

Accountability and Implementation Board

Bylaws (Adopted 02.09.2023)

Article 1 – Adoption of Bylaws Generally	2
Section 1.1 – Definitions	2
Section 1.2 – Purpose	2
Section 1.3 – Enactment	2
Article 2 – Organization of the Board	2
Section 2.1 – Membership	2
Section 2.2 - Chair	3
Section 2.3 – Vice Chair	3
Article 3 – Meetings	3
Section 3.1 – Time and Location	3
Section 3.2 – Rules of Order	4
Section 3.3 – Meeting Agenda	5
Article 4 – Rules of Conduct	6
Section 4.1 – Ethics	6
Section 4.2 – Resignation	7
Section 4.3 – Level of Effort	7
Article 5 – Roles and Responsibilities	7
Section 5.1 – The Board	7
Section 5.2 – Delegation of Duties to the Executive Director	8
Section 5.3 – Expenditure of Board Funds	8
Article 6. Non-Discrimination and Equity Statement	8

Article 1 – Adoption of Bylaws Generally

Section 1.1 – Definitions

- A. “Board” or “AIB” means the Accountability and Implementation Board established under § 5-401(b) of the Education Article.
- B. “Executive Director” means the Executive Director as provided under § 5-402(e) of the Education Article.
- C. “Member” means a person as set forth in § 5-402(d) of the Education Article.
- D. “Quorum” means the presence of a majority of the members currently serving on the Board.

Section 1.2 – Purpose

These bylaws, adopted by the members of the Board, provide the rules of governance for the Board during the conduct of all duties assigned under State law.

Section 1.3 – Enactment

- A. These bylaws shall be approved by a majority vote of the Board.
- B. In order to amend the bylaws, a member must make a motion and present the amendment during a regularly scheduled meeting of the Board. The motion to amend the bylaws must be approved by a majority vote of the Board.
- C. The bylaws shall be reviewed by the members of the Board on an annual basis at the Board’s annual meeting.
- D. Members may propose changes to the bylaws at any time. If the bylaws are amended, they will be voted and approved as provided by subsection A above.
- E. A copy of the approved bylaws and any amendments shall be available for public inspection.

Article 2 – Organization of the Board

Section 2.1 – Membership

- A. The membership of the Board shall be as established in § 5-402(d) of the Education Article.
- B. The term of a Board Member shall be as established in § 5-402(d)(5) of the Education

Article.

Section 2.2 -- Chair

A. As required under § 5-402(d)(3) of the Education Article, the Governor, President of the Senate, and Speaker of the House of Delegates jointly shall appoint a Chair of the Board from among its members.

B. The duties of the Chair include:

1. Conducting the Board meetings and setting agendas;
2. Serving as the primary Board member spokesperson for media inquiries;
3. Acting as the Board's primary point of contact for the Executive Director;
4. Entering into contracts and agreements, including grants and interagency agreements, subject to the provisions of Section 5.3; and
5. Appointing ad hoc committees as needed.

C. In the event both the Chair and Vice Chair are unavailable at the time of a regularly scheduled meeting or at such other time as Board action is deemed necessary, a majority of the Board may agree to call a meeting and appoint a member to oversee the meeting.

Section 2.3 – Vice Chair

A. The Board shall elect a Vice Chair from among its members.

B. The election for Vice Chair shall occur during the Board's annual meeting every two years, beginning in 2023. Commencing with the election of the Vice Chair in 2023, the term of the Vice Chair is two years and a member may not serve two consecutive terms. A member may serve two or more non-consecutive terms as Vice Chair.

C. The Vice Chair shall fulfill the role and duties of the Chair should the Chair be unavailable to do so. The Chair may also delegate duties to the Vice Chair.

Article 3 – Meetings

Section 3.1 – Time and Location

A. Regular meetings. The Board shall meet regularly as determined by the Chair.

B. Annual meeting. The Board will hold its annual meeting each year at the first regularly scheduled Board meeting after June 30th.

C. Location. The Board may meet via a video conference application so long as members of the public are permitted to view the proceedings contemporaneously, subject to any exception provided in the Maryland Open Meetings Act.

D. Public Notice. Public notice of meetings shall be provided seven calendar days before the meeting, unless circumstances warrant otherwise as determined by the Chair. Posting the meeting notice and agenda on the Board website constitutes public notice for purposes of this section in compliance with §3-302 of the General Provisions Article. The notice provided shall clearly state whether the meeting will be taking place in-person. Per §5-402 of the Education Article, all meetings of the Board shall be available via live and archived video stream.

E. Cancellation of a regular meeting. The Chair may cancel a regular meeting of the Board. Reasonable notice of cancellation must be given prior to the meeting.

F. Additional Meetings. In addition to the regularly scheduled meetings, the Chair may call additional, non-scheduled meetings. Notice of additional meetings shall be provided on the Board website as well as distribution via electronic mail to stakeholders when practicable.

Section 3.2 – Rules of Order

A. Quorum

1. A quorum must be present in order to conduct official business of the Board.
2. A quorum of the Board shall consist of a majority of the members currently serving on the Board.
3. A member who is not able to physically attend a meeting may attend and participate by phone or video conference.
4. There shall be no effect on the quorum when a member of the Board abstains or declines to vote or if a member is disqualified from participating under section 4.1 of these bylaws.

B. Public Testimony

1. The Chair shall allow up to 15 minutes for public testimony at the beginning of each regularly scheduled meeting. At the discretion of the Chair, this time may be extended. Requests to provide public testimony shall be provided to the Board in advance of a meeting. The public may submit written testimony to Board staff at any time and it will be shared with the Board.
2. Each person's public testimony shall be subject to a two-minute time limit. At the

discretion of the Chair, this time may be extended. The Chair will strive to make this decision before a meeting unless circumstances warrant otherwise.

C. The Board, with the advice of counsel, shall follow the requirements of the Open Meetings Act as specified under Title 3, of the General Provisions Article¹.

Section 3.3 – Meeting Agenda

A. A meeting agenda shall include the date, time, and location of the meeting, the topics to be discussed, and which portions, if any, of the meeting will be conducted in closed session.

B. Additional items may be added to the agenda at the discretion of the Chair.

C. During each meeting, the Executive Director, or the Executive Director's designee, shall deliver to the Board a report of the activities of the AIB and its staff since the last meeting. The report shall include information on personnel changes, budget update, meetings attended, significant correspondence received, and significant activities of the AIB and its staff.

D. Open Meeting Summary and Closed Session Minutes

1. Open meetings will be available via live and archived video or audio streaming in accordance with § 3-306(b)(2) of the General Provisions Article. A brief written summary of each meeting shall be prepared by the Executive Director, or the Executive Director's designee (referred to as "summary" in 3.3(A.2) above).

2. Closed meeting minutes shall include a summary of the meeting, the individuals in attendance, and the actions taken. The closed meeting minutes shall remain sealed unless the requirements of §3-306(c)(4) of the General Provisions Article are met. Only a summary of the closed meeting shall be provided and publicly available pursuant to §3-306(c)(2) of the General Provisions Article.

3. If the Executive Director does not attend the closed meeting, the assistant attorney general or one of the members shall be responsible for preparing the closed meeting summary and minutes.

4. The draft written summary shall be prepared and presented to all Board members promptly after the meeting. The authority to approve the written summary in a draft form is delegated to the Chair. The Executive Director, or the Executive Director's designee, shall post the draft written summary on the Board website.

5. At the next scheduled meeting, the Board shall review and approve the written

¹ For information and guidance on the Open Meetings Act, see the Attorney General's [Open Meetings Act Manual](#) (11 ed., October 2022).

summary of the last meeting. The Executive Director, or the Executive Director's designee, shall replace the draft written summary with the approved written summary on the Board's website.

Article 4 – Rules of Conduct

Section 4.1 – Ethics

A. Members shall follow the provisions of the Maryland Ethics laws², including:

1. By April 30th of each year, file the Financial Disclosure Statement³ required under § 5-601 et seq. of the General Provisions Article; and

2. Adhering to the prohibition against the solicitation or acceptance of gifts or honoraria as required under § 5-505 of the General Provisions Article.

B. Disqualification due to Conflict of Interest

1. A member of the Board shall recuse himself or herself and may not participate as to a matter if the member:

i. Has a relative with an interest in the matter and the member knows of the interest;

ii. Is part of a business entity which has an interest in the matter;

iii. Is negotiating employment or has arranged prospective employment with a business entity which has an interest in the matter;

iv. Has a direct financial interest in the matter;

v. Has provided support through a contribution to or volunteering for or a candidate or petition that is the subject of the matter; or

vi. Otherwise believes that participation would create a conflict of interest.

2. A member of the Board may seek the advice from the Ethics Commission as to the presence of a conflict of interest or other good cause for disqualification.

3. If a member has recused himself or is disqualified from participating in a matter before the Board, the recusal or disqualification and the reason(s) for it shall be recorded in the meeting

² See the Maryland Public Ethics Law Summary provided by the State Ethics Commission.

³ Financial Disclosure Statements can be filed online - <https://efds.ethics.state.md.us/>.

minutes.

Section 4.2 – Resignation

A member who chooses to resign shall provide written notice of resignation to the Chair.

Section 4.3 – Level of Effort

Members shall expend the time and effort necessary to ensure they fully understand their duties and obligations as members of the Board.

Article 5 – Roles and Responsibilities

Section 5.1 – The Board

The Board has all the powers and duties assigned to it under Title 5, Subtitle 4 of the Education Article, including but not limited to:

- A. Developing a Comprehensive Implementation Plan, as defined in § 5-401(e) of the Education Article, including a strategy for achieving the law’s objectives, a timeline, and milestones and outcomes to be achieved;
- B. Holding State and local government units accountable for implementing the Comprehensive Implementation Plan and achieving established milestones and outcomes;
- C. Approving State and local government unit individual implementation plans;
- D. Providing technical assistance, training, and other support to State and local government units in development and implementation of individual implementation plans;
- E. Educating the public and stakeholders about the purpose of the Blueprint for Maryland’s Future and evidence-based practices and soliciting feedback from the public and stakeholders on the same;
- F. Providing recommendations to the Governor and Maryland General Assembly on proposed changes to the law;
- G. Hiring and evaluating annually the job performance of the Executive Director; and
- H. Reviewing annually the Board’s operating budget.

Section 5.2 – Delegation of Duties to the Executive Director

The Board delegates the following duties to the Executive Director:

- A. Hiring permanent Board staff pursuant to a staffing plan and hiring process adopted by the Board;
- B. Overseeing and managing Board staff to fulfill the Board's duties set forth in law;
- C. Subject to Section 5.3 of these bylaws, entering into contracts and agreements, including grants and interagency agreements, in an amount not to exceed \$25,000, necessary to carry out the day-to-day operations of the Board; and
- D. Other duties that may be delegated by the Board from time to time.

Section 5.3 – Expenditure of Board Funds

- A. The Board delegates to the Executive Director authority to expend Board funds up to \$25,000.
- B. For expenditures exceeding \$25,000 and less than \$50,000, the Executive Director shall obtain the approval of the Chair.
- C. For expenditures of \$50,000 or more, the Executive Director shall obtain the approval of the Board at its next regularly scheduled meeting.
- D. If the Executive Director determines the need for an unanticipated or emergency expenditure of \$50,000 or more that cannot wait until the next regularly scheduled Board meeting, the Executive Director shall inform the Chair, who may:
 - 1. Approve the expenditure;
 - 2. Call a special meeting of the Board to approve the expenditure; or
 - 3. Defer a decision until the next scheduled Board meeting.
- E. Any document relating to expenditures exceeding \$25,000 must be signed by the Board Chair.
- F. The Executive Director shall provide detailed information about all expenditures in the report required under Section 3.3C.

Article 6. Non-Discrimination and Equity Statement

The Board affirms that it shall not discriminate in any manner against any employee or applicant for employment because of race, color, religion, creed, age, gender, marital status, national origin,

ancestry, sexual orientation, gender identity, or disability, so as reasonably to preclude the performance of such employment. The Board further affirms its commitment to diversity, equity, and inclusion in its policies and procedures.