PROPOSED ACTION ON REGULATIONS

Subtitle 40 MARYLAND CENTER FOR SCHOOL SAFETY

14.40.01 Meetings
Authority: Education Article, §7-1503(g); General Provisions Article, §3-101, et seq.; Annotated Code of Maryland

Notice of Proposed Action
[19-247-P]
The Maryland Center for School Safety proposes to adopt new Regulations 14.40—06 under a new chapter, COMAR 14.40.01 Meetings, under a new subtitle, Subtitle 40 Maryland Center for School Safety.

Statement of Purpose
The purpose of this action is to set forth the procedures for attendance and participation in open meetings of the Subcabinet and Advisory Board of the Maryland Center for School Safety.

Comparison to Federal Standards
There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact
The proposed action has no economic impact.

Economic Impact on Small Businesses
The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities
The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment
Comments may be sent to Kate Hession, Executive Director, Maryland Center for School Safety, 200 W. Baltimore Street, Baltimore, MD 21201, or call 410-281-2335, or email to admin.mcss@maryland.gov, or fax to 410-510-1123. Comments will be accepted through January 6, 2020. A public hearing has not been scheduled.

.01 Definitions.
A. In this chapter, the following terms have the meanings indicated.
B. Terms Defined.
(1) “Advisory Board” has the meaning stated in Education Article, §7-1501, Annotated Code of Maryland.
(2) “Center” means the Maryland Center for School Safety, its Subcabinet, the Advisory Board to the Subcabinet, its committees, and any other public bodies under the authority and acting on behalf of the Maryland Center for School Safety.
(3) “Open session” means a meeting of the Subcabinet or the Advisory Board that is required to be open to the public pursuant to the Open Meetings Act, General Provisions Article, Title 3, Subtitle 3, Annotated Code of Maryland.
(4) “Subcabinet” has the meaning stated in Education Article, §7-1501, Annotated Code of Maryland.

.02 Public Attendance.
A. The general public is invited to attend and observe any open sessions of the Center.
B. Meetings shall be held in a location that is reasonably accessible to individuals who would like to attend and observe an open session of the Center.

.03 Public Participation Limited.
A member of the public attending an open session may not participate in the session except to the extent:
A. The Center expressly invites public testimony, questions, comments, or other forms of public participation; or
B. The Chair of the Subcabinet, the Chair of the Advisory Board, or a member of the Center invites the public to comment or as entitled by law to participate.

.04 Disruptive Conduct.
A. An individual attending an open session may not engage in conduct that disrupts the session or interferes with the right of members of the public to attend and observe the session. This includes but is not limited to visual demonstrations, such as the display of placards, signs, or banners, and verbal outbursts from attendees not recognized by the Chair to participate in the session.
B. Authority of the Chair of the Subcabinet and Chair of the Advisory Board.
(1) The Chair may order an individual who violates §A of this regulation, or who violates any other regulation or resolution concerning the conduct of the open session, to be removed from the session, and may request law enforcement assistance to restore order.
(2) The Chair may recess the session while order is restored.
C. An individual who is asked to leave the session in accordance with these regulations and who refuses to do so may be subject to arrest as provided by law.

.05 Recording, Photographing, and Broadcasting of Open Session.
A. A member of the public, including a representative of the news media, may:
(1) Record the discussions at an open session using a tape recorder or other recording device if the device used does not create excessive noise that disturbs the open session or other individuals attending the session; or
(2) Photograph or videotape the proceedings of an open session using any type of camera if the camera is operated without excessively bright artificial light or excessive noise that disturbs the open session or other individuals attending the session.
B. A representative of the news media may broadcast or televise the open session if the equipment used does not create excessively bright artificial light, excessive noise, or other conditions determined at the discretion of the Chair that would disturb the open session or other individuals attending the session.
C. The Chair may restrict the movement of an individual who is using a recording device, a camera, or broadcasting or televising equipment if the restriction is necessary to maintain the orderly conduct of the open session.
D. A member of the public who intends to record the discussions at an open session is requested to provide written notice to the Executive Director of the Center in advance of the meeting advising of the intention to record the proceedings and specifying the type of equipment to be used to record the proceedings.

.06 Recordings Not Part of Record.
A recording of, or any transcript derived from a recording of, an open session made by a member of the public, including a representative of the news media, is not a part of the record of the open session.

KATE HESSION
Executive Director