



DEPARTMENT OF
JUVENILE SERVICES


Boyd K. Rutherford
Lt. Governor

Larry Hogan
Governor

Sam Abed
Secretary

SECRETARY’S DIRECTIVE

Title: Juvenile Services Education Program - Educator Member Election	Executive Directive Number: DIR-SD-07-21
Related MD Statute/Regulations: MD Code Ann., Human Services §9-203, §9-204 and §9-503	Applicable to: Juvenile Services Education Program Employees
Related DJS Policy/Procedures/Directives: None	Effective Date: July 6, 2021 Number of Pages: 5


 _____ 7/6/2021
 Sam Abed Date
 Secretary

DIRECTIVE

The following procedures are being instituted by the Department of Juvenile Services (“DJS” or the “Department”) to outline the notification, nomination, and election of the educator member to the Juvenile Services Education Board.

DEFINITIONS

Educator means an individual who is:

- (a) Employed full-time by the State of Maryland;
- (b) Assigned to work as a teacher in a residential facility owned and operated by the Department; and
- (c) A member of Bargaining Unit G, whose exclusive bargaining representative is the Maryland Professional Employees Council.

Candidate means an educator who has met the nomination requirements to stand for election to a seat on the Juvenile Services Education Board (the “Board”).

Immediate family member means a:

- (a) Parent;
- (b) Sibling;
- (c) Child by blood, adoption, or marriage;
- (d) Spouse;
- (e) Grandparent; or
- (f) Grandchild.

Educator member-elect means the educator candidate who, in an election conducted to fill the educator seat on the Board, received the highest number of votes from educators.

Vacancy means an educator Board member:

- (a) Has resigned as the educator member on the Board, or the educator member's designated term has ended;
- (b) Has been removed from office;
- (c) Is no longer actively teaching within a DJS residential facility.

PROCEDURES:

I. General Provisions

- A. The Department shall conduct an election to determine the educator member-elect, whose name shall be presented to the Governor for appointment to the Board, with the advice and consent of the Senate.
- B. The educator member-elect shall be selected from a list of candidates provided by the Department to all educators in the State.
- C. An educator member's seat on the Board shall become vacant if the member separates from employment or is no longer employed in a residential facility.

II. Election Schedule

- A. The Department shall conduct an election whenever there is a vacancy of an educator member of the Board.
- B. The Department shall prepare a schedule for conducting the election that conforms to the requirements of § II.C. of this directive.
- C. The election schedule shall include the following information:
 - (1) The time period during which an eligible educator may obtain a nomination form from the Department;
 - (2) The date by which an educator shall be certified in order to qualify as a candidate or be an eligible voter in the election;
 - (3) The date completed nomination forms shall be submitted to the Department;
 - (4) The date the Department shall certify the names of all candidates on the ballot;
 - (5) The dates the Department shall conduct the online election; and
 - (6) The date that election results shall be announced publicly.
- D. The election schedule shall be posted online and transmitted by email to all educators using the email addresses provided by those members to the Department.

III. Election Notice

- A. The Department shall provide notice of an educator member vacancy and election to all educators.
- B. The notice shall include:
 - (1) The election schedule set by the Department;
 - (2) An explanation of the eligibility requirements to serve as an educator member on the Board and how to become a candidate;
 - (3) Information on how to vote for an educator candidate to the Board; and
 - (4) Any other information the Department considers necessary for eligible voters to fully understand the purpose and procedures of the election.
- C. The Department shall circulate the election notice by:

- (1) Sending a copy to all educators via the email address registered with the Department's Information System; and
- (2) Posting the information to the Department's website.

IV. Nomination of Candidates

- A. The name of an eligible educator shall be placed on the ballot as a candidate if the Department certifies that they have met the criteria set by this regulation.
- B. Eligibility Requirements. To be placed on the ballot, an educator:
 - (1) Shall be a resident of Maryland;
 - (2) Shall be employed by the State of Maryland;
 - (3) Shall be working in a Residential Facility in Maryland;
 - (4) May not have:
 - (a) Been convicted of or entered a plea of guilty or nolo contendere for any criminal violation other than a minor traffic offense;
 - (5) Shall be current on all federal, state, or local debt, without any delinquencies for income, property, or other taxes;
 - (6) Shall provide all of the information required by the nomination form; and
 - (7) Shall complete an ethics disclosure form.
- C. Nomination Form.
 - (1) An educator shall submit a completed nomination form in order to be considered for placement on the ballot.
 - (2) Educators shall only nominate themselves as candidates.
 - (3) All nomination forms shall include the following:
 - (a) The educator's name, current position, and facility assignment;
 - (b) The educator's mailing address, email address, and phone number;
 - (c) A brief biography of not more than 500 words and a resume, which shall include the educator's prior assignment or assignments and the length of time at each;
 - (d) A personal statement of not more than 500 words explaining why the educator should be elected to the Board;
 - (e) Confirmation from the human resources director, or equivalent position, of the educator's current employment status and has completed a criminal background check;
 - (f) Three letters of support, not from an immediate family member, recommending the teacher for election, which may be from any combination of the following:
 - (i) An administrator at the educator's current or former school;
 - (ii) A teacher at the educator's current or former school; or
 - (iii) A parent of a current or former student;
 - (g) A completed ethics disclosure form.
- D. The Department shall provide educators with at least 14 days in which to submit a nomination form after the Department sends notice of an educator member vacancy.
- E. Selection or Rejection as Candidate.
 - (1) The Department shall add an educator's name as a candidate to the election ballot if the educator meets all of the eligibility requirements and submits all of the information required by the nomination form.
 - (2) The Department shall reject educators as candidates if they fail to meet the eligibility requirements or fail to submit all of the information required by the nomination form.

- (3) Upon request of an educator, the Department shall provide the educator the reasons for rejecting the educator as a candidate for election.
- (4) The name of a candidate shall be removed from the election ballot if:
 - (a) The educator requests in writing that their name be withdrawn;
 - (b) The educator is arrested for a cause that could lead to the suspension or revocation of employment
 - (c) The educator is no longer actively teaching in a residential facility owned and operated by the Department; or
 - (f) The educator has made false statements or presented false documents in connection with their nomination.
- (5) The Department's determination of whether an educator shall be added, removed, or rejected as a candidate on the election ballot shall be final.

F. Only One Eligible Educator as Candidate.

If the Department certifies that only one eligible educator qualifies as a candidate, the Department shall:

- (1) Forward the name of the single candidate to the Governor for appointment; and
- (2) Notify all educators of the cancelation of the election and the name of the educator member-elect.

G. No Eligible Educator as Candidate. If the Department is unable to certify any educators as candidates, the Department shall:

- (1) Cancel the election; and
- (2) Prepare a new election schedule.

H. More than 15 Eligible Candidates.

- (1) If more than 15 educators meet the qualifications to be placed on the ballot as candidates, the Department shall automatically schedule two rounds of voting.
- (2) The first round of voting shall include all candidates who meet the requirements to be placed on the ballot.
- (3) The second round of voting shall include the five candidates who received the most votes during the first round of voting.
- (4) The candidate who receives the most votes after the second round of voting shall win the election.

V. The Election

A. The Department shall conduct an online election.

B. Ballots:

- (1) Candidates shall be listed in alphabetical order on the ballot.
- (2) Each educator member in the Unit shall receive access to a ballot through notice provided by the Department's Information System.
- (3) The ballot shall, at a minimum, have the name of each candidate and the candidate's current facility assignment.
- (4) The Department may include additional relevant biographical information about the candidates on the ballot, including a candidate's personal statement, resume, biography, and other information submitted as part of the nomination form.

C. Voting.

- (1) The Department shall designate one week during which votes may be cast.
- (2) In the event that more than 15 candidates are on the ballot, the Department shall schedule a second round of voting that includes the five candidates who received the most votes during the first round of voting.
- (3) The Department shall extend the voting period for a run-off election in the event that the final two candidates receive the same number of votes.
- (4) The Department may extend the voting period for up to an additional week at its discretion.
- (5) Each educator member in the Unit may cast one vote.
- (6) Voiding Ballots. The Department may void an educator's ballot if:
 - (a) The educator is no longer employed during the election period; or
 - (b) The educator attempts to manipulate election results, cast multiple votes, or otherwise interfere with the integrity of the election process.
- (7) Technical Assistance.
 - (a) The Department shall provide technical assistance to educators who experience technical problems in casting a ballot if the problems are reported during the voting period.
 - (b) Technical problems that are reported after the end of the voting period may not be grounds to cast a new ballot or otherwise delay the election results.

D. Reporting the Results.

- (1) The candidate receiving the highest number of votes shall win the election.
- (2) In the event of a tie, the Department shall conduct a run-off election.
- (3) The Department shall notify all candidates of the preliminary results of the election, including the total number of votes received by each candidate.
- (4) The Department shall report to the public the total number of votes received by each candidate and the Department's final determination of the winner within 30 days after the end of the voting period.

E. Challenging the Results.

- (1) An unsuccessful candidate may challenge the election results by filing a formal protest in writing to the Department within 5 days of being informed of the preliminary results.
- (2) The Department shall decide all protests within 10 days of receiving them

ATTACHMENTS:

1. Acknowledgment of Receipt & Understanding Form