COMPLIANCE CHECKLIST
FOR MEETINGS SUBJECT TO THE MARYLAND OPEN MEETINGS ACT *

Name of public body Biennial Audits Oversight Commission Date of Meeting: November 18, 2020

1. ✓ Did you give "reasonable advance notice" and keep a copy or screenshot?

2. ✓ Did you make an agenda available when notice was posted, or, if not yet determined, as soon as practicable, but at least 24 hours before the meeting?

3. ✓ Did you make arrangements for the public to attend?

4. ✓ Is someone prepared to keep minutes in writing or, otherwise, to run the equipment for minutes in the form of live and archived video or audio streaming?

5. N/A If part of this meeting might be closed to the public, have you first:

   ___ Made sure that the public body designated a member to take training in the Act? (eff. 10/1/17)

   ___ Made sure that the topic to be discussed falls entirely within one or more of the 14 "exceptions" that allow the closed session? (see over for the list)

   ___ Given notice of the open meeting to be held right before the closed session, so that the presiding officer can hold the required public vote to close?

   ___ Made sure that the initial open meeting will be attended by a member designated to take training in the Act, and, if a designated member cannot attend, made sure that the public body is ready to complete this compliance checklist at the open meeting and keep it to attach to the minutes? (eff. 10/1/17)

   ___ Equipped the presiding officer to prepare a written statement with the required disclosures? (for a model form with instructions, go to http://www.marylandattorneygeneral.gov/Pages/OpenGov/Openmeetings/default.aspx)

   ___ Equipped the presiding officer to limit the closed session discussion to the exceptions and topics cited on the written closing statement?

   ___ Arranged for closed-session minutes to be kept and adopted as sealed?

   ___ Equipped someone in the closed session to keep a record of each item of information that must be disclosed in the minutes of the next open meeting? (for the list, see the model closing statement).

   ___ For a meeting recessed to hold a closed administrative session, arranged to disclose, in the minutes of the next open meeting, the date, time, and place, persons present, and subjects discussed?

6. ✓ Have you arranged for the preparation, the adoption as soon as practicable, and posting online if practicable, of minutes of the open meeting, including summaries of any prior closed sessions, and this form (when required), completed on this side?

**This checklist is designed for general use as well as for use at open meetings of public bodies that hold closed meetings on or after 10/1/2017, when a member designated for training cannot attend the initial open meeting. See GP § 3-213(d). Like the earlier checklists, this checklist gives general guidance, does not guarantee "compliance" with every provision of the Open Meetings Act, and will be revised occasionally.*

(Revised June 2017)

STATUTORY AUTHORITY TO CLOSE SESSION
(THE FOURTEEN "EXCEPTIONS")
General Provisions Article § 3-305(b)

(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;

(2) To protect the privacy or reputation of an individual with respect to a matter not related to public business;

(3) To consider the acquisition of real property for a public purpose and matters directly related to the acquisition;

(4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;

(5) To consider the investment of public funds;

(6) To consider the marketing of public securities;

(7) To consult with counsel to obtain legal advice;

(8) To consult with staff, consultants, or other individuals about pending or potential litigation;

(9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;

(10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;

(11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;

(12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;

(13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;

(14) To discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.