

BYLAWS
Baltimore County School Board Nominating Commission

Article I – NAME

Section 1. This Commission shall be known as the Baltimore County School Board Nominating Commission, hereinafter referred to as “Commission”.

Article II – PURPOSES

Section 1. The Commission shall have all the enumerated general and specific powers as set forth in Section 3-2B-03 of the Education Article of the Annotated Code of Maryland (Code) whether now in effect or hereinafter amended. A copy of the Code is incorporated herein by reference.

Section 2. Pursuant to the Code, without limiting the generality of the foregoing, the Commission’s purposes and goals are to timely, impartially, and appropriately submit to the Governor of the State of Maryland a list of nominees that contains at least two (2) names for each vacancy, or if there are fewer than two (2) applicants for a vacancy, the number of names that is equal to the number of applicants for each vacancy for selection by the Governor for appointment to serve on the Board of Education of Baltimore County.

In the performance of its duties the Commission shall act in accordance with the Code and:

- (a) Perform these tasks in a fair, impartial, and equitable manner;
- (b) Encourage and provide for reasonable and appropriate public participation;
- (c) Develop and provide an appropriate application process for candidates;
- (d) Develop and maintain a fair and appropriate process in which to encourage individuals to apply as candidates for membership on the Board of Education of Baltimore County;
- (e) Continue to educate itself as to the needs of Baltimore County Public Schools (BCPS) so that Commission members can carry out their tasks and be able to evaluate and nominate qualified individuals for membership to the four (4) at-large positions on the Board of Education of Baltimore County; and
- (f) Engage in such other and further activities and undertakings as may be necessary and required to carry out its statutory responsibilities, as well as meet its goals, purposes, and duties as provided for herein.

Article III – MEMBERSHIP

Section 1. Membership in the Commission shall consist of nineteen (19) members who are appointed in accordance with Code Section 3-2B-03, as follows:

- (a) The Commission shall reflect the rich cultural, geographic, ethnic, and racial diversity of Baltimore County, Maryland.
 - (i) The Governor, in consultation with the County Executive of Baltimore County, appoints eight (8) members, one (1) from each legislative district that lies in whole or in part in Baltimore County.
 - (ii) The County Executive appoints one (1) member from the County at large.

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Section 2. The following organizations each shall appoint one (1) member:

- (a) The Teachers Association of Baltimore County;
- (b) The Baltimore County Chamber of Commerce;
- (c) Towson University;
- (d) The Education Support Professionals of Baltimore County;
- (e) The PTA Council of Baltimore County, Inc.;
- (f) The Baltimore County Branch of the National Association for the Advancement of Colored People;
- (g) The Council of Administrative and Supervisory Employees;
- (h) The Baltimore County Public Schools' Special Education Citizens' Advisory Committee;
- (i) The Baltimore County Student Councils; and
- (j) The League of Women Voters of Baltimore County.

Section 3. Any subsequent Commission vacancy shall be filled by the individual or organization that had previously made the appointment.

Section 4. Any individual so appointed shall serve for the balance of the predecessor's term of office or until his/her successor is appointed.

Section 5. A member remains in good standing by attending Commission meetings regularly, without being absent for not more than three (3) consecutive meetings without justification or cause; (b) remaining a resident or representative of an organization representing Baltimore County; and (c) maintaining all eligibility and ethical Requirement of the Appointing Organization as well as the Commission.

Article IV – OFFICERS

Section 1. The Commission shall have such Officers and conduct its business within Baltimore County, Maryland, as may be approved and thereafter designated by the Commissioners, except for the Chair, who is appointed by the County Executive.

Section 2. The Officers of the Commission will be as follows:

- (a) Chair;
- (b) Vice Chair; and
- (c) Secretary.

Section 3. Term of Office – Elected Officers

Each Officer, except for the Chair, shall be elected by the membership and shall serve a term of two (2) years or until a successor is elected. No Officer elected by the membership shall serve more than two (2) consecutive terms in the same office. In the event an Officer is no longer serving, that vacancy must be filled by election by the body of Commissioners.

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Section 4. Term of Office – Chair

The Chair is appointed by the County Executive for a four-year term.

Section 5. Vacancies

When a vacancy occurs in the office of the Chair, the Vice Chair shall become Acting Chair until the County Executive appoints a Chair to complete the unexpired term.

When vacancies occur in other Officer positions, the Chair shall appoint a sitting Commissioner as Interim to fill the position until the Officer is formally elected by the commission.

Or,

Vacancies in office, except that of the Chair, shall be filled at the next Commission meeting by the election from a slate submitted by the Nominating Committee received by the membership at least ten (10) days prior to the election, and that slate will include the appointed Interim Officer.

Section 6. Removal from Office – Elected Officer(s)

An Elected Officer may be removed from office, for good cause, upon a 2/3 vote of the Commission members present and voting.

Section 7. Removal from Office - Chair

The Commission may, for good cause, recommend to the County Executive, by a 2/3 vote of the Commission members present and voting, that the County Executive remove the Chair.

Section 8. BCPS staff shall serve as staff to the Commission. BCPS shall be the custodian of the Commission's records. All records are to be archived by BCPS for a period of no less than twelve (12) years. Upon expiration of this term, no records of the Commission so held by BCPS, shall be deleted or destroyed by any means, without the written consent of the Commission as determined by a 2/3 vote of the Commission members present and voting.

Article V – DUTIES OF OFFICERS

Section 1. Officers:

(a) Chair

The duties of the Chair shall be to:

- (i) Preside at Commission meetings (open and closed);
- (ii) Successfully complete the Maryland Open Meetings Act training requirement as set forth in § 3-213 of the General Provisions Article;
- (iii) Appoint Committee Chairs and Committee members and special ad hoc committees as needed except the Nominating Committee;
- (iv) Appoint a qualified Parliamentarian from outside the Commission Body, if necessary, who has no voting rights, and advises the Chair on matters related to the Bylaws;
- (v) Provide administrative direction to the Commission in the fulfillment of the purpose as stated in Code Section 3-2B-03;
- (vi) Serve as an ex-officio member of all committees, with the exception of the Nominating Committee;
- (vii) Serve as an official representative and spokesperson for the Commission;
- (viii) Member in good standing, per Article III Section 5; and
- (ix) Approve all correspondence, press releases and reports, etc. submitted on behalf of the Commission.

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(b) Vice Chair

The duties of the Vice Chair shall be to:

- (i) Serve in the Chair's absence;
- (ii) Since acting in the capacity of the Chair is a real possibility, it is recommended that the Vice Chair also successfully complete the Maryland Open Meetings Act training requirement as set forth in § 3-213 of the General Provisions Article;
- (iii) Assist in providing administrative direction to the Commission in the fulfillment of the purpose as stated in Code Section 3-2B-03;
- (iv) Maintain records from the Committee Chairs regarding Committee activities and member participation, facilitate Committee Chair reports to the Commission and submit Committee reports to the Chair and Secretary.

(c) Secretary

The duties of the Secretary shall be to:

- (i) Record and maintain an accurate record of the proceedings of all Commission meetings in both hard copy and electronic versions;
- (ii) Keep a record of attendance of the Commission meetings, including Commissioners and guests;
- (iii) Advise a Commission member of pending attendance violation, based upon absence for two (2) consecutive Commission meetings without notification or cause;
- (iv) Advise the Chair and Vice Chair of any member(s) who have been absent for three (3) consecutive Commission meetings without notification or cause and to advise the individual or Appointing Organization that had previously appointed the member of the same;
- (v) Maintain files of all official Commission documents;
- (vi) Maintain a current roster of Commission members.

Section 2. Appointed Officers

(a) Parliamentarian

If a sitting Commissioner is appointed as Parliamentarian, he/she serves at the discretion of the Commission Chair. The Chair shall present the candidate selected for this office to the Commission, requiring ratification by a majority vote of the Commissioners present and voting. In the event the Commissioners determine that an election is necessary, the process outlined in Article XI, Section 7 shall be followed. The timing of the election shall be determined by the Commission.

If the Parliamentarian is appointed by the Commission Chair from outside of the Commission, he/she shall be subject to the responsibilities of a Commissioner and an Officer of the Nominating Commission pursuant to Articles XVI, XVII, and XIX in full.

The duties of the Parliamentarian shall be to:

- (i) Advise the Chair and other officers, committees and members on parliamentary procedure and interpretation of the Bylaws; and
- (ii) Serve as a member of the Bylaws Committee.

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Article VI – DUTIES AND POWERS OF THE COMMISSIONERS

Section 1. The Commissioners shall manage the affairs of the Commission.

Section 2. Without limiting the generality of the foregoing, it shall be the duty of the Commissioners to:

- (a) Carry out the requirements of the Code as it relates to the selection of qualified potential candidates for appointment by the Governor, to fill positions on the Board of Education of Baltimore County;
- (b) Conduct public meetings as required to meet its goals and purposes;
- (c) Adopt appropriate procedures for carrying out the Commission’s purpose and goals;
- (d) Where required, but without delegating its duties, call for the appointment of special subcommittees;
- (e) Supervise all Officers to ensure that their duties are properly performed; and
- (f) Meet when required or when necessary to fulfill its Code requirements, goals and purposes.

Article VII – TERM

Section 1. The Commissioner’s term of office shall be for a period of four (4) years which shall commence on his/her date of appointment by the appointing authority and terminate four (4) years thereafter.

Section 2. A Commissioner’s rights and responsibilities shall cease upon the end of his/her term and the appointment of his/her successor, death, written resignation or removal from the Commission either by his/her appointing authority or by law.

Article VIII – TRANSFER OF MEMBERSHIP

Section 1. Appointed Members by the Governor or the County Executive

An individual appointed Commissioner may not transfer his/her Commission membership or any right or privilege arising therefrom. In the event of a resignation from the Commission, the member shall notify, in writing, both the Chair and the Governor’s Appointment Office or the County Executive, as appropriate. The Governor’s Appointment Office or the County Executive shall notify the Chair of the name of the replacement Commissioner.

Section 2. Members Representing an Appointing Organization

An individual representative Commissioner shall not transfer his/her Commission membership or any right or privilege arising therefrom. In the event of a resignation from the Commission, the member shall notify, in writing, both the Chair and the Appointing Organization. The Appointing Organization shall notify the Chair of the name of the replacement Commissioner. In the event the Appointing Organization determines to replace the member it had appointed, the Organization shall notify, in writing, the Chair and Secretary of the intent to remove the member at least fifteen (15) days, or immediately in the event of sickness, relocation, death, conflict of interest, or any other reason known by the Appointing Organization of the member’s inability to serve, and before the new Commissioner is appointed.

Section 3. Incoming Member

The incoming member shall complete the following actions before being seated as a serving Commissioner:

- (a) Review and sign the Confidentiality Agreement(s);
- (b) Complete any background checks/investigations as required by the Governor’s Appointment Office or the Appointing Organization;

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- (c) Review and sign the Non-Disclosure Agreement(s) and review of Board of Education of Baltimore County candidate applications, including recorded interviews, when the Commission is in the active process of selecting nomination(s) for recommendation to the Governor; and
- (d) Transition of information and actions undertaken by the outgoing member, and the same of the Commission by the Chair.

Section 4. Outgoing Member

The outgoing member shall promptly return all properties, documents, files, etc. that the member obtained or created as a result of membership on the Commission to the Chair, with a notice of such action to the Secretary. Outgoing members shall continue to be bound by any and all Confidentiality and Non-Disclosure Agreements after leaving the Commission.

Article IX – SELECTION OF BALTIMORE COUNTY SCHOOL BOARD NOMINEES

Section 1. The Commission shall establish procedures for requesting, receiving, and reviewing applications from the Baltimore County community.

Section 2. The Commission shall establish applicant qualifying and recommendation processes that are adopted by the Commission body by a 2/3 vote of the Commissioners present and voting.

Section 3. Applicant interviews shall be held on a date and at a location determined by the Commission, based upon a 2/3 vote, and for a length of time determined by a 2/3 vote.

Section 4. Interviews of potential candidates shall be held in a BCPS facility with video recording and archiving capabilities, accessible in a secure location for the exclusive use of the Commission.

Section 5. Final applicant recommendations to be sent to the Governor shall be by individual ballot or by another voting process adopted by 2/3 vote of the Commissioners present and voting.

Section 6. All members of the Commission shall be entitled to vote pursuant to the process determined in Article IX, Section 5. The absentee ballot process shall be clearly outlined and documented, and the process shall be monitored by the Chair.

Section 7. A 2/3 vote shall be necessary for recommendation to the Governor.

Section 8. The “Tellers Committee” shall be determined by random drawing of names from all non-officer Commissioners and activated for the purpose of validating the voting process for nominees to be sent forth to the Governor.

Section 9. The Tellers Committee final report shall be submitted to the Chair who will announce the recommendations, based upon the process adopted by the Commission. Recommendations are sealed, and members are restricted from revealing names until applicants have been notified by the Governor’s Appointment Office.

Section 10. All evaluation and selection documentation shall be turned over to the Chair who shall deliver all documents to the BCPS office designated for management and storage of those documents. Copies shall not be maintained by any Commissioner for personal use or otherwise.

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Article X – NOTIFICATION TO APPLICANTS

Section 1. Individuals submitting an application to this Commission shall receive a receipt of their application.

Section 2. Candidates who advance to an interview shall be notified in writing by this Commission via the Chair or Secretary.

Section 3. Candidates who do not advance to an interview shall be notified in writing by this Commission via the Chair or Secretary.

Section 4. All notifications of actions after submission of applications to this Commission shall be based upon a date agreed upon by this Commission and the Governor's Appointment Office.

Section 5. The Chair shall send to the Governor's Appointment Office a list of nominees, their applications, resumes, and answers to the essay questions on or before the deadline as required by the State Statute.

Section 6. Applicants advancing to the Governor's Appointment Office for selection as a Board of Education of Baltimore County Member shall be notified of the decision by the Governor's Appointment Office.

Article XI – ELECTIONS

The Commission shall hold election of officers in May, every two (2) years.

- (a) All candidates for office shall be in good standing at the time of election.
- (b) Elections shall be by ballot except when there is but one (1) nominee for an office, the vote for that office may be by acclamation.
- (c) A majority vote shall be necessary for election. Officers shall assume their offices on September 1st of the same year.
- (d) There shall be an Election Committee created by random selection whose role is to:
 - a. Prepare the ballots for distribution to the eligible voting members;
 - b. Collect and count the votes; and
 - c. Report the results to the membership and the Chair announces the winner.
- (e) All members of the Commission shall have a vote, whether in person or by absentee ballot.
- (f) There shall be no voting by proxy.
- (g) Only members in good standing shall be entitled to vote in the annual or special elections.
- (h) Specific procedures related to nominations and elections shall be developed by the committee memberships, approved by a 2/3 vote, and filed with the Secretary.

Article XII – QUORUM

Section 1. The majority (half plus one (1)) of the members in good standing shall constitute a quorum, for the transaction of all business of the Commission (except as outlined in Article XI (e) and Article IX Section 6) and that number must be present for the entire meeting.

Section 2. The names of the members making up the Quorum shall be recorded by the Secretary in the minutes of each meeting in which the requirements for a "quorum" become necessary.

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Section 3. In the event that a member, comprising a quorum (pursuant to Article XII, Section 1) for a commission vote, leaves the meeting before the necessary vote can take place, the Secretary will so note the departure in the minutes, and announce to the body (when appropriate) that a quorum does not exist before any vote is taken.

Section 4. If the Commission membership falls to a certain number (less than 50% of the full Commission slots, pursuant to Article XII, Section 1) – particularly when there are critical decisions/votes to be rendered when Board of Education of Baltimore County applicants or Commission Officers are being chosen, limit the power of the commission until positions are filled.

Article XIII – COMMITTEE(S)

Section 1. The Commission may establish committees as it deems appropriate.

Section 2. Eligibility

Commissioners appointed to serve on a Committee must be in “good standing” since appointment by the Governor, County Executive, or Appointing Organization to the Commission and shall have served for at least one (1) year.

Section 3. Term

Committee term of office shall be established at the time of formation.

Section 4. Vacancies

If a vacancy occurs on a Committee, it shall be filled by an appointment of the Chair, or recommendation of the Committee, requiring ratification of majority vote of the Commissioners present and voting, the following month during which the vacancy occurs.

Section 5. Removal from a Committee

- (a) A Committee member may be removed from the committee if:
 - (i) They demonstrate behaviors of bias or undue influence or that can bring unfavorable attention to the Committee and/or the Commission; and
 - (b) Removal shall occur by majority vote of the Committee membership and then majority vote of the Commissioners present and voting.

Section 6. Committees

(a) Nominating Committee

The purpose of the Nominating Committee shall be to secure nominations of Commission members to serve as Officers of the Commission.

- a. The Nominating Committee shall consist of five (5) members elected by the membership no later than the March meeting of the election year.
- b. Role of the Nominating Committee
 - i. The role of the Committee shall be to develop a slate of nominees for each eligible elected office to be presented to the membership.
 - ii. The Committee shall obtain the consent of each nominee to serve if elected and shall provide this slate to the membership at least one (1) meeting prior to the election meeting.

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- iii. If vacancies occur during the office term, the Committee shall submit names to fill the vacancy.
- iv. The duties of the Nominating Committee are completed after the election of Officers.
- c. The responsibilities of the committee shall include:
 - i. Nomination procedures; and
 - ii. Submit names to the Commission at least one (1) meeting before the election meeting.

(b) The Bylaws Committee

The purpose of the Bylaws Committee shall be to create (initial) and recommend amendments to the adopted Bylaws of the Commission.

- (i) The Committee Chair and membership are appointed by the Commission Chair, requiring Commission ratification by majority vote of the Commissioners present and voting, and may include the Parliamentarian and four (4) individuals from the Commission membership.
- (ii) A Commission member appointed as Parliamentarian shall be eligible to serve as a member of the Bylaws Committee. A Parliamentarian appointed from outside of the Commission shall not be eligible to serve as a member of the Bylaws Committee.
- (iii) The responsibilities of the committee shall include:
 - a. Periodic review of adopted Bylaws; and
 - b. Present proposed amendments as required by the adopted Bylaws.

(c) The Elections Committee

The purpose of the Elections Committee shall be to perform the duties listed under Article XI.

- (i) The Committee Chair and membership are appointed by the Commission Chair and includes five (5) individuals from the Commission membership, requiring Commission ratification by majority vote of the Commissioners (pursuant to Article XII, Section 1).

(d) Ad Hoc/Special Committee(s)

Special/ad hoc committees may be established by the Commission as the need arises, to accomplish a specific purpose; and they cease to exist when that purpose is accomplished.

Article XIV – VOTING RIGHTS

Section 1. Each Commissioner shall have one (1) vote upon each matter submitted to a vote by this Commission.

Section 2. Each vote shall be exercised either in person, or by absentee ballot/provision, and not by proxy.

Article XV – MEETINGS

Section 1. Regular Meetings

- (a) Regular meetings of this Commission shall be held according to a schedule adopted by the Commission based upon a majority vote of Commissioners present at the time of voting.
- (b) Notice of the meeting shall be sent out by electronic media five (5) business days in advance of the meeting giving time and location.
- (c) Notice of planned absence should be submitted to the Chair and Secretary in writing prior to the meeting.

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- (d) (d) To allow for regular attendance of all Commissioners, particularly those appointed by Organizations listed in Article III Section 2 (appointing organizations), meetings should not recur on the same day of the week in each month within an annual cycle that meetings are scheduled, unless agreed to by all Commissioners.
- (e) Regular meeting time shall not present recurring conflicts with standing meeting time of the ten (10) Appointing Organizations.

Article XVI – CONFLICTS OF INTEREST

Section 1. The Commission must establish a Conflict of Interest Policy, specifically related to the relationship between a Commission and an applicant. Each member shall receive a copy of the Conflict of Interest Policy upon its adoption by the Commission, and acceptance by a 2/3 vote of all Commissioners present and voting.

Section 2. A signed and dated copy of receipt shall remain on file in the Commission's records.

Article XVII – PARLIAMENTARY AUTHORITY

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this Commission in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, any special rules of order that the Commission may adopt.

Article XVIII – AMENDMENTS

Section 1. These Bylaws may be amended by a 2/3 vote at any meeting of the Commission provided notice of the proposed amendment(s) has been provided to the membership at the previous meeting or mailed or delivered electronically to each member in good standing at least ten (10) days prior to the meeting at which the amendment(s) will be considered.

Amended Dates:

September 16, 2019 – Approved

November 12, 2019 – Adopted

Article XIX – CONFIDENTIALITY

Section 1. All discussions, conversations and decisions of this Commission carried out during a closed session of a regularly scheduled meeting, in accordance with the Maryland Open Meetings Act, regularly scheduled meeting, either in person or as required by any other format, shall be considered confidential, and shall not be shared with any other person, for any reason, not officially nominated and seated on this Commission.

Section 2. Extent of Confidentiality of a Commissioner as Related to Their Appointing Organization Regarding the extent of confidentiality for any specific Commission member as it relates to the Appointing Organization to which they serve and which has also placed them on the Commission, a member of this body is expressly forbidden from discussing, sharing or transmitting by any means any specific information about a candidate, including that candidate's name, gender, age, ethnicity, or any other identifying attribute

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revealed through any required written application or personal interview before or by the Commission, with any other member of their Appointing Organization, including that Organization's President or Officers.

This is not to say that their Appointing Organization cannot advise "their" Commissioner as to the attributes the collective membership of their Appointing Organization believes would make for an excellent school board member, just that the Commissioner is not at liberty to divulge any specific information, shared before the Commission about any candidate, with anyone in their respective Appointing Organization.