi-step review system.

On the other hand, there could be situations outside of recognized annual holidays/observances where it may be timely and meaningful for citizens to request to display a certain flag. The draft policy language as presented to you at your meeting assumes that any and all requests will be taken into consideration.

Key Changes to the Policy

The most substantial revisions to the draft policy compared to the existing version are:

1. Allowing up to three flags to fly at once to limit capacity conflicts as well as to prevent situations of a group or individual attempting to “reserve” the flag.
2. Requiring a time-bound element to be tied to the request (such as a holiday or current event).
3. Changing the language surrounding the criteria of what can or cannot be flown (**Section 4.b.4**).
4. Including a mechanism to allow the City to deny a request for a particular set of dates if there is a potential perception of intimidation towards another group.
5. Creating a process for review that keeps flag requests from being sent directly to the City Council.
6. Allowing flags to fly for up to 30 days.
7. Prohibiting the same flag from flying more than once per calendar year and limiting each citizen to one request per calendar year.

I look forward to hearing your feedback and discussion on these proposed changes.

City of Biddeford Flag Display Policy

1. PURPOSE

It is the intent of the City of Biddeford to establish a citywide policy, which follows the United States and State of Maine provisions governing the display of flags, including the United States flag, the State flag, the City flag, and the POW/MIA flag. Any additions must be approved by the Biddeford City Council as per Section 4.

2. REFERENCE

United States and State of Maine provisions governing the display of flags. These can be found in the United States Code, Title 4, Chapter 1 and the Maine Statutes Annotated, Title 1, Chapter 9 (hereinafter “Flag Code and Protocol”).

3. APPLICATION

This Policy applies to all buildings owned or controlled by the City of Biddeford and all individuals employed by or who volunteer with the City of Biddeford, unless a provision of the policy conflicts with a contract or statute (e.g., Collective Bargaining Agreement, Civil Service Rule, or Memorandum of Understanding, etc.).

4. GUIDANCE

a. Display and Care of Flags:

The City of Biddeford follows the Federal and State of Maine Flag Code and Protocol governing the display and care of flags. This policy will be reviewed for possible amendments should the Federal and State of Maine Flag Code be amended.

b. Display of Additional Flags Indoors or Outdoors:

- i. In addition to the above flags, other “Special Flags or Banners” may be displayed on ~~either~~ the flagpole located on the left side of City Hall directly outside of the Mayor’s office ~~or other available flagpoles~~. Such Special Flags or Banners may only be displayed upon administrative approval from the City staff within the City Manager’s Office based on the criteria outlined below. Any flags that do not meet Biddeford City Council these criteria must first be granted an exception by the City Council.

—Examples of Special Flags or Banners include, but are not limited to, sister city flags, Heritage Month flags (e.g., Black History Month, Pride Month, Asian/Pacific American History, National Hispanic Heritage, and Indigenous peoples’ heritage), flags received in recognition of awards, flags received from visiting groups, flags representing an organization dedicated to the public good for the Citizens of Biddeford, or ~~or~~ flags designating an ~~local~~ event or accomplishment. Flags representing or implying specific political party affiliations or candidates are not permitted, but flags encouraging civic engagement or service (such as "vote" flags) are permitted so long as all other criteria are met.

2. Up to three (3) Special Flags may be flown at any given time on a dedicated flagpole and will be flown in the order requests are received unless otherwise determined by City Staff or City Council.

3. Special Flag requests must have a time-bound element, meaning tied to a specific date or current event related to the dates being requested for the flag to fly. For example, a local or national current event, a specific holiday and/or a national day of remembrance. Flags without a time-bound element will be denied even if all other criteria are met.

4. ~~When selecting or approving a request for flying a~~ In order for a Special Flag to be granted administrative approval to fly, the City Council shall consider and make a determination that the Special Flag ~~meets~~ it must meet at least one or more of the following criteria. ~~If it is unclear whether a flag request meets the following criteria,~~ City Staff will request ~~and consider~~ input by the City's Diversity Equity and Inclusion Committee and City DEI Coordinator prior to ~~making a decision~~:

- a. The flag must represent a positive interest or value worthy of public recognition.
- b. Flags representing or implying specific political-party affiliations or candidates are not permitted, but flags encouraging civic engagement or service (such as "vote" flags) are permitted so long as all other criteria are met.
- c. If the flag requested to fly is an historic American flag, it must be a flag that continues to have a primary positive message of unity.
- d. At no time will the City of Biddeford display flags deemed to be inappropriate or offensive in nature or those supporting discrimination, prejudice, or the oppression of others.

~~Whether the United States or State of Maine has recognized the flag through statute or proclamation;~~

~~Whether the flag represents an organization dedicated to the public good for the Citizens of Biddeford;~~

~~Whether the flag represents a National, State, or City interest;~~

~~Whether the flag is an historic American flag that has or continues to have a primary positive message of American history and unity;~~

~~Whether the flag promotes unity and community with another city, state, country, or other jurisdiction; or~~

~~Whether the flag represents a positive interest or value worthy of public recognition.~~

5. Flags representative of specific special events noted on the City's established Diversity Calendar shall be considered pre-approved but will still need to be requested via the City of Biddeford Flag Request Form.

6. ~~From time to time,~~ A flag request that otherwise would be approved may be denied for a particular set of dates due to the potential perception of intimidation and/or being antagonizing

toward another group (~~f.~~ For example, flags representing one group with a documented historical background of intimidation and/or mental or physical abuse of another group that is going to fly a flag at the same time). In these cases, the requestor will be asked to choose a different date for their flag to fly. Examples may include but are not limited to flying the British flag on Saint Patrick's Day or the Ancient Roman Flag on Good Friday. If a citizen feels a flag has been approved for a time that may be perceived as intimidation or antagonizing toward another group, this can be reported to the Diversity, Equity and Inclusion Coordinator. Historical backup of the claim will then be requested and evaluated by the City of Biddeford Diversity, Equity and Inclusion Coordinator. If the historical backup shows the concern to be founded, the flag may be removed and requestor will be asked to choose a different time for it to fly so long as it meets all other criteria. Similarly, in the case of multiple flag requests that present conflicting messaging that harms one or all groups, the requestors may be asked to adjust their request dates in order to ensure that the flags fly separately.

7. Individuals or groups may appeal Staff decisions on Special Flags by contacting the DEI Coordinator for review. Appeals to the DEI Coordinator's decision will be reviewed by the DEI Committee.

ii. Unless otherwise stated or determined by the City Council, all Special Flags or Banners shall be flown or displayed for a limit of ~~seven the-~~ the time-bound date or thirty (30) contiguous calendar days after a defined start date, whichever is less, except as identified in 4.b.v. Requests may be adjusted at the discretion of City staff in order to begin and/or end on a business day so that City staff will be available to raise and lower the flag.

iii. Requests ~~must~~ be submitted no more than ninety (90) days prior to the defined start date and no less than fourteen (14) days before the start date.

iv. The flag that is being requested to fly must be provided by the requestor and retrieved from the City Manager's office after the raising. The flag must be a clean and serviceable flag.

ii. —

v. The same Special Flag or Banner may not be flown more than ~~twice~~ once every calendar year. Special Flags or Banners will be considered to be the same if they have the same design and/or represent the same organization or interest.

vi. In the interest of allowing as many citizens as possible to request Special Flags, Special Flag requests have the following limits:

1. Only Biddeford Citizens or Biddeford-based organizations are

- eligible to submit special flag requests
2. Biddeford Citizens are limited to one approved Special Flag request per calendar year
- ~~4.3.~~ Biddeford-based organizations, representing multiple Biddeford Citizens, may make multiple approved requests per calendar year for different Special Flags.

vii. The Mayor has the discretion to fly an appropriate flag, ~~as per the criteria listed in 4.b.i.2. above,~~ for up to one a single day/month if ~~he or she~~ they determines that a public purpose is served by flying the flag.

~~iii.~~

~~iv.~~

viii. Any Special Flag or Banner flown from a flagpole at City Hall must not be larger than the flag of the United States of America.
~~and must be located beneath the flag of the United States of America when flown on the same staff.~~

c. Display of the Flags at Half-Staff

1. ~~All~~ Flags shall be flown at half-staff as prescribed or consistent with this policy or as directed by the proper federal or state officials. Adjustments to time and height of special flags may be adjusted when circumstances require the American Flag to be flown at half-staff.
2. In addition to any federal or state protocols or directions, the Mayor (or designee) or council president in the absence of the mayor, may order the City of Biddeford flag to be flown at half-staff for one week under the following circumstances:
 - a. On the death of any of the following individuals:
 - i. Biddeford Mayor, ex-Mayor, or Mayor-elect;
 - ii. Current member of Biddeford City Council;
 - iii. Current head of any City Department or current employee;
 - iv. Any other local official, citizen, or other individual deemed by the Mayor to have made significant contributions to the benefit and welfare of the City and citizens of Biddeford.
 - b. Any instance where a City of Biddeford employee has been killed in the line of duty or has died as a direct result of injuries incurred while in the performance of official duties.
3. The Mayor shall state the reason or name of the individual in whose honor the flag or flags have been or are to be lowered to half-staff at the first available public meeting of the Biddeford City Council.

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1. Examples of Special Flags or Banners include, but are not limited to, sister city flags, Heritage Month flags (e.g., Black History Month, Pride Month, Asian/Pacific American History, National Hispanic Heritage, and Indigenous peoples’ heritage), flags received in recognition of awards, flags received from visiting groups, flags representing an organization dedicated to the public good for the Citizens of Biddeford, or flags designating a local event or accomplishment.
2. Up to three (3) Special Flags may be flown at any given time on a dedicated flagpole and will be flown in the order requests are received unless otherwise determined by City Staff or City Council.

3. Special Flag requests must have a time-bound element, meaning tied to a specific date or current event related to the dates being requested for the flag to fly. For example, a local or national current event, a specific holiday and/or a national day of remembrance. Flags without a time-bound element will be denied even if all other criteria are met.
4. In order for a Special Flag to be granted administrative approval to fly, it must meet the following criteria. If it is unclear whether a flag request meets the following criteria, City Staff will request and consider input by the City's Diversity Equity and Inclusion Committee and City DEI Coordinator prior to making a decision:
 - a. The flag must represent a positive interest or value worthy of public recognition.
 - b. Flags representing or implying specific political-party affiliations or candidates are not permitted, but flags encouraging civic engagement or service (such as "vote" flags) are permitted so long as all other criteria are met.
 - c. If the flag requested to fly is an historic American flag, it must be a flag that continues to have a primary positive message of unity.
 - d. At no time will the City of Biddeford display flags deemed to be inappropriate or offensive in nature or those supporting discrimination, prejudice, or the oppression of others.
5. Flags representative of specific special events noted on the City's established Diversity Calendar shall be considered pre-approved but will still need to be requested via the City of Biddeford Flag Request Form.
6. A flag request that otherwise would be approved may be denied for a particular set of dates due to the potential perception of intimidation and/or being antagonizing toward another group (for example, flags representing one group with a documented historical background of intimidation and/or mental or physical abuse of another group that is going to fly a flag at the same time). In these cases, the requestor will be asked to choose a different date for their flag to fly. Examples may include but are not limited to flying the British flag on Saint Patrick's Day or the Ancient Roman Flag on Good Friday. If a citizen feels a flag has been approved for a time that may be perceived as intimidation or antagonizing toward another group, this can be reported to the Diversity, Equity and Inclusion Coordinator. Historical backup of the claim will then be requested and evaluated by the City of Biddeford Diversity, Equity and Inclusion Coordinator. If the historical backup shows the concern to be founded, the flag may be removed and requestor will be asked to choose a different time for it to fly so long as it meets all other criteria. Similarly, in the case of multiple flag requests that present conflicting

messaging that harms one or all groups, the requestors may be asked to adjust their request dates in order to ensure that the flags fly separately.

7. Individuals or groups may appeal Staff decisions on Special Flags by contacting the DEI Coordinator for review. Appeals to the DEI Coordinator's decision will be reviewed by the DEI Committee.
 - ii. Unless otherwise stated or determined by the City Council, all Special Flags or Banners shall be flown or displayed for a limit of the time-bound date or thirty (30) contiguous calendar days after a defined start date, whichever is less, except as identified in 4.b.v. Requests may be adjusted at the discretion of City staff in order to begin and/or end on a business day so that City staff will be available to raise and lower the flag.
 - iii. Requests must be submitted no more than ninety (90) days prior to the defined start date and no less than fourteen (14) days before the start date.
 - iv. The flag that is being requested to fly must be provided by the requestor and retrieved from the City Manager's office after the raising. The flag must be a clean and serviceable flag.
 - v. The same Special Flag or Banner may not be flown more than once every calendar year. Special Flags or Banners will be considered to be the same if they have the same design and/or represent the same organization or interest.
 - vi. In the interest of allowing as many citizens as possible to request Special Flags, Special Flag requests have the following limits:
 1. Only Biddeford Citizens or Biddeford-based organizations are eligible to submit special flag requests
 2. Biddeford Citizens are limited to one approved Special Flag request per calendar year
 3. Biddeford-based organizations, representing multiple Biddeford Citizens, may make multiple approved requests per calendar year for different Special Flags.
 - vii. The Mayor has the discretion to fly an appropriate flag for up to one month if they determine that a public purpose is served by flying the flag.
 - viii. Any Special Flag or Banner flown from a flagpole at City Hall must not be larger than the flag of the United States of America.
- c. Display of the Flags at Half-Staff
1. Flags shall be flown at half-staff as prescribed or consistent with this policy or as directed by the proper federal or state

officials. Adjustments to time and height of special flags may be adjusted when circumstances require the American Flag to be flown at half-staff.

2. In addition to any federal or state protocols or directions, the Mayor (or designee) or council president in the absence of the mayor, may order the City of Biddeford flag to be flown at half-staff for one week under the following circumstances:
 - a. On the death of any of the following individuals:
 - i. Biddeford Mayor, ex-Mayor, or Mayor-elect;
 - ii. Current member of Biddeford City Council;
 - iii. Current head of any City Department or current employee;
 - iv. Any other local official, citizen, or other individual deemed by the Mayor to have made significant contributions to the benefit and welfare of the City and citizens of Biddeford.
 - b. Any instance where a City of Biddeford employee has been killed in the line of duty or has died as a direct result of injuries incurred while in the performance of official duties.
3. The Mayor shall state the reason or name of the individual in whose honor the flag or flags have been or are to be lowered to half-staff at the first available public meeting of the Biddeford City Council.