

45 As prescribed in Section 9.1-1111 of the *Code of Virginia*, the Committee shall consist of
46 thirteen members consisting of the Director of the Department and twelve members appointed by
47 the Governor as follows:

- 48 1. A director of a private or federal forensic laboratory;
- 49 2. A forensic scientist or any other person, with an advanced degree, who has received
50 substantial education, training, or experience in the subject of laboratory standards or
51 quality assurance regulation and monitoring;
- 52 3. A forensic scientist with an advanced degree who has received substantial education,
53 training, or experience in the discipline of molecular biology;
- 54 4. A forensic scientist with an advanced degree and having experience in the discipline of
55 population genetics;
- 56 5. A scientist with an advanced degree and having experience in the discipline of forensic
57 chemistry;
- 58 6. A scientist with an advanced degree and having experience in the discipline of forensic
59 biology;
- 60 7. A forensic scientist or any other person, with an advanced degree who has received
61 substantial education, training, or experience in the discipline of trace evidence;
- 62 8. A scientist with a doctoral degree and having experience in the discipline of forensic
63 toxicology, who is certified by the American Board of Forensic Toxicology;
- 64 9. A member of the Board of the International Association for Identification when initially
65 appointed;
- 66 10. A member of the Board of the Association of Firearms and Toolmark Examiners when
67 initially appointed;
- 68 11. A member of the International Association for Chemical Testing; and
- 69 12. A member of the American Society of Crime Laboratory Directors.

80 **Section 2. Terms**

81 Members of the Committee initially appointed shall serve the following terms: four
82 members shall serve a term of one year, four members shall serve a term of two years, and four
83 members shall serve a term of four years. Thereafter, all appointments shall be for a term of four
84 years. A vacancy other than by expiration of term shall be filled by the Governor for the unexpired
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90 term. A member appointed by the Governor shall serve after expiration of their term until their
91 successor is appointed.

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Section 3. Chair and Vice-Chair

95 The Committee shall elect a Chair from among the members appointed by the Governor.
96 The Chair shall preside at meetings of the Committee and shall perform such additional duties as
97 may be imposed by action of the Committee. The term of office for the Chair begins July 1. The
98 Chair may be eligible for renomination and re-election to successive terms not to exceed two total
99 terms. The Committee also shall elect a Vice-Chair from among the members appointed by the
100 Governor. The Vice-Chair shall preside at meetings of the Committee in the event of the absence
101 of the Chair and shall perform such additional duties as may be requested by the Chair or imposed
102 by action of the Committee. The term of office for the Vice-Chair begins July 1. The Vice-Chair
103 may be eligible for renomination and re-election to successive terms not to exceed two total terms
104 and may be eligible for nomination and election to the office as Chair.

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Section 4. Authority of Individual Members

108 No member of the Committee shall at any time act or purport to act on behalf of or in the
109 name of the Committee or the Department without prior authority from the Committee or the
110 Department.

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ARTICLE IV. MEETINGS

114 The Committee shall meet twice a year and at such other times as it determines or as
115 directed by the Governor or the Forensic Science Board. All meetings of the Committee shall be
116 open to the public provided the Committee may close any meeting by going into executive session
117 in accordance with these bylaws.

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The Chair of the Committee shall fix the times and places of the meetings, either on their
own motion or upon written request of any five members of the Committee. Whenever possible
and practical, the Forensic Science Board and Committee meetings shall be scheduled for the same
day, or on adjacent days, to save travel and lodging costs.

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ARTICLE V. CONDUCT OF BUSINESS

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Section 1. Procedure

128 Proceedings of Committee meetings shall be as prescribed in Robert's Rules of Order.

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Section 2. Quorum

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A majority of the Committee shall constitute a quorum to do business. Decisions may be
made by the majority of those present and voting. The Chair shall determine and declare that a
quorum is present prior to the conduct of business at any meeting.

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Section 3. Agenda Priority

At its meetings, the Committee shall first consider and act on any matters directly related to its mandated, statutory responsibilities which may be before it. Other issues, speakers, items of interest, whether brought forward by Committee members or staff, shall be considered only after the matters pertaining to the Committee’s statutory mandates have been considered.

Section 4. Executive Session

Prior to meeting in an executive session, the Committee must adopt a motion to go into executive session. The motion must include specific reference to the substance of the matters to be discussed. The minutes shall reflect the specific *Code of Virginia* cite for allowable exemption from an open meeting. Matters which may be discussed in an executive session are specified in the Virginia Freedom of Information Act and include, but are not limited to:

1. Discussion or consideration by the Scientific Advisory Committee of criminal investigative files, defined as any documents and information, including complaints, court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness statements, and evidence relating to a criminal investigation or prosecution;
2. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of appointees or employees of the Department of Forensic Science;
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Department of Forensic Science;
4. The protection of the privacy of individuals in personal matters not related to public business;
5. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the Department of Forensic Science would be adversely affected;
6. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Department of Forensic Science; and consultation with legal counsel employed or retained by the Department of Forensic Science regarding specific legal matters requiring the provision of legal advice by such counsel;

179 7. Discussion or consideration of tests or examinations used, administered or prepared by the
180 Department of Forensic Science for purposes of evaluating an employee or prospective
181 employee’s qualifications or aptitude for employment, retention or promotion;

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183 8. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by
184 staff members, legal counsel, or law-enforcement or emergency service officials concerning
185 actions taken to respond to such activity or a related threat to public safety; and
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187 9. Discussion of the award of a public contract involving the expenditure of public funds,
188 including interviews of bidders or offerors, and discussion of the terms or scope of such
189 contract, where discussion in an open session would adversely affect the bargaining position
190 or negotiating strategy of the Department of Forensic Science.
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192 At the conclusion of the executive session, the Committee shall reconvene in open session
193 and certify by recorded vote that only matters lawfully exempted from open session, as indicated
194 in the motion for executive session, were discussed. Action taken in executive session must be
195 confirmed in public session.
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197 **Section 5. Subcommittees**
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199 The Chair shall have the authority to create subcommittees, to appoint the Chair of each
200 subcommittee, and to define the scope of each subcommittee’s function.
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202 **Section 6. Reimbursement of Expenses**
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204 Committee members shall be paid reasonable and necessary expenses incurred in the
205 performance of their duties. Legislative members shall receive compensation as provided in
206 Section 30-19.12 of the *Code of Virginia* and nonlegislative citizen members shall receive
207 compensation for their services as provided in Sections 2.2-2813 and 2.2-2825.
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209 **ARTICLE VI. AMENDMENT OF BYLAWS**
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211 These bylaws may be amended at any meeting of the Committee by a two-thirds vote of
212 the members present, provided that the proposed amendment has been submitted in writing at the
213 previous meeting.