



## **BYLAWS OF THE INDIANA COMMISSION ON THE SOCIAL STATUS OF BLACK MALES**

### **ARTICLE I: NAME**

The name of this organization shall be the Indiana Commission on the Social Status of Black Males, as described in Indiana Code 4-23-31 (hereinafter to be referred to as the “Commission”).

### **ARTICLE II: PURPOSE**

The Purposes of the Commission on the Social Status of Black Males is to study the social conditions and status of the state's black male population. The Commission is to develop strategies to remedy or assist in remedying serious adversities and make appropriate recommendations to improve the educational, social, economic, employment, health and other material conditions and circumstances for Indiana Black males. The Commission may receive suggestions or comments pertinent to the issues that the Commission studies from members of the general assembly, governmental agencies, public and private organizations and private citizens.

The Commission shall make systematic studies and propose measures to alleviate the underlying causes and conditions described in Indiana Code 4-23-31-1. The Commission shall prepare an annual report stating the findings, conclusions and recommendations of the Commission. The Commission shall submit the report to the governor and the legislative council. A report submitted under this section to the legislative council must be in an electronic format under IC 5-14-6.

The Commission should, where possible, provide organizational assistance to local commissions to achieve the purposes of the State Commission.

### **ARTICLE III: HIERARCHY OF AUTHORITY**

The law governing the Commission shall be:

First, the Indiana Constitution;

Second, all statutes of the general assembly in force, and not inconsistent with the Indiana Constitution;

Third, administrative regulations relating to the duties assigned to the Commission by statute; and

Fourth, any bylaws properly adopted by the Commission.

### **ARTICLE IV: MEMBERS**

#### **Section 1. Commission Membership**

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Pursuant to IC 4-23-31-3, the Commission consists of the following nineteen (19) voting members:

1. Two (2) members of the Senate, who are not members of the same political party,

appointed by the President Pro Tempore of the senate with the advice of the minority leader of the Senate.

2. Two (2) members of the House of Representatives, who are not members of the same political party, appointed by the Speaker of the House of Representatives with the advice of the minority leader of the House of Representatives.
3. The Director of the Division of Family Resources or the Director's designee.
4. The Director of the Division of Mental Health and Addiction or the Director's designee.
5. The Commissioner of the State Department of Health or the Commissioner's designee.
6. The Superintendent of Public Instruction or the Superintendent's designee.
7. The Commissioner of the Department of Correction or the Commissioner's designee.
8. The Director of the Civil Rights Commission or the Director's designee.
9. The Commissioner of the Indiana Department of Administration or the Commissioner's designee.
10. The Lieutenant Governor or the Lieutenant Governor's designee.
11. A minority business person, appointed by the Governor.
12. Three (3) persons appointed by the President Pro Tempore of the Senate who are not members of the general assembly. Not more than two (2) persons appointed under this subdivision may be members of the same political party.
13. Three (3) persons appointed by the Speaker of the House of Representatives who are not members of the general assembly. Not more than two (2) persons appointed under this subdivision may be members of the same political party.

If a member of the Commission is not permitted by statute to assign a designee to represent the member on the Commission, the member may appoint a proxy to serve in place of the Commission member.

## **Section 2. Removal of Members; Vacancies; Terms of Commission Members.**

Pursuant to IC 4-23-31-4, a member of the Commission may be removed at any time by the member's appointing authority.

Further, an appointing authority for the Commission shall fill a vacancy on the Commission by appointing a new member for any unexpired term.

The terms of the legislative members are two (2) years in length and expire June 30 of each odd-numbered year.

A member of the commission appointed under section 3(11) through 3(13) of this chapter serves a four (4) year term that expires as follows:

For a member appointed under section 3(11) of this chapter, December 31, 2025, and every fourth year thereafter.

For a member appointed under section 3(12) or 3(13) of this chapter, June 30, 2025, and every fourth year thereafter.

### **Section 3. Compensation**

Pursuant to IC 4-23-31-11:

1. Each member of the Commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana Department of Administration and approved by the Budget Agency.
2. Each member of the Commission who is a state employee is entitled to reimbursement for mileage, traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana Department of Administration and approved by the Budget Agency.
3. Each member of the Commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees created by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.
4. Expenses paid under subsections (1) and (2) shall be paid from appropriations made to the civil rights commission.

### **Section 4. Member Resignations**

Resignation from the Commission shall be by letter submitted to the appointing authority with copy to the Commission's Executive Director.

## **ARTICLE V: OFFICERS**

### **Section 1. Selection of Chairperson**

Pursuant to IC 4-23-31-5, at the first meeting of the Commission each calendar year, the members shall elect, in accordance with the voting procedures set forth by Indiana Code and these bylaws, one (1) member to be the Commission's chairperson. The duties of the Chairperson shall be to preside at all meetings of the Commission and have the powers generally assigned such office in conducting the meetings, appoint chairs of committees, supervise the activities of the Commission, as well as any other duties of the set forth in these bylaws.

## **Section 2. Selection of Vice Chairperson**

Pursuant to IC 4-23-31-5, at the first meeting of the Commission each calendar year, the members shall elect, in accordance with the voting procedures set forth by Indiana Code and these bylaws, one (1) member to be the Commission's Vice Chairperson. The Vice-Chairperson shall preside over and exercise all the powers and duties of the Chairperson if the Chairperson is not available or the position is vacant, as well as any other duties set forth in these bylaws.

## **Section 3. Election of Officers; Vacancies**

Other officer positions may be established and elected in accordance with these bylaws. Elections and vacancies in any elected office shall be filled for the unexpired term per a "final action" (quorum of eight (8) members are present, and the affirmative votes of at least eight (8) members of the Commission).

## **ARTICLE VI: MEETINGS**

### **Section 1. Scheduling Meetings**

Pursuant to IC 4-23-31-8, the Commission shall meet at the request of the Chairperson. Further, the Commission shall meet at least one (1) time quarterly. The Commission shall establish an annual meeting calendar for the quarterly meetings. Further, the Executive Director shall prepare a calendar for the Commission for the upcoming year denoting meeting dates, events and focus area initiatives. This calendar will be provided to Commissioner no later than November 30th of each year.

Further, special meetings may be scheduled at the request of five (5) members of the Commission. If five (5) Commission members call for a special meeting, the requesting party(ies) shall notify all Commission members in writing (including email or facsimile) of the request for a special meeting.

Special meetings will be held within twenty (20) calendar days of the request at a date and time convenient to the members, to the extent possible, and at a location determined by Commission staff, in consultation with the requesting party(ies). Commission staff shall handle meeting logistics, including securing meeting locations, for special meetings. Commission members must provide calendar availability to Commission staff within forty-eight (48) hours after a request for a special meeting has been sent to Commission members. Following this forty-eight (48) hour period, Commission staff will select a date for the special meeting, provided that a quorum that includes the requesting party(ies) and an elected Commission Officer. A special meeting called pursuant to this section does not qualify as a meeting for purposes of satisfying the requirement for the Commission to meet at least one (1) time quarterly.

### **Section 2. Cancellation of Meetings**

The Chairperson may cancel a meeting up to five (5) business days prior to the meeting by notifying Commission members in writing (including email or facsimile). The Chairperson's

decision shall be final unless five (5) or more Commission members object in writing (including email or facsimile) to the cancellation within forty-eight (48) hours of the Chairperson's notification. Meetings may not be cancelled with less than five (5) business days notice unless such cancellation is due to an unforeseen emergency.

### **Section 3. Executive Sessions**

The Commission may meet in executive session for the reasons specified in IC 5-14-1.5-6.1 and shall comply with the notice requirements of IC 5-14-1.5-5. The Chairperson or five (5) Commission members shall determine when an executive session is needed.

### **Section 4. Absence of the Chairperson**

If it is necessary for the Chairperson to be absent from a meeting for any reason, the following order of succession shall apply to the meeting:

The Vice-Chairperson shall preside and exercise all the powers and duties of the Chairperson. If this individual is absent, then;

The Secretary shall preside and exercise all the powers and duties of the Chairperson.

If none of the Commission officers are available for a meeting, and if there is a quorum present, the members present shall, by majority vote, agree upon a member to preside and serve as Chairperson.

### **Section 5. Public Notice**

Pursuant to IC 5-14-1.5-5, the Commission staff shall provide public notice of each Commission meeting and executive session, and shall make the agenda for each meeting available online at least five (5) business days before the Commission meeting.

### **Section 6. Agenda Preparation and Dissemination**

The Chairperson and the Commission staff are jointly responsible for establishing the agenda for each Commission meeting after receiving and considering recommended agenda items from Commission members as well as all other items necessary to fulfill the Commission's mandated responsibilities. No Commission member can be deprived of the basic rules of membership, which includes the right to place items on the agenda.

All Commission members may add items to each meeting agenda as follows:

1. Commission members may add agenda items by submitting a written request to both the Chairperson and Commission staff. The Chairperson and/or Commission staff will acknowledge receipt of the request within one (1) business day.
2. Requests for items that require "final action" by the Commission must be submitted via email to the Chairperson and Commission staff at least five (5) business days before a Commission meeting. The following exception to the

seven business day rule applies: if the Chairperson and five (5) Commission members determine that an emergency or special circumstances exist, a matter may be added to the agenda for “final action” during a Commission meeting.

3. Reporting or discussion items may be added to the agenda before or during a meeting as is consistent with IC 5-14-1.5.

The final draft written agenda must be approved by both the Chairperson and the Commission staff. Once approved, the final agenda, together with supporting background and related materials, must be provided in electronic format to Commission members at least five (5) business days before a meeting.

## **Section 7. Conduct of a Meeting**

Subject to the Rules of Order as described herein, the conduct of the meeting shall be at the discretion of the Chairperson; provided, however, each Commission member shall have the right and responsibility to participate fully in the meeting, ask questions and provide input on any issue before the Commission, move the Commission to a vote on agenda items, and discharge his or her duties fully as outlined in Indiana Code.

### Obtaining and Assigning the Floor:

Before a Commission member can make a motion or speak in debate, the member must be recognized by the Chairperson. The Chairperson must recognize any person who seeks the floor while entitled to it. A member is entitled to the floor if the member requests the floor at a time that no other member is talking. If two or more members seek recognition, the member addressing the Chairperson first should be given the floor. If it is uncertain which member addressed the Chairperson first, the Chairperson will determine the order by which the members will be recognized to speak.

### Motion Procedure for Action Items:

To make a main motion, a Commission member must obtain the floor, as explained above. The member then makes his or her motion, by saying “I move that . . . [announcing what he proposes in a wording intended to become the assembly’s official statement of the action taken].”

After a motion has been made, another Commission member who wishes it to be considered says, “I second the motion,” or, “I second it,” or even “Second!” – without obtaining the floor and without rising. If there is not a second, then the motion dies.

The Chairperson must state the question on a motion immediately after it has been made and seconded, unless the Chairperson is obligated to rule that the motion is out of order or unless, in his or her opinion, the wording is not clear.

### Maker of the Motion:

Until the Chairperson states the question, the maker has the right to modify the motion as the maker pleases or to withdraw it entirely.

### Modification of a Motion – by Non-Maker:

Until the Chairperson states the question, a Commission member may suggest modifications

to improve the language of the motion. The maker of the motion can accept or reject the changes.

Amending a Motion:

After the Chairperson calls the question, any Commission member may propose an amendment. If an amendment to a motion is made and seconded, it is then debatable. In order to be adopted, the amendment must be approved pursuant to a “final action” as described by these bylaws and in accordance with Indiana Code (quorum of eight (8) members are present, and the affirmative votes of at least eight (8) members of the Commission). If the amendment is adopted, then the main motion is voted on in its amended form.

Appealing a Ruling of the Chairperson:

If the Chairperson makes a ruling and a Commission member disagrees, the member should raise his or her hand and state that he or she appeals the ruling of the Chairperson. If another member seconds the appeal, then the Chairperson puts the question to the Commission, who decide by majority vote of members present whether to sustain the Chairperson’s ruling. A majority or tie vote sustains the decision of the Chairperson. If the decision of the Chairperson is not sustained, it is considered reversed.

Interpretation of Commission Meeting Procedures:

If a dispute arises at any time during a meeting as to the interpretation of any part of these bylaws and procedures, a Commission member may move to adopt his or her interpretation of the provision(s) at issue. If another member seconds the motion, then the Chairperson shall put the question to the Commission, who shall decide by majority vote of members present whether to adopt that interpretation. Such vote shall occur during the meeting in which the dispute arose, and may not be delayed to a future meeting.

Commission Members’ Access to Staff:

A Commission member, who has been recognized by the Chairperson, may, at any time, request to address Commission staff, and staff shall be permitted to respond.

**Section 8. Quorum and Voting**

Pursuant to IC 4-23-31-9, the Commission has quorum when eight (8) members are present to take official action. Further, per IC 4-23-31-9, the “affirmative votes of at least eight (8) voting members of the commission” is required for all “final actions” of the Commission.

Votes by the Commission are taken by alphabetical roll call of the members, with the Chairperson voting last. Each Commission member’s vote shall be recorded in the minutes. Roll call shall be taken and recorded by the Commission staff.

**Section 9. Public Participation in Commission Meetings**

All meetings of the Commission and its committees, except those designated executive sessions, shall be open to the public and shall be accessible to persons with disabilities. Agendas shall be available upon request.

The Commission shall accept comment from any interested person on items that appear on the Commission’s agenda for that meeting, as well as general public comments. A person

who desires to speak at a Commission meeting must register prior to the beginning of the meeting. Registration sheets shall customarily be available at least thirty (30) minutes prior to the start of the meeting, and registration shall close five (5) minutes before the start of the meeting. Required registration information shall include the name and address of the person providing the comments, the name of the organization (if any) that the person represents, and the topic to be discussed. Public comments are limited to three (3) minutes in length. Statements shall be timed by the Commission staff and time limits will be strictly enforced.

Written comments may be submitted to the Chairperson or Commission staff by a speaker and copies shall be distributed to the full Commission. No person may speak more than once on the same topic. Comments shall be directed to the Commission, not to an individual member, and questions will not be entertained.

The Chairperson shall enforce these rules and may, subject to these bylaws, take actions necessary to maintain order at the Commission meeting. Such actions may include, but are not limited to:

Interrupting a person making a statement if the statement is too lengthy, unduly repetitive or otherwise violates these rules; and

Limiting the total amount of time devoted to public statements based on the number of persons wishing to make statements and the length of the Commission's agenda.

Public comment will be taken prior to the Commission's discussion and vote on any final action items on the meeting agenda.

## **Section 10. Parliamentary Authority**

The procedures at all meetings shall be governed by the current edition of Robert's Rules of Order, Newly Revised, except as expressly modified by these bylaws.

### **ARTICLE VII: COMMITTEES**

The Commission shall have the following Standing Committees: Executive, Budget, and Personnel. Each standing committee will contain a minimum of three (3) Commissioners appointed by the Chairperson. Additionally, other Commission members may volunteer to serve on the committees of their choice. No Standing Committee may take a "final action" on behalf of the Commission. The Chairperson shall be an ex-officio member of all committees.

### **ARTICLE IX: AMENDMENTS**

These bylaws may be amended at any meeting of the Commission by eight (8) affirmative member votes.



## Article VIII

### ARTICLE XYZ: COMMISSION DIRECTOR AUTONOMY

#### Section I. Discretionary Funds

(1). The Indiana Commission on the Social Status of Black Males may authorize the Director assigned by the Indiana Civil Rights Commission to support the Commission (the “Director”) to have the discretion to spend up to \$500 in the following categories without requiring an additional vote from the Commission prior to the expenditure:

- i. Promotional items
- ii. Marketing/print materials
- iii. Refreshments for events
- iv. Commissioner lunch for retreats
- v. Office supplies
- vi. Postage/FedEx
- vii. IOT software/hardware
- viii. Cloud based software (Eventbrite\Canva)
- ix. Professional development/conference registration fees
- x. In-State travel/fleet/enterprise/fuel/mileage

(B). The Director will inform the Commission of all expenditures made during their Director’s Report at the next Commission meeting following the expenditure.

(C). The total expenditures by the Director under this section may not exceed \$1000 for each state fiscal year.

(D). Expenditures by the Director under this section must still comply with all applicable procurement, travel, ethics, and technology policies, rules, and/or procedures.