

**Education Management Information System Advisory Council Bylaws
February 2019**

Article I. Name

The name of the Council shall be the Education Management Information System (EMIS) Advisory Council (“Council”).

Article II. Authority and Purpose

The Council is authorized under Ohio Revised Code Section 3301.0713, as enacted by House Bill 21, effective September 28, 2018, to make recommendations to improve EMIS and to provide a forum for communication and collaboration between the Department of Education and parties in the field involved in collecting, reporting, and using EMIS data.

Article III. Membership

Section 1: Composition

All Council members shall be appointed consistent with Ohio Revised Code Section 3301.0713, which requires members of the council to include Department staff and representatives of school districts and other entities that regularly interact with data from the education management information system.

A. The Council shall consist of Department staff and nominees from the following parties:

- Ohio Association of EMIS Professionals
- Buckeye Association of School Administrators
- Ohio Association of School Business Officials
- Ohio Association of Career-Technical Superintendents
- Information technology centers
- Large urban school districts
- Community schools
- State Board of Education
- Other organizations, as determined by the State Superintendent of Public Instruction (“Superintendent”)

B. Members are appointed by the Superintendent through a nomination process.

- C. There shall be a maximum number of thirty (30) Council members with no more than six (6) Department staff members and two (2) State Board of Education members during each term.

- D. The Department shall provide the Council with administrative support.

Section 2: Duration of membership

- A. Each non-Department Council member shall serve a two-year term and may serve one additional two-year term, if nominated.

- B. If a member does not fulfill his/her term, the vacancy will be filled through the nomination process.

- C. A member may resign from Council by giving written notice to the Department. The notice shall specify an effective date of resignation, and whenever possible, should be submitted thirty (30) days prior to the effective date of resignation.

- D. If a Council member misses two (2) consecutive meetings, the Council member's seat shall be considered vacant and filled through the nomination process.

- E. Council members serve at the pleasure of the Department and may be removed by the Department at any time.

Section 3: Miscellaneous

- A. Each Council Member must, at all times, abide by protections to the public embodied in Ohio ethics law, as found in chapter 102 and section 2921 of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts.

- B. A copy of these laws was provided to each Council member, and receipt acknowledged as required by section 102.09(D) of the Ohio Revised Code during the Council's first meeting.

- C. Members shall not be compensated for their services.

- D. Council members shall disqualify themselves from participation in any discussion and/or vote in which a Council member of his/her family has a financial interest (tangible gain) or a personal interest which would affect

independence in judgment or action in the performance of the member's duties.

Article IV. Officers

Section 1: General

The Department will appoint a Chair and Vice-Chair. The Chair will appoint an employee of the Department of Education as Secretary.

Section 2: Duties

A. Chair

The Chair shall preside over all meetings and act as a liaison between the Council and the Department. The Chair, in consultation with the Department, shall set the Council's agenda and schedule Council meetings.

B. Vice-Chair

The Vice-Chair shall assist in facilitating the meetings and handle all duties of the Chair in the Chair's absence.

C. Secretary

The Secretary shall make a written record of the proceedings and perform administrative duties as assigned by the Chair.

Article V. Meetings

Section 1. Regular Meetings

The Council shall hold regular meetings on such dates and at such times as the Chair may from time to time determine. The Council may, at such regular meetings, perform all such duties and functions and take all such actions authorized in Article II. The Council may hold meetings at any location within the State of Ohio.

Section 2. Special Meetings

Special meetings of the Council may be called by the Chair, and the Chair shall call a special meeting upon written request signed by at least a majority of the Council Members.

Section 3. Emergency Meetings

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

Section 4. Notice of Meetings

The holding of a regular meeting of the Council shall require the giving of notices of such a meeting to each member and the public by personal delivery, telephone, mail, email, or fax at least forty-eight (48) hours before such meeting. Such notice shall specify the time and place of such meeting and shall further specify the purpose for which such meeting is to be held; such notice may state that the purpose for such meeting is the consideration or the action upon any matter which the Council may properly consider and act upon.

Special meetings shall require the giving of notices in one of the methods set forth above within at least twenty-four (24) hours advance notice to each member and to the public. A statement of the meeting's purpose must specifically indicate those issues the Council intends to discuss and Council may only discuss those specified issues at the meeting.

The holding of an emergency meeting of the Council shall require immediate notice to each member and to the public, and the notice shall meet the same specificity requirements required for regular and special meetings.

Any Council member not notified of a meeting in accordance with the requirement of this section may waive such notice in writing, and any such member shall be deemed to have waived such notice without such a written waiver if such member or his designee attends such meeting.

The agenda for the next regular meeting, which may also serve as notice, shall be sent by an employee of the Department of Education to each member by personal delivery, mail, email, or fax at least forty-eight (48) hours before such meetings. The agenda for a special meeting, which may also serve as notice, shall be sent by an employee of the Department of Education to each member by email at least twenty-four (24) hours before such meeting. For any items that require a vote of the Council, relevant supporting information shall also be provided to the Council members at least forty-eight (48) hours prior to a regular meeting and at least twenty-four (24) hours prior to a special meeting. Such supporting information may include, but shall not be limited to a resolution.

Section 5. Quorum and Voting

At any Council meeting, a majority of the members appointed to the Council shall constitute a quorum. Action of the Council on any proposal, question, or matter which comes before the Council at a meeting at which a quorum is present shall require the affirmative vote of no fewer than a majority of the members of the Council present and voting.

Section 6. Public Meetings

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

Section 7. Organization of Meetings

A. Presiding Officer

The Chair of the Council, or in his or her absence, the Vice-Chair of the Council, shall call all Council meetings 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 meeting.

B. Order of Business

The Chair shall prepare the agenda and the order of business at all meetings of the Council.

C. Rules of Order

Council meetings 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. Minutes

The Secretary shall keep the minutes of all meetings of the Council in a minute book and shall cause the Council's minute book to be open to the public for inspection at all reasonable times. The Secretary shall furnish to each Council member a copy of the minutes as soon thereafter as is practical.

E. Public Comment

Individuals will not have an opportunity to address the Council at any Council meetings, unless invited by a majority of the Council to present or be heard.

Article VI. Amendments, Severability and Suspension.

Section 1: Amendment and Repeal

These bylaws can be waived, amended, added to or repealed by a two-thirds (2/3) vote of the Council members present and voting 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.

Section 2: 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 portions in conflict shall be stricken from the bylaws.

Section 3: 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 lawful transaction of the business of the Council.