

## **BYLAWS FOR THE OHIO EDUCATOR STANDARDS BOARD**

### **ARTICLE I**

#### **STATEMENT OF PURPOSE AND AUTHORITY**

It is the purpose of the Educator Standards Board (the Board) to develop and recommend to the State Board of Education standards for entering and continuing in the educator professions, standards for educator professional development and additional duties outlined in Ohio Revised Code (ORC) Sections 3319.60 and 3319.61.

Members of the Board have authority only when acting as a board legally in session. The Board cannot be bound by any statements or actions of individual members unless such members are directed to act as representatives of the Board by the Chair.

### **ARTICLE II**

#### **MEMBERS**

##### **Section 1. Role of the Educator Standards Board Members**

The members of the Board do not receive compensation for their services. Recognizing that membership on the Board is an additional responsibility, members of the Board are expected to do the following:

- promote the vision and mission of the Board;
- maintain high standards of personal and professional conduct in executing the Board's business;
- express views, opinions and concerns openly and honestly;
- act as responsible and fair liaisons to their constituency;
- attend all meetings of the Board;
- be as fully prepared as possible for meetings by reading, reviewing, and reflecting on materials distributed;
- work collaboratively with all other members of the Board;
- take on additional responsibilities of the Board, such as representation of the Board at public meetings/conferences, attendance at additional meetings as requested by the Chair, and the development of intermediate work projects;
- engage in decision making processes that are: inclusive (all voices given credence) and participatory, are based on solid evidence and reason, arrived at through vigorous inquiry and deliberation, and provide opportunities for all relevant and valid information to be considered;
- evaluate the Board and its priorities, if applicable, in a manner determined by the Board Leadership; and

## **Section 2. Conflicts of Interest**

Members of the Board shall not participate in any decision-making capacity if they have a close, active association with an organization or issue that is being considered for official action. The Board member shall recuse themselves when such motions are under consideration.

A “close, active association” includes, but is not limited to, the following:

- having been a member of the faculty or staff or a student at the organization within the prior ten years (“student” includes persons having been enrolled in a significant course of study or degree program or being a graduate of the organization);
- having been a consultant at the organization within the prior ten years;
- participating (on an individual basis) in a specific consortium or special research relationship;
- having an immediate family member attending or in the employ of the organization; and
- having a financial stake in the issue being considered.

## **ARTICLE III**

### **OFFICERS**

#### **Section 1. General Provisions**

Officers of the Board shall be a Chair, a Vice-Chair, and such other officers and assistant officers as the Board may from time to time deem necessary. Any other officers desired by a Board member must have a quorum vote of the Board.

The Chair and Vice-Chair shall be members of the Board. Any two or more offices may be held by the same person, with the exception of the offices of the Chair and Vice-Chair, but no officer shall execute, acknowledge or verify any instrument in more than one capacity if such instrument is required to be executed, acknowledged or verified by two or more officers.

#### **Section 2. Election of Officers**

The former Chair, if available and on the Board, or the former Vice-Chair, if available and on the Board, shall be the temporary Chair of the first organizational meeting. If, due to extenuating circumstances, there is no temporary Chair at the first meeting, then the longest-serving Board member will preside over the election.

The temporary Chair shall preside over the election of the Chair by the following procedures:

- Open the floor for nominations for Chair (a second is not required, and any nominee may withdraw)
- Invite a motion to close nominations
- Invite nominees to address the Board
- Vote by roll-call, with each member voting by declaring the name of his/her choice for Chair

- A majority of those present and voting shall be required for election
- Following each vote, the name or names of the person(s) receiving the lowest number of votes shall be dropped from the list and the roll called again, with members voting from among the remaining nominees, until a Chair is elected.

Upon election, the newly elected Chair shall assume the Chair and proceed with the election of other officers following the same election procedures.

### **Section 3. Chair**

Pursuant to ORC Section 3319.60, the appointed Board members shall select a Chair for the Board at the Board's first meeting. The Chair shall call and conduct meetings, set the meeting agenda in collaboration with the Department of Education. The Chair shall collaborate with committee Chairs and the Department of Education to set and approve agendas for committee meetings and shall set joint committee meetings whenever necessary. The Chair shall prepare recommendations for standing committee membership and purpose. The Chair shall appoint standing committee Chairs, members and committee leadership of ad hoc committees, and members to subcommittees as needed. The Chair or the Department of Education are the only official spokesperson for the Board and the Chair shall direct the preparation of the annual report. The Chair shall preside at all meetings at which he or she is present, and shall have such additional duties and authority as may be approved by the actions of the Board consistent with Ohio Revised Code 3319.61.

### **Section 4. Vice-Chair**

Pursuant to ORC Section 3319.60, the appointed Board members shall select a Vice-Chair for the Board at the Board's first meeting. The Vice-Chair shall preside at all meetings at which the Chair is not present and shall have such additional duties and authority as may be approved by the actions of the Board.

### **Section 5. Terms of Office and Removal**

Each officer of the Board shall hold office at the pleasure of the Board for a one (1) year term from the date of the member's appointment to the end of the term for which the member was appointed. No officer shall serve more than two (2) consecutive terms in the same office.

### **Section 6. Powers, Duties, and Expenses**

Each officer of the Board shall have the authority to perform such duties as are customarily incident of his or her office, and such additional authority and duties as may be specified by the Board from time to time, irrespective of whether such additional authority and duties are customarily incident to such office.

Applicable expenses, including substitutes for classroom teachers, are reimbursed according to the State of Ohio Guidelines and pursuant to ORC Section 3319.63.

## **ARTICLE IV**

## **MEETINGS**

### **Section 1. Regular Meetings**

The Board shall hold regular meetings on such dates and at such times as the Chair may from time to time determine. The Board shall meet at least six (6) times in a fiscal year. No later than June 30<sup>th</sup> of each year, the Board shall adopt a calendar of its regular meetings for the following fiscal year. The Board may, at such regular meetings perform all such duties and functions and take all such actions that ORC Sections 3319.60 and 3319.61 authorize the Board to perform and take. The Board may hold meetings at any location within the State of Ohio.

The agenda for regular meetings, which may also serve as notice, shall be sent to Board members by personal delivery, mail, email, or fax at least forty-eight (48) hours before such meetings. For any items that require a vote of the Board, relevant information shall also be provided to the Board members at least forty-eight (48) hours prior to a regular meeting.

### **Section 2. Special Meetings**

Special meetings of the Board may be called by the Chair and the Chair shall also call a special meeting upon a written request signed by at least a majority of the members of the Board.

The agenda for a special meeting, which may also serve as notice, shall be sent to each Board member by email at least forty-eight (48) hours before such meeting. For any items that require a vote of the Board, relevant information shall also be provided to the Board members at least forty-eight (48) hours prior to a special meeting.

### **Section 3. Emergency Meetings**

In the event of an emergency requiring immediate official action, the Chair shall call an emergency meeting.

### **Section 4. Public Meetings**

All meetings of the Board shall be open to the public, except that the Board may meet in executive session in accordance with the applicable provisions of the laws of the State of Ohio, specifically ORC Section 121.22.

### **Section 5. Organization of Meetings**

#### *A. Presiding Officer*

The Chair of the Board, or in his or her absence, the Vice-Chair of the Board, shall call all meetings of the Board to order and shall act as Chair thereof. If the Chair and Vice-Chair are both absent at any meeting, then the members present at such meeting shall select a Chair for such a meeting.

*B. Order of Business*

The Chair shall prepare the agenda and the order of business at all meetings of the Board with assistance from the Ohio Department of Education.

*C. Rules of Order*

Meetings of the Board shall be conducted in accordance with these bylaws, or when these bylaws do not address how the action should proceed, in accordance with the determination of the Chair. In making such a determination, the Chair has the discretion to refer to the latest edition of Robert's Rules of Order.

*D. Discussion Topics Proposed by Board Members*

An ESB member may make a "request to consider" a topic for discussion of the ESB through the Chair. The Chair will determine if it is appropriate to be considered and if so assign it to a committee.

*E. Minutes*

An employee of the Department of Education shall make a written record of the meetings. The Department of Education shall keep the minutes of all meetings of the Board and shall cause the Board's minutes to be open to the public for inspection at all reasonable times. The Department of Education shall furnish to each member of the Board a copy of the minutes as soon thereafter as is practical.

*F. Public Comment*

All persons wishing to be heard on any matter before the Board must first be recognized by the Chair. Public comment at a meeting of the Board shall be limited to five (5) minutes per person and the total amount of public participation during any one meeting shall be limited to thirty (30) minutes. In the interests of furthering the business of the Board, public comment shall be permitted only upon agenda items. The Chair, with Board approval, has the discretion to condense or expand public comment as deemed necessary.

**Section 6. Governing Style**

When feasible, standing committees meet on the day prior to the regularly scheduled meetings of the Board.

The Board uses a modified version of the Robert's Rules of Order to conduct the business meetings; this includes the use of a consent agenda where deemed feasible by the Chair with assistance from the Department of Education. The Chair leads meetings of the Board and may request the Department of Education to facilitate any portion of the meeting.

The Board operates with a consensus approach. However, all issues decided upon in open session require a recorded vote.

The agenda follows the order below unless properly amended.

- I. Call to Order
- II. Roll Call
- III. Introductions
- IV. Approval of the Agenda
- V. Approval of Minutes
- VI. Report from the Chair
- VII. Report from the Ohio Department of Education
- VIII. Report from the State Board of Education
- IX. Report from the Ohio Department of Higher Education
- X. Report from the Office of Educator Effectiveness
- XI. Committee Reports
  1. Licensure Committee
  2. Standards Committee
- XII. Discussion Items
- XIII. Action Items
- XIV. Old Business
- XV. New Business
- XVI. Announcements
- XVII. Adjourn

## **ARTICLE V**

### **QUORUM AND VOTING**

#### **Section 1. General Voting**

At any meeting of the Board, eleven (11) members of the Board, a simple majority, shall constitute a quorum, unless the issue involves licensure standards for administrators which may use a special procedure outlined below. Action of the Board on any proposal, question, or matter which comes before the Board at a meeting which a quorum is present shall require the affirmative vote of a simple majority of members present, except if the Board's bylaws are being voted on by the Board. If the Board's bylaws are being voted on, the affirmative vote of no fewer than fourteen (14) members is required for the Board to take action.

#### **Section 2. Special Voting**

When an issue comes before the Board that concerns licensure or standards for administrators, any Board member holding one of the Board seats representing administrators may request at any time prior to the vote on the issue that the Chair invoke the following procedure. The Chair shall honor such request.

*A. Step One*

The issue may be discussed in any relevant standing, ad hoc, and/or subcommittee(s) of the Board, and by any member of the Board in open session according to the procedures adopted by the Board. Any Board member may move or second an action concerning the issue.

*B. Step Two*

Any motion regarding the issue will be called for a vote in open session of the Board.

In the vote, each member of the Board representing an administrator constituency will have one vote. The members of the Board representing the teacher constituency will vote as a bloc having one total vote. The Board members representing a higher education constituency will vote as a bloc having one total vote. The member of the Board representing the Ohio School Boards constituency and the Ohio Parent Teacher Association will have one vote. (Total: 4 votes)

All bloc voting groups will be afforded sufficient time to caucus on the issue if so requested.

Should a bloc voting group be unable to reach a majority decision on how to cast their vote, that group will be recorded as not voting by way of abstention.

Passage of the motion requires a simple majority of the bloc votes cast.

*C. Step Three*

Any action taken on the issue shall be reported to the State Board of Education as representative of the Board in the same manner as any other action taken by the Board.

**ARTICLE VI**

**COMMITTEES**

**Section 1. Standing Committees**

*A. Licensure Committee*

The Board shall be advised on matters regarding licensure renewal requirements and such other duties assigned by the Chair consistent with the provisions of ORC Section 3319.61. The Licensure Committee shall report their recommendations through the Chair of the Licensure Committee at meetings of the Board.

*B. Standards Committee*

The Board shall be advised on matters regarding educator standards and such other duties assigned by the Chair consistent with the provisions of ORC Section 3319.61. The Standards Committee shall develop and periodically update a Board self-evaluation tool to measure the Board's effectiveness in accomplishing the duties as outlined in Ohio Revised Code as well as the Board's communication and collaboration between members. The Standards Committee shall review the bylaws and recommend updates as needed. The Standards Committee shall report their recommendations through the Chair of the Standards Committee at meetings of the Board.

*C. Higher Education Committee*

The Board shall be advised on matters regarding higher education and such other duties assigned by the Chair consistent with the provisions of ORC Section 3319.61. The Higher Education Committee shall report their recommendations through the Chair of the Higher Education Committee at meetings of the Board.

*D. Subcommittee on Standards for Superintendents*

The Board shall be assisted in developing standards for superintendents and additional duties assigned by the Board consistent with the provisions of ORC Section 3319.611.

*E. Subcommittee on Standards for School Treasurers and Business Managers*

The Board shall be assisted in developing standards for school treasurers and business managers and any additional matters assigned by the Board as consistent with the provisions of ORC Section 3319.612.

*F. Subcommittee on Standards for Teacher Preparation*

The Board shall be assisted with issues pertaining to educator preparation programs and with any additional matters the educator standards board directs the subcommittee to examine as consistent with the provisions of ORC Section 3319.613

*G. Ad Hoc Policies Committee*

On an as needed basis, the Board may establish committees to help carry out its responsibilities.

**ARTICLE VII**

**MISCELLANEOUS**

**Section 1. Ohio Department of Education Support**

The Department of Education shall provide administrative support to the Board from within the Department of Education's Office of Educator Effectiveness. The Department of Education's role is to do the following:

- collaborate with the Chair in developing the Board's agendas;
- facilitate meetings of the Board as directed by the Chair;
- designate a Department of Education staff member to serve as secretary for the Board;
- collaborate with the Chair to facilitate the work of the Board;
- staff meetings of the Board;
- mobilize resources for research;
- serve as a spokesperson for the Board upon consultation with the Chair;
- maintain records of the Board;
- monitor expenses of the Board;
- keep the Board informed of current research, developments, and initiatives in applicable areas;
- ensure collaboration with and input from stakeholder groups;
- work collaboratively with staff in the Center for the Teaching Profession to aid the work of the Board;
- work collaboratively with the Department of Higher Education to align the work of the Board with higher education;
- prepare reports as directed by the Board;
- serve as liaison from the Board to educational organizations; and
- fulfill any additional administrative duties as assigned by the Board.

The Department of Education shall conduct a new member orientation process prior to the regularly scheduled September meeting of the Board. The orientation should include, but is not limited to, the following:

- boardmanship;
- communication with constituents;
- ground rules for effectiveness;
- stewardship to the profession and general public;
- consensus building;
- policies of the Board;
- committee structure;
- decision making processes; and
- applicable Ohio Revised and Administrative Code.

## **Section 2. Amendment, Severability, and Suspension**

### *A. Amendment and Repeal*

These bylaws of the Board may be waived, amended, added to, or repealed by the Board at any time, subject to the requirements of any applicable law. Unless otherwise provided, any addition, deletion, or amendment shall take effect immediately upon its adoption.

### *B. Severability*

In the event that any part of these bylaws is found to be in conflict with the Ohio Revised Code or any other law, only the portions in conflict shall be stricken from the bylaws.

*C. Suspension*

Any part of these bylaws relating to procedures for the transaction of business, unless otherwise mandated by applicable law, may be temporarily suspended, if implementing such regulation would, under the circumstances constitute a waste of time, be meaningless, be unfair, or otherwise impede the law transaction of the business of the Board.

**Section 3. Evaluation**

The Board will evaluate itself and its priorities, if applicable, as directed by the Chair.

Adopted: May 10, 2019