

BY-LAWS
of the
CITIZENS NOMINATING COMMITTEE
for the
NONPARTISAN SELECTION AND NOMINATION OF THE SCHOOL BOARD
MEMBERS
OF
PELHAM, NEW YORK

Adopted	1954
Amended	1955, 1960, 1969, 1970, 1975, 1978, 1979, 1980, 1985, 1987, 1990, 1993, 1995, 2000, 2003, 2016, 2022

These By-laws, adopted by persons eligible to vote in elections of the Union Free School District No. 1 of the Town of Pelham, New York (hereinafter called “the District”) set forth the purpose and policies of the Citizens Nominating Committee (hereinafter called the “CNC or the “Committee”), the rules under which it will be organized and the procedures it will follow in its operations.

I. PURPOSE

The purpose of the Citizens Nominating Committee is to seek, interview and nominate eligible candidates who, in the opinion of the Committee, and after careful due diligence, are qualified to serve on the Pelham Board of Education. Furthermore, the CNC serves as a resource to both the community and the candidates, providing due process appropriate to this level of public service and answering any questions candidates may have as they consider their decision to run for the Board. The rules, policies and procedures set forth below are intended to help the committee serve the best interests of the community at all times, in a nonpartisan fashion, and under varying conditions.

II. COMMITTEE MEMBERSHIP

A. Eligibility

Every member of the CNC must be a resident of the Union Free School District No. 1 of the Town of Pelham, at least 18 years of age and a U.S. citizen.

B. Qualifications

The CNC shall be composed of eligible persons of integrity and sound judgment, free of all obligations and interests which are or may become in conflict with the interests of the District as a whole, and who have an interest in education, a belief

in the public school system and the ability to work well with others. Members of the CNC shall understand that the selection, interview and nomination of BOE candidates is a nonpartisan process and the role of a BOE trustee is a nonpartisan role. The CNC shall not consider for selection and nomination to either the Committee or to the BOE any elected public official or any principal officer of an organized political party. In no instance shall spouses, partners and/or relatives of current BOE members be considered for membership to the CNC. CNC members are encouraged to attend as many Board of Education Meetings as possible in order to learn about the Board and its activities.

C. Number of Members

The number of members constituting the full Committee shall be twelve, including, whenever possible, at least two members from each of the four elementary school attendance areas (hereinafter called the “local school areas,” or “local school area,” as the case may be) in the District.

D. Term

Each member shall be elected for a term of two years beginning on the first day of September following their election. Individual terms shall be renewable for an additional two years by majority vote of members of the CNC. The Chairperson shall have the discretion to renew terms (including the Chairperson’s own term) beyond the above time period in the event that necessary seats on the Committee cannot be filled by the election processes set forth in these By-laws. In no instance should a Chairperson or member serve more than three consecutive terms.

III. NOMINATIONS AND ELECTIONS OF CNC MEMBERS

A. CNC Nominations and Routine Election

1. Annual Open Meeting. For the purpose of nominating and electing candidates to serve on the CNC, an Open Meeting of the CNC, at which all persons eligible to vote in the Annual District Election shall be entitled to vote (hereinafter called the “Annual Open Meeting”) shall be held each year within 90 days of the Annual District Elections. At this meeting, membership on the CNC shall be decided in accordance with procedures set forth Routine Elections (see III.A.4).

2. Notice. The Chairperson of the CNC shall cause to be published, in the manner prescribed in these By-laws, a Notice of the Annual Open Meeting, stating the time, place and purposes of the meeting and including an adequate description of the eligibility requirements and qualifications of CNC membership.

3. Nominating Procedure. The names of persons from each local school area proposed for membership on the CNC shall be submitted in writing to the Chairperson or Secretary prior to the Annual Open Meeting, or shall be submitted orally at the Annual Open Meeting.

4. Routine Elections. All eligible persons so proposed shall become candidates for membership on the CNC upon being seconded at the Annual Open Meeting by any person entitled to vote thereat, provided that each such candidate, at or prior to said meeting, consents to their nomination and actually resides in the local school area from which they seek election. In the event that more persons are nominated than the maximum number of available seats, those present will vote for the maximum number of persons who could be elected, and those receiving the higher number of votes shall be elected.

5. Discretionary Timing. The Chairperson, in the overall interests of achieving the objectives of deadlines set forth in these By-laws, may make reasonable, good faith modifications to the deadlines set forth in these By-laws, provided: (1) there are no objections from existing committee members, and (2) any such modifications by the Chairperson do not occur more than once in a five year period.

6. Vacancies. In the event of a vacancy on the CNC, the Chairperson shall offer to the candidate who in the last CNC election received the third largest number of votes from the particular school area involved, an appointment to serve until the end of the vacated term. If this person declines or is unable to serve, the candidate with the fourth largest number of such votes will be offered the appointment and so on down the list of candidates in the last CNC Election. In the event that no such candidate is available, the CNC shall encourage civic and educational organizations in the school district to stimulate the submission of names and, using appropriate news media and other techniques, shall publicize the nominating procedure and invite submission of names by all voting citizens for a period of 14 calendar days. At the end of 14 calendar days, the CNC, by majority vote at any CNC Meeting called for that purpose, shall make such appointment.

A member appointed to fill a vacancy shall, at expiration of the vacated term, be eligible to stand for election to the CNC for a full two year term.

IV. COMMITTEE ORGANIZATION AND OPERATIONS

A. Officers

By majority vote of the members present at a meeting called for that purpose, the Committee shall elect a Chairperson, a Vice Chairperson, and a Secretary to serve the ensuing year.

1. The Chairperson shall call and preside at all meetings of the Committee, shall appoint a Publicity Chairperson to be responsible for all publicity and public relations and shall appoint such other sub-committee chairpersons and members, and such other officers of the Committee, and assign such duties to them as the Chairperson may deem necessary or desirable. The Chairperson role may be shared by 2 people as co-chairs if so voted on by the Committee.

2. The Vice Chairperson shall assume the duties and functions of the Chairperson whenever the Chairperson shall be absent: shall be responsible for conducting the CNC

Elections provided for in Article III. A. of these By-laws: and shall perform such other duties as the Chairperson may assign.

3. The Secretary shall keep the records of the action of the CNC, including minutes of all regular and special meetings and all Open Meetings and shall perform such other duties as the Chairperson may assign.

4. The persons who make up the senior class of the CNC for the following year will act as a working committee to assist the incoming Chairperson, at the Chairperson's discretion.

B. Meetings.

1. CNC Open Meetings. In addition to the Annual Open Meeting which shall be held in each year as provided in Article III of these By-laws, a CNC Open Meeting, at which all persons eligible to vote in the Annual District Elections shall be entitled to vote, may be called by the Chairperson to be held at such time and place within the District and for such purposes as shall be set forth in a Notice of Meeting published at least 30 days prior to the date of such meeting in the manner prescribed in these By-laws. The affirmative vote of majority of eligible voters, present in person and voting on any action, shall be required to approve such action.

2. a) Regular Meetings of the CNC may be held within the District at any time when called by the Chairperson with notice to all members.

b) Special Meetings

(i) The outgoing Chairperson shall call a meeting to be held following the election of new members but not later than October 15 for current members and members-elect to participate in a review of the prior year's activities and for the purposes of electing CNC Officers for the ensuing years, turning over to the incoming Chairperson all CNC records and minutes of meetings, and reviewing and confirming CNC policies and procedures.

(ii) The Chairperson shall call an orientation meeting, to be held not later than December 1 each year, for the purpose of reviewing these by-laws, providing an overview of the workings of the Committee and outlining the work ahead, discussing objective criteria to evaluate candidates and explaining the responsibilities of the Board of Education. Attending or viewing a recording of the orientation meeting shall be mandatory for first year members of the CNC, and all members are encouraged to attend. The Chairperson shall invite the President of the Board of Education to the meeting to discuss the work of the Board and the capabilities and qualities which the President believes should be sought in Board members. If the President is up for re-election, the next highest ranking Board of Education member not up for re-election shall be invited. CNC also reserves the right to invite any other additional BOE member they so choose.

3. Quorum. Seven members participating in a meeting shall constitute a quorum for the conduct of business. Any action with respect to routine Committee business taken by the affirmative vote of a majority of those present at a meeting shall constitute action by the Committee; provided, however, that the affirmative vote of a majority of the full Committee shall be required to nominate candidates for election to the Board of Education and to recommend amendments to these By-laws.

4. Attendance; Removal of Non-Attending Members. Every member is expected to attend all CNC meetings. Participation by electronic means is allowable provided the arrangements are agreeable to the Chairperson. If an elected member serves for two years and if after their first year they have attended none or one meeting, the members of the CNC by majority vote can remove the member from the Committee. In the event that, due to illness or other incapacity, a member is or will be unable to participate in all or substantially all meetings during a year, the members of CNC by majority vote can remove the member from the Committee.

5. Procedures at Meetings. Any questions of procedure at CNC Meetings shall be resolved by reference to Robert's Rules of Order, Revised, as the governing authority.

C. Notice to the Public.

The Chairperson, with the Publicity Chairperson, shall provide to the public appropriate notice of CNC activities and information regarding the actions of the CNC. All notices or information required by these By-laws to be published shall be published in a timely fashion in at least one newspaper of general circulation in the Town of Pelham and in any other appropriate media. All materials for publication shall be released by, or with the prior approval of, the Chairperson.

V. SELECTION AND NOMINATION OF CANDIDATES FOR ELECTION TO THE BOARD OF EDUCATION

A. General Qualifications.

1. The CNC shall consider for election and nomination only those persons who meet the eligibility requirements of the laws of the State of New York, which provide that a member of a district Board of Education:

- (a) Must be able to read and write;
- (b) Must be a qualified voter of the district, that is a citizen of the United States, at least 18 years or older, and not a convicted felon or adjudged an incompetent;
- (c) Must be and have been a resident of the district for at least one year prior to the election, but need not be a tax payer;
- (d) May not have been removed from any school district office within the preceding one year;

- (e) May not reside with another board member of the same school board as a member of the same family;
- (f) May not be a current employee of the school board; and
- (g) May not simultaneously hold another incompatible public office.

2. The CNC shall seek all eligible candidates who are well qualified to serve on the Pelham Board at Education; who are persons of demonstrated ability, and sound judgment who have a general interest in education, a belief in the public school system, the ability to work well with others and who understand and are able and willing to execute faithfully the duties of a member of the Board of Education. Candidates shall understand that the role of a BOE trustee is a nonpartisan role, and candidates shall not be motivated by personal or political agendas. Furthermore, in the judgment of the CNC, the candidate demonstrates knowledge of current local community issues as they effect the Pelham educational system.

B. Particular Qualifications

1. The CNC shall consider the composition of the Board with respect to representation for each local school area.

2. The CNC shall not consider for selection and nomination any elected public official or any principal officer of an organized political party.

3. The CNC shall consider incumbent Board members, available for re-nomination, on the same basis as any other eligible person without regard to their status as an incumbent.

4.

5. Any member of the CNC who wishes to become a candidate for the Board of Education shall first resign from the CNC. Except to meet special Board or community needs, the CNC shall not select and nominate such person unless they had resigned before the CNC interview of prospective candidates had begun.

C. Committee Procedures for Selection and Nomination

1. The CNC is a recruitment, selection and nominating committee. The CNC nominates all candidates who meet the qualifications set forth in this Section V, regardless of the number of seats available.

2. The role of the CNC is not to limit ballot access, but to provide a choice of candidates who meet the qualifications set forth in this Section V to the eligible voters in the district.

3. The CNC shall select and nominate candidates for election to the District Board of Education only after an appropriate review and due diligence, including a

personal interview at a CNC Meeting, to evaluate the qualifications of each person who seeks CNC nomination. The interviews provide a point of self-evaluation for each candidate to measure their level of knowledge pertaining to public education, the Pelham School District, and the broader community. The CNC also uses the interview process to ensure that each candidate demonstrates a commitment to public education and an understanding of the BOE guidelines outlined by the New York State School Boards Association.

4. Any person may apply for CNC consideration, and any person may recommend another for CNC consideration, by submitting an application form to the Chairperson or Secretary in advance of the Annual Open Meeting.

5. All information on each proposed candidate submitted to the Chairperson, the Secretary or the Committee shall be disclosed to, and made available for review by, each member of the CNC.

6. Members of the CNC shall keep in strict confidence all Committee deliberations concerning candidates for the Board of Education. Information to be kept confidential includes but is not limited to names of candidates, number of candidates, names and number of people approached in due diligence, any information learned in due diligence, all discussion concerning candidates, all Committee documents, materials, emails unless public information, and all votes taken by the Committee. The requirement to maintain confidentiality does not extend to the conduct of due diligence investigations of candidates' backgrounds, in which event Committee members may indicate to third parties providing due diligence or background information that a person is a candidate for the Board of Education. The information obtained through such investigations, however, remains subject to the confidentiality requirement.

The aim of the committee is that all discussions regarding candidates be free and open among members but confidential to the Committee, without fear of disclosure to any other person.

7. Following appropriate review and deliberation of each candidate's qualifications, the CNC, by affirmative vote of a majority of the full Committee at a CNC Meeting, shall select and nominate candidates for election to the Board of Education. One vote shall be taken on each candidate and the results of the vote shall be binding and final.

8. Not later than 30 days prior to the Annual District Election, the Chairperson shall cause to be published, in the manner prescribed in these By-laws, the list of candidates selected and nominated by the CNC. Such publication may, but need not, include the Committee's reason for such selections.

9. Within the time prescribed by law or the rules of the District, the nominated candidate is responsible for filing with the clerk of the District a proper nominating petition, with the required signatures that they will obtain. The chairperson

of the CNC shall inform the nominated candidates of the appropriate filing procedures and deadlines.

10. Special District Elections. In the event that a Special District Election shall be called for the purpose of electing one or more candidates to the Board of Education, the procedures set forth herein for the Selection and Nomination of Candidates shall be followed as closely as possible to allow the CNC to carry out its purposes, taking into account the circumstances requiring such Special District Election and time limitations that may be imposed on the CNC. After discussion and consultation with the members of the CNC, the Chairperson shall make such adjustments or changes to the CNC procedures as the Chairperson may deem necessary or appropriate.

11. Member's Participation in Board Elections. Members of the CNC, as individuals, shall be free to attend public events related to the Board Elections, including but not limited to candidate forums and informational meet and greets, but they shall refrain from publicly campaigning on behalf of any BOE candidate and writing or signing any letters of endorsement. Members of the CNC shall not express their personal support of any candidate who sought but did not obtain selection and nomination by the CNC.

VI. AMENDMENTS

1. Whenever the CNC deems it necessary or appropriate, but at least every five years, the Chairperson shall appoint from among the members of the Committee and, if desirable, former CNC Chairpersons, a subcommittee to review these By-laws.

2. Based upon the review and recommendations of the subcommittee the CNC may, by affirmative vote of a majority of the full Committee, propose amendments to the By-laws for adoption at a CNC Open Meeting. The Chairperson shall cause to be published no less than 30 days prior to the CNC Open Meeting in the manner prescribed in these By-laws, a notice stating the place with the District where the written text of the proposed amendments shall be available for review by interested persons.

3. Any amendment so proposed shall be adopted only when approved by the affirmative vote of a majority of those voting at a CNC Open Meeting.