

Accountability and Implementation Board Nominating Committee BYLAWS

Article I. Name

- A. There is an Accountability and Implementation Board Nominating Committee as established under § 5-403 of the Education Article of the Maryland Annotated Code (Code).
- B. In these bylaws, “Committee” means the Accountability and Implementation Board Nominating Committee.

Article II. Purposes

- A. The Committee shall have all the enumerated powers set forth in § 5-403 of the Education Article of the Code.
- B. The Committee’s purpose is to timely, impartially, and equitably seek, select, and nominate for appointment by the Governor qualified individuals to serve on the Accountability and Implementation Board as required by § 5-402 of the Education Article of the Code.
- C. In fulfilling the duties of the Committee, the Committee shall act in accordance to the requirements of the law and the following principles:
 - 1. perform its duties in a timely, impartial, ethical, and equitable manner;
 - 2. provide for reasonable and appropriate public participation as determined by the Committee;
 - 3. provide timely notice of meetings and actions of the Committee to the public and candidates; and
 - 4. engage in any other actions or activities determined by the Committee to be necessary to carry out its responsibilities and meet its goals, purposes, and duties.

Article III. Membership

- A. Composition
 - 1. The Committee is composed of six members appointed as follows:
 - i. two members appointed by the Governor;

- ii. two members appointed by the President of the Senate; and
 - iii. two members appointed by the Speaker of the House of Delegates.
2. The individuals appointed to the Committee shall:
- i. collectively reflect, to the extent practicable, the geographic, racial, ethnic, cultural, and gender diversity of the State; and
 - ii. have collective knowledge of:
 - a. education policy for early childhood education through postsecondary education;
 - b. education strategies used by top-performing state and national systems in the world;
 - c. systemic changes in complex organizations; and
 - d. financial auditing and accounting.

B. Term of Office

- 1. The term of each member is 5 years beginning on July 1 of the year of appointment and shall terminate on June 30.
- 2. The term of an initial member shall terminate on June 30, 2026.

C. Vacancy

In the event of a vacancy, the official who appointed the member shall appoint a new member to fill the vacancy of the member of the Committee for the remainder of that term for which the appointment was made and until a successor is appointed.

D. Compensation

A member of the Committee may not receive compensation as a member of the Committee but is entitled to reimbursement for expenses under the Standard State Travel Regulations for duties performed under § 5-403 of the Education Article of the Code.

E. Voting

- 1. Each member of the Committee shall have one vote on each matter submitted to a vote of the Committee.
- 2. A vote may not be exercised by proxy.

F. Duties and Powers of Committee Members

1. In general, the members of the Committee shall manage the business and affairs of the Committee.
2. The duties and powers of the members of the Committee are as follows:
 - i. review, understand, and carry out the requirements of law relating to the solicitation, selection, and nomination of candidates for the Accountability and Implementation Board in a timely, fair, ethical, and equitable manner;
 - ii. conduct public meetings as required to fulfill its duties and responsibilities;
 - iii. establish a fair and appropriate application and interview process for candidates;
 - iv. call for the appointment of subcommittees; if needed;
 - v. supervise all officers, staff, and agents of the Committee to ensure the proper performance of their duties;
 - vi. review all Committee correspondence and materials in preparation for meetings and interviews; and
 - vii. attend Committee meetings and vote on matters being considered by the Committee.

Article IV. Committee Officers

A. Election of Officers

1. At the first meeting of the Committee in July, the Committee shall elect a chair and vice chair from among its members.
2. The term of the chair and vice chair is 1 year. An officer may be re-elected.

B. Officer duties

1. The duties of the chair of the Committee are as follows:
 - i. act as principal executive officer of the Committee, subject to the control of the members of the Committee;

- ii. in general, supervise and control all the business and affairs of the Committee;
 - iii. create meeting agendas;
 - iv. preside at all meetings of the Committee, while present;
 - v. appoint members of subcommittees, if required;
 - vi. provide notice of all meetings and Committee business and distribute meeting and other relevant materials to the members of the Committee in a timely manner;
 - vii. act as official spokesperson for the Committee; and
 - viii. perform all duties incident to the office of chair and any other duties as may be determined by the members of the Committee.
2. The duties of the vice chair are to perform the duties of the chair if the chair is absent or unavailable.

Article V. Meetings

A. Meetings Requirements

1. The Committee shall have regularly scheduled meetings as required to conduct the business of the Committee.
2. The time and place of meetings shall be determined by the members of the Committee.
3. Notice of the time and place of a Committee meeting and publication of the agenda and materials to be considered at a meeting shall, if practicable, be provided at least 7 days before the meeting.

B. Quorum

1. A majority of Committee members constitutes a quorum.
2. Action by the Committee requires the affirmative vote of a majority of the appointed members.

C. Public Participation

1. The Committee may provide for public participation.
2. The Committee shall establish reasonable rules and policies regarding public participation, including notice and procedures for the submission of written comments.
3. The Committee is subject to the Public Information Act.

D. Open Meetings

1. The Committee is subject to the Open Meetings Act.
2.
 - i. Except for those actions authorized or required by law, the actions of the Committee shall be taken at a public meeting and all actions shall be made public.
 - ii. The Committee may take actions in closed session in accordance with § 3-305 of the General Provisions Article of the Code.
3.
 - i. Each open meeting of the Committee shall be made available to the public through live video streaming.
 - ii. The Committee shall make publicly available on the Internet, a complete, unedited archived video recording of each open meeting for a minimum of 5 years after the date of the meeting.

Article VI. Nominations

A. Voting

In accordance with § 5-403(d) of the Education Article of the Code, each nomination of the Committee shall require:

1. a majority vote of the Committee; and
2. a vote cast in the majority by at least one of the two members appointed by the Governor, President of the Senate, and the Speaker of the House, respectively.

B. Initial Nominations for the Accountability and Implementation Board

For the establishment of the initial Accountability and Implementation Board, the Committee shall submit a slate of nominees to the Governor that contains at least nine individuals who meet the qualifications for membership on the Board as set forth in § 5-402(d) of the Education Article of the Code.

C. Accountability and Implementation Board Vacancies

1. For each vacant position on the Accountability and Implementation Board, the Committee shall submit a slate of nominees to the Governor that contains at least two names for each vacant position on the Board.
2.
 - i. The Committee shall retain and may reactivate the application of a candidate for a vacancy on the Accountability and Implementation Board for up to 3 years from the date the Committee submitted the list of nominees to the Governor for the vacancy for which the applicant was initially considered.
 - ii. The Committee shall:
 - (1) obtain the consent of an applicant before reactivating a retained application; and
 - (2) establish a method by which an applicant may update a previously submitted application.

Article VII. Notice

A. Written Notice Requirements

1. Any notice required to be given in writing by the Committee may be communicated by electronic mail, registered or certified mail (return receipt by the recipient required), facsimile, or private carrier.
2. A written notice shall be deemed effective at the earliest of the following:
 - i. the date received;
 - ii. the date shown on the return receipt, if sent by registered or certified mail and the receipt is signed by the recipient; or
 - iii. the date of delivery as shown by a private carrier.

B. Publication of Meeting Notice

All meeting notices shall be published:

1. on the Committee’s website;
2. in the hearing schedule on the Maryland General Assembly website at mgaleg.maryland.gov under the “meetings” tab; and
3. at any other location or by any other method determined appropriate by the Committee.

Article VIII. Ethics

- A. The Committee and its officers are subject to the Maryland Public Ethics Law.
- B. Each member of the Committee shall disclose to the Committee any conflict of interest or potential conflict of interest whenever the conflict or potential conflict relates to a matter or applicant or candidate being considered by the Committee.
- C. A member of the Committee who is disqualified from participating on a matter or applicant or candidate being considered by the Committee due to a conflict of interest:
 - 1. may not:
 - i. vote on the matter or applicant or candidate; or
 - ii. discuss, advocate, influence or attempt to influence other members of the Committee, or participate in any way on the matter or applicant or candidate; but
 - 2. shall be counted for the purpose of establishing a quorum of the Committee to conduct business.
- D. The disclosure of a member's conflict of interest shall be made public at a meeting of the Committee.

Article IX. Confidentiality

- A.
 - 1. Except as otherwise provided by law and in accordance with the Public Information Act, all information received by the Committee shall be confidential, including applications, names of candidates, communications, correspondence, and notes received orally, in writing, or electronically.
 - 2. This information may only be discussed or disseminated among members of the Committee and staff to be used in the performance of their duties and responsibilities as provided in law and in these bylaws.
- B. Any requests for disclosure of confidential Committee information and materials shall be considered by the chair and members of the Committee.

Article X. Amendments

- A. These bylaws may be amended by a vote of two-thirds of the members of the Committee.
- B. Any proposed amendments to these bylaws shall be provided to all Committee members at least 10 days before the meeting at which the proposed amendment will be considered.