

SCHOOL SAFETY SUBCABINET

BYLAWS
(AUG 2023)

Approved by School Safety Subcabinet

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Article 1 – Adoption of Bylaws Generally

Section 1.1 – Definitions

- A. “Absence” means a duly appointed Member is not present at or able to take part in a meeting.
- B. “Board” means the School Safety Subcabinet established under §7-1503 of the Education Article.
- C. “Center” means the Maryland Center for School Safety established under § 7-1502 of the Education Article.
- D. “Department” means the Maryland State Department of Education.
- E. “Director” means the Executive Director as provided under §7-1502(d) of the Education Article.
- F. “Member” means a person as set forth in §7-1503(c) of the Education Article.
- G. “Quorum” means the presence of a majority of the members of the Board.
- H. “Subcabinet” means the School Safety Subcabinet established under §7-1503 of the Education Article.
- I. “Supermajority” means 2/3 of the quorum present.
- J. “Vacancy” means a member was removed, died, or resigned from the Board.

Section 1.2 – Purpose

These bylaws, adopted by the Members of the Board, provide the rules of governance for the Board during the conduct of all duties assigned under State law.

Section 1.3 – Enactment

- A. These bylaws shall be approved by a majority vote of the Board.
- B. In order to amend the bylaws, a Member must make a motion and present the amendment during a regularly scheduled meeting of the Board. The motion to amend the bylaws must be approved by a majority vote of the Board.
- C. The bylaws shall be reviewed by the Members of the Board on an annual basis at the last regularly scheduled meeting of the fiscal year.
- D. Members may propose changes to the bylaws at any time. If the bylaws are amended they will be voted and approved as provided by Section A above.
- E. A copy of the approved bylaws and any amendments shall be made available for public inspection on the Center’s website.

Article 2 – Organization of the Board

Section 2.1 – Membership

- A. The membership of the Board shall be as established in §7-1503(c) of the Education Article.
- B. Members or their designees, as set forth in §7-1503(c) of the Education Article, shall serve as long as that Member holds their official position.

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Section 2.2 – Chair

- A. As required by §7-1503(d) of the Education Article, the State Superintendent, or the State Superintendent's designee, shall serve as chair of the Subcabinet.
- B. The duties of the Chair include:
 - 1. Running the Board meetings and setting agendas;
 - 2. Serving as the primary Board Member spokesperson for media inquiries to the Subcabinet; and
 - 3. Acting as the Board's primary point of contact for the Director.
- C. In the event that the Chair or Vice Chair are both unable to attend a scheduled Board meeting, the Chair may delegate to the Director the authority to identify a Member of the Board to preside at that meeting.

Section 2.3 – Vice- Chair

- A. The Members of the Board shall serve a rotating one year term as the Vice-Chair, beginning with the first regularly scheduled meeting of the 2024 fiscal year:
 - 1. The Secretary of Disabilities, or the Secretary's designee;
 - 2. The Superintendent of State Police, or the Superintendent's designee;
 - 3. The Secretary of Health, or the Secretary's designee;
 - 4. The Attorney General, or the Attorney General's designee;
 - 5. The Executive Director of the Interagency Commission on School Construction, or the Executive Director's designee.
- B. The Vice-Chair shall fulfill the role and duties of the Chair should the Chair be unavailable to do so.

Section 2.4 – Designees

- A. The Members of the Board, as allowed under State law, shall be entitled to appoint a designee to serve on the Board in their place.
- B. Members shall inform the Director of who will serve as the Member's designee and whether such appointment is temporary or ongoing.
- C. Designees are authorized to fully participate and vote during meetings.

Article 3 – Meetings

Section 3.1 – Time and Location

- A. Regular meetings. The Board shall meet in each fiscal year:
 - 1. August;
 - 2. November;
 - 3. February; and
 - 4. May.
- B. Location. Unless otherwise determined by the Chair, Board meetings will be conducted in person and held at the Center's main office. All meetings will also be publicly live-streamed and video recorded.
- C. Public Notice. Public notice of meetings shall be provided prior to the

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meeting. Posting the meeting notice and agenda on the Center website constitutes public notice for purposes of this section in compliance with §3-302 of the General Provisions Article. The notice provided shall clearly state whether the meeting will take place in person or via an electronic platform.

D. Additional Meetings.

1. In addition to the regularly scheduled meetings, the Chair of the Board may call an additional, non-scheduled meeting.
2. At least three (3) days of prior public notice must be provided to all Members, staff and the public.
3. Notice of the additional meeting and agenda on the Center website constitutes public notice for purposes of this section in compliance with § 3-202 of the General Provisions Article.
4. All additional meetings will also be publicly live-streamed and video recorded.

E. Cancellation of a Board meeting. The Chair may cancel a meeting of the Board.

Section 3.2 – Rules of Order

A. Quorum

1. A Quorum must be present in order to conduct official business of the Board.
2. A Quorum of the Board shall consist of a majority of the Members of the Board.
3. A Member who is not able to physically attend a meeting may attend and participate by phone or video conference.
4. In the event of a Vacancy on the Board, a Quorum shall consist of a majority of Members currently serving on the Board.
5. There shall be no effect on the Quorum when a Member of the Board abstains or declines to vote or if a Member is disqualified from participating under Section 4.1 of these bylaws.

B. Public Testimony

1. The allowance of public testimony at a meeting must be approved by the Chair.
2. It is the preference of the Board that the public make a request to the Director to provide testimony in advance of a meeting.
3. Public Testimony shall be subject to a time limit set by the Chair.
4. Public Testimony guidelines will be made available on the Center's website.

C. The Board, with the advice of counsel, shall follow the requirements of the Open Meetings Act as specified under Title 3 of the General Provisions Article.¹

¹ For information and guidance on the Open Meetings Act, see the Attorney General's Open Meetings Act Manual (11 ed., October 2022).

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Section 3.3 – Meeting Agenda

- A. Each Board meeting shall include, at a minimum, the following agenda items:
 - 1. Declaration of Quorum Present;
 - 2. Additions to the Agenda;
 - 3. Center Update Report;
 - 4. Legislative update (if appropriate);
 - 5. Legal update (if appropriate);
 - 6. Confirmation of Next Meeting;
 - 7. Closed Session (if appropriate); and
 - 8. Adjournment.
- B. Additional items may be added to the agenda at the discretion of the Chair.
- C. Minutes
 - 1. In person and virtual meetings will be live-streamed, recorded, and transcribed.
 - 2. Recordings and transcriptions of the meetings will serve as meeting minutes, as permitted under the Open Meetings Act,² and be made available on the Center’s website.
 - 3. Closed meeting minutes shall include a summary of the meeting, the individuals in attendance, and the actions taken. The closed meeting minutes shall remain sealed unless the requirements of §3-306(c)(4) of the General Provisions Article are met. Only a summary of the closed meeting shall be provided and publicly available pursuant to § 3-306(c)(2) of the General Provisions Article.
 - 4. If the Director does not attend the closed meeting, the counsel for the Center or one of the Members shall be responsible for preparing the closed meeting summary and minutes.

² Md. Code Ann., Gen. Prov. §3-306(b)(2).

Article 4 – Rules of Conduct

Section 4.1 – Ethics

- A. Members shall follow the provisions of the Maryland Ethics laws,³ including:
 - 1. By April 30th of each year, file the Financial Disclosure Statement⁴ required under §5601 et seq. of the General Provisions Article; and
 - 2. Adhering to the prohibition against the solicitation or acceptance of gifts or honoraria as required under §5-505 of the General Provisions Article.
- B. Disqualification due to Conflict of Interest
 - 1. A Member of the Board shall recuse themselves and may not participate as to a matter if the Member:

³ See the Maryland Public Ethics Law Summary provided by the State Ethics Commission.

⁴ Financial Disclosure Statements can be filed online - <https://efds.ethics.state.md.us/>

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- i. Has a relative with an interest in the matter and the Member knows of the interest;
 - ii. Is part of a business entity which has an interest in the matter;
 - iii. Is negotiating employment or has arranged prospective employment with a business entity which has an interest in the matter;
 - iv. Has a direct financial interest in the matter; or
 - v. Otherwise believes that participation would create a conflict of interest.
2. A Member of the Board may seek the advice from the Ethics Commission as to the presence of a conflict of interest or other good cause for disqualification.
3. If a Member does not voluntarily recuse themselves, the other Members of the Board may disqualify that Member if a Supermajority determines that the Member has a conflict of interest that should disqualify that Member from acting on a particular matter.
4. If a Member has recused themselves or is disqualified from participating in a matter before the Board, the recusal or disqualification and the reason(s) for it shall be recorded in the meeting minutes.

Section 4.2 – Level of Effort

Members shall expend the time and effort necessary to ensure that they fully understand their duties and obligations as Members of the Board.

Article 5 – Roles and Responsibilities

Section 5.1 – The Board

- A. The Board shall carry out all duties assigned to it under §7-1503 of the Education Article, including:
 1. Collaborate with local school systems in the State, law enforcement agencies, State and local government agencies, community organizations, parents, and other stakeholders to provide a comprehensive, coordinated approach to school safety;
 2. In partnership with the School Safety Subcabinet Advisory Board and other stakeholders:
 - i. Disseminate information on best practices, programs, and resources;
 - ii. Provide technical assistance and training to local jurisdictions and local school systems;
 - iii. Collaborate on collection, analysis, and integration of statewide data; and
 - iv. Promote interagency efforts that support safe schools for all students, school staff, parents, and community members;
 3. Establish a Safe School Information and Best Practices Clearinghouse of up-to-date, research-based, and data-driven information on effective strategies for creating and maintaining safe schools;
 4. Identify safe school professional staff development best practices;

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5. Initiate collaborative partnerships and facilitate coordination among local school systems, law enforcement agencies, State and local government, and community organizations to leverage existing resources to deliver school safety services uniformly to local school systems;
 6. Foster coordination among all entities responsible for ensuring the safety and security of school facilities in the State;
 7. Distribute grants from the Fund in accordance with §7-1512 of the Education Article;
 8. Collaborate with the Department on the model policy for an assessment team under §7-1507 of the Education Article;
 9. Adopt regulations to define a school security employee for the purpose of the training and report required for school security employees under § 7-1508 of the Education Article;
 10. Provide general oversight and direction to the Center;
 11. Approve the annual budget for the Center;
 12. Adopt any regulations necessary to carry out the Subcabinet's duties under this subtitle; and
 13. Perform other duties assigned by the Governor.
- B. The Subcabinet shall also report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on or before December 15 each year.

Section 5.2 – The Director and Center Staff

- A. The Director shall carry out all duties and functions assigned to the Center under §7-1502(g) of the Education Article.
- B. The duties of the Center include the performance of the following functions and duties:
 1. Provide technical assistance and consultation to local school systems, State and local government, and community organizations on best practices for safe schools and violence prevention;
 2. Develop a website containing a searchable database of definitive research, books, videos, white papers, speakers, websites, and other school safety resources;
 3. Develop criteria that may be applied consistently and uniformly in local school systems for coding unsafe incidents and serious or violent offenses;
 4. Research and recommend the use of common assessment tools to be used to identify specific problems and needs of schools and neighborhoods to facilitate intervention before assessed findings become problematic;
 5. Assist local school systems to conduct a thorough assessment of their school safety data, school building layouts, and use of human resources for monitoring purposes to determine the need for:
 - i. Surveillance and other security technology; and

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- ii. Innovations to maximize the use of human resources to monitor activity and influence positive relationship building;
6. Maintain and maximize relationships with emergency responders, law enforcement personnel, parents, and other emergency preparedness stakeholders to ensure seamless execution in an emergency event, including:
 - i. Consolidate resources among stakeholders to maximize support and secure necessary skills to ensure emergency plan implementation;
 - ii. Conduct collaborative training and preparation exercises; and
 - iii. Identify improvements and ensure nonduplication of effort in emergency response procedures;
7. Provide safety information on traveling to and from school to parents and students twice a year that includes data related to bus and pedestrian safety, strategies for ensuring personal safety, efforts of the local school system or school to improve safety, and information on the available options for reporting incidents or concerns;
8. Utilize and update an existing clearinghouse of law enforcement resources that are available to support school safety to ensure that it includes information regarding the purpose and process for accessing available funding;
9. Assist local school systems to improve and monitor traffic control measures in the immediate vicinity of schools to reduce the potential for pedestrian and vehicle accidents;
10. Assist the Department to evaluate and update current data systems to ensure they are best suited for providing useful information on school safety issues;
11. Assist local school systems to monitor local school system and individual school behavior data to ensure fairness in the application of consequences for student misbehavior;
12. Assist the Department and local school systems:
 - i. To prepare an annual report that combines multiple school safety data systems into one format for public review; and
 - ii. To incorporate new data points into existing data collection systems;
13. Assist in the development of safety and security criteria for the design and operation of school facilities;
14. Assist local school systems to identify resources and implement training for students and parents about relationship violence, identifying the signs of unhealthy relationships, and preventing relationship violence;
15. Provide technical assistance to local school systems in the review of safety and security audits and the implementation of improvements in school facilities;

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16. Analyze data on school resource officers and develop guidelines and training for local school systems as required under §7-1508 of the Education Article;
 17. Certify school safety coordinators as required under §7-1508 of the Education Article;
 18. Submit to the General Assembly and the Governor a summary of reports on school resource officer and local law enforcement agency coverage in public schools as required under §7-1508 of the Education Article;
 19. Consult with local school systems on safety evaluations developed under §7-1510 of the Education Article;
 20. Review and comment on school emergency plans developed under §7-1510 of the Education Article; and
 21. Report to the General Assembly and the Governor on life-threatening incidents as required under §7-1510 of the Education Article.
- C. The Director shall provide a quarterly report to the Board of the activities of the Center. The report shall include information on personnel changes, meetings attended, budget items, significant correspondence received, research, reporting, and activities of each of the divisions of the Center.
- D. The Director shall prepare and submit, upon approval, the Subcabinet's report to the Governor and General Assembly identified in Section 5.1B. Such report shall include:
1. A list of all the activities of the Center, including aggregate data on the information collected from each local school system under §7-1510 of the Education Article;
 2. An update on the current status and effectiveness of the Center;
 3. Data collected on school resource officers under §7-1508 of the Education Article; and
 4. Recommendations made by the Subcabinet for improving school and student safety.

Section 5.3 – Delegation of Duties to the Director

The Board delegates the following duties to the Director:

- A. Hiring staff pursuant to the Center's annual budget;
- B. Authorizing staff to perform duties and functions assigned to the Center under §7-1502(g) of the Education Article;
- C. Subject to Section 5.4, entering into contracts and agreements, including grants and interagency agreements, necessary to carry out the day-to-day operations of the Center;
- D. Overseeing grants allocated to the Center for administration in accordance with §7-1505 of the Education Article; and
- E. Overseeing grants approved by the Board from the Fund in accordance with §7-1512 of the Education Article.

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Section 5.4 - Location of the Center and Center Staff

- A. §7-1502(c) and (f) of the Education Article directs that the Center shall be based at the Maryland Coordination and Analysis Center with a satellite office at Bowie State University. The Center may establish additional satellite offices throughout the State as approved by the Board.
- B. The Center may employ the staff necessary to carry out the Center's functions as provided in the annual budget.

Section 5.5 – Approval of Center Budget

- A. The Board is responsible for approving the annual budget for the Center prior to submission to the State Department of Budget and Management. The budget shall be subject to final legislative appropriation.
- B. The Board delegates to the Director authority to expend Center funds or enter into contractual agreements.
- C. Budget amendments within the approved annual budget will be detailed in the report by the Director required under Section 5.2C.
- D. If the Director determines the need for an unanticipated or emergency expenditure that exceeds the approved annual budget that cannot wait until the next regularly scheduled Board meeting, the Director shall inform the Chair, who may:
 1. Approve or deny the Center's deficiency request to the State Department of Budget and Management;
 2. Call a special meeting of the Board to discuss the deficiency request; or
 3. Defer a discussion until the next scheduled Board meeting.

Section 5.6 – Personnel Management

- A. As required under §7-1502(d) of the Education Article, the Board shall appoint the Director.
- B. The Director shall provide staff for the Subcabinet.
- C. The Director shall appoint and supervise the staff of the Center.
 1. The Director shall complete or ensure the completion of annual performance evaluations of staff.
 2. The Director shall follow the requirements of the State Personnel and Pensions Article and any applicable regulations in all matters concerning leave, discipline, or termination.

Article 6. Non-Discrimination and Equity Statement

The Subcabinet, Advisory Board and Center affirm that they shall not discriminate in any manner against any employee, applicant for employment, or clients of services, because of race, color, religion, creed, age, sex, marital status, national origin, ancestry, sexual orientation, pregnancy, physical or mental disability, or limited English

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proficiency, so as reasonably to preclude the performance of such employment and/or services provided. The Subcabinet, Advisory Board and Center further affirm that it shall take into consideration diversity, equity and inclusion in its policies and procedures, and in setting and refining the research agenda.

Bylaws Version	Adoption Date
One	August 14, 2023