

## **BYLAWS OF THE ACCESS TO MENTAL HEALTH ADVISORY COMMITTEE**

These bylaws of the ACCESS TO MENTAL HEALTH ADVISORY COMMITTEE (“Committee”), an independent advisory committee in the State of Maryland affiliated with the Maryland Higher Education Commission, created by Chapters 401 and 402 of the 2023 Laws of Maryland, as codified in the Education Article, § 11-108, Annotated Code of Maryland, are adopted this **5th day of June, 2024**.

### **Definitions**

1.     **Segments.** In these bylaws, the “segments” refer to the Maryland Higher Education Commission (MHEC), the University System of Maryland (USM), Morgan State University (MSU), St. Mary’s College of Maryland (SMCM), the Maryland Association of Community Colleges (MACC), and the Maryland Independent College and University Association (MICUA).

### **Establishment and Purpose**

2.     **Statutory Authority.** The Access to Mental Health Advisory Committee (“Committee”) is established and governed by Education Article, § 11-108, Annotated Code of Maryland. If any provision of these bylaws conflicts with the authorizing statute, the statute shall be superseding.

3.     **Name.** The Committee may be referred to as the “Advisory Committee on Access to Mental Health in Higher Education” or “AMHAC.”

4.     **Functions.** The Committee is solely advisory and shall report and make recommendations to the Governor and Legislature as set forth by law. The Committee may additionally make recommendations to institutions of higher education regarding access to mental health resources and advise on implementation of recommendations.

5.     **Objectives.** Pursuant to Educ. § 11-108(g), the Committee shall study, report on, and make recommendations on the following topics. Additionally, the Committee may study, report on, or make recommendations in other areas that they deem relevant.

a. **Areas of Study and Reporting**

i. *Existing Policies and Procedures.* The Committee shall study the policies and procedures adopted by institutions of higher education in the State regarding access to mental health care and the prevention and treatment of mental illness in students.

ii. *Demand.* The Committee shall examine the challenges for institutions of higher education in meeting the demand for mental health services.

iii. *Off-Campus Services.* The Committee shall review best practices for accessing off-campus mental health services.

iv. *Institutional Implementation.* The Committee shall review best practices for, and barriers to, the implementation of counseling services, including crisis, personal, mental health, sexual violence, and substance abuse counseling.

v. *Service Models.* The Committee shall review and identify the best models for providing mental health services, including stand-alone centers, centers with integrated student health services, comprehensive services, case management, and crisis resources.

vi. *Underserved Communities.* The Committee shall identify concerns in rural areas and workforce shortage areas.

b. Recommendations

i. *Reducing Costs and Barriers.* The Committee shall make recommendations regarding ways to reduce costs and barriers to providing access to mental health services on campus.

ii. *Telemedicine.* The Committee shall make recommendations on the use of telemedicine and video conferencing in the provision of mental health services.

iii. *Getting Information to Students.* The Committee shall make recommendations on the use of hotlines and other means to disseminate to students information related to mental health services on and off campus, including information concerning availability and fees.

iv. *Implementation of Services.* The Committee shall make recommendations on implementation of general mental health counseling services and specialized counseling services.

**Members**

6. **Number and Appointment.** The Committee's consists of 18 voting members as set forth in Educ. § 11-108(b) and 2 *ex officio* members, as follows.

- a. *Segment Leaders - 6.* Pursuant to Educ. § 11-108(b), each of the segment leaders, or their designee, is a member.
- b. *Campus Mental Health Professionals – 9.* Pursuant to Educ. § 11-108(b), certain campus mental health professionals shall be appointed by each segment leader.
- c. *Student Members – 3.*

- i. Two student members shall be appointed by USM with the qualifications set forth in Educ. § 11-108(b).
- ii. One student member shall be enrolled in MSU, SMCM, a community college, or a nonprofit institution of higher education in the State, as set forth in Educ. § 11-108(b). This representative shall be appointed by the Secretary of Higher Education.
- d. *Student Affairs Professionals* – 2. The Secretary of Higher Education, or designee, shall appoint two campus student affairs administrators to serve as *ex officio* (non-voting) members.

7. **Terms.** Except for the student representatives, each member shall serve a two-year term beginning on July 1, with 9 of the members' terms beginning in odd years and 8 beginning in even years. Student representatives shall serve a one-year term beginning on July 1 of each year. All members, including student and *ex officio* members, may be reappointed for additional terms without limitation so long as they continue to meet the criteria set forth in Educ. § 11-108(b).

8. **Vacancies.**

- a. A vacancy shall be deemed to occur whenever a member: (i) is personally absent from two consecutive meetings of the Committee or more than half of the Committee's meetings during any consecutive 12-month period; (ii) is no longer affiliated with the segment or institution the member was appointed to represent; or (iii) can no longer meet the responsibilities of membership, as determined by the Chair.
- b. Upon the existence of a vacancy or notification of a pending vacancy, the Staff Liaison shall notify the Chair and the appropriate segment leader. A segment leader must fill any vacancy within 45 days after the vacancy is deemed to occur. A member appointed to fill a vacancy shall only serve for the remainder of that term, but may be reappointed at the end of the term pursuant to Paragraph 7 of these Bylaws.

9. **Compensation.** Pursuant to Educ. § 11-108(f), a member shall not receive any compensation for their service on the Committee. However, members are entitled to reimbursement for reasonable expenses under the Standard State Travel Regulations as provided in the State budget, or under the applicable travel regulations of a university if the university reimburses the member.

10. **Public Ethics Law.** The members of the Committee are subject to and shall comply with the provisions of the Maryland Public Ethics Law, unless determined to be exempt by the State Ethics Commission.

### **Officers**

11. **Chair.** Pursuant to Educ. § 11-108(c), the Committee shall elect a Chair from among its voting members, in accordance with these bylaws. The Chair shall serve a one year term starting on July 1, which must be the second year of the Chair's membership term. The Chair shall prepare or approve each meeting agenda, preside at meetings of the Committee, respond to Maryland Public Information Act requests, and shall have any other duties assigned by the Committee or otherwise prescribed by law or these bylaws. The Chair shall take or re-take the State's Open Meetings Act Training during the 30 days prior to assuming their role as Chair.

12. **Vice-Chair / Chair-Elect.** The Committee shall elect a Vice-Chair, who shall also be Chair-Elect, from among its voting members. The Vice-Chair shall serve a one year term starting on July 1, which must be the first year of the Chair's membership term, and shall serve as Chair in the following year. At the request or absence of the Chair, the Vice-Chair shall perform all duties of the Chair, and when so acting shall have all the powers of the Chair. The Vice-Chair shall take or re-take the State's Open Meetings Act Training during the 30 days prior to assuming their role as Vice-Chair.

13. **Elections.** Elections shall take place no later than June 1 prior to the start of the term. Nominations shall be made at least 15 days prior to an election. Nominations and elections of Committee officers may occur via email. In the event of a vacancy in office, an election shall be held as soon as practicable. An election may be made by the approval of a majority of the Committee members then serving on the Committee.

14. **Number of Terms.** Officers may serve additional terms, if duly elected, without limit.

### **Meetings**

15. **Location.** All or the majority of meetings shall be virtual and held by video conference. Up to two meetings per year may be held in-person on a college or university campus in the State at the Chair's discretion. Virtual participation shall be permissible at in-person meetings if the meeting space can accommodate hybrid meetings in a manner which allows full participation by the members attending virtually.

16. **Frequency and Time.** Pursuant to Educ. § 11-108(e), the Committee shall meet at least six times per year. A schedule of regular meetings for the upcoming term year (July 1 to June 30) shall be provided to members by June 15. The Chair may convene additional meetings as necessary. Meetings shall be held on the first Wednesday of the month in which they occur unless a different day is deemed necessary by the Chair (for example, if a quorum cannot be present).

17. **Open Meetings.** The Committee is a public body subject to the Maryland Open Meetings Act. As required by the Maryland Open Meetings Act, the date, time, and location of

meetings of the Committee, as well as meeting agendas, shall be publicly posted on the website of the Maryland Higher Education Commission at least 4 business days prior to the start of the meeting. All meetings shall be open to the public, unless a closed meeting is necessary and permitted by law.

18. **Meeting Attendance.** With the permission of the chair, a member who is unable to attend a meeting of the Committee may designate a representative to attend in their stead, so long as (1) the representative meets the relevant criteria set forth in Educ. § 11-108(b) and (2) the member notifies the chair no less than two business days prior to the start of the meeting. The representative may be counted for the purposes of establishing a quorum and may participate in the meeting, but may not participate in any vote or other formal action.

19. **Quorum.** The presence of a majority of the members then serving on the Committee shall constitute a quorum to conduct business.

20. **Public Comment.** Members of the public may provide oral public comment if they register with the Staff Liaison by email at least 3 business days prior to the start of the meeting. Written comment may be emailed to the Staff Liaison at least 3 business days prior to the start of the meeting and will be shared with the public at the meeting and made available with the video recording or written minutes of the meeting.

21. **Testimony.** The Committee may solicit information and testimony from experts and stakeholders, including students, parents, college and university staff, and other interested parties. All written information and testimony provided to the Committee shall be shared with the public at an open meeting and made available with the video recording or written minutes of the meeting.

22. **Voting and Action.** A proposed action of the Committee shall be made by written or oral motion. Any formal action by the Committee may only be taken if approved by a majority of the members then serving on the Committee.

23. **Minutes.** All virtual meetings shall be recorded. Pursuant to General Provisions Article, § 3-306(b), Annotated Code of Maryland, the video recording of a virtual meeting shall serve as the minutes of that meeting. In-person meetings shall be recorded by video if practicable and the video recording shall serve as the minutes of that meeting. If no video recording is made, written minutes shall be prepared by the Staff Liaison and presented to the Committee members at the next meeting for approval.

### **Subcommittees and Workgroups**

24. **Formation.** The Chair may form subcommittees or workgroups as needed to carry out the business of the Committee at any open meeting of the Committee by declaring the formation, purpose, and name of the subcommittee or workgroup.

25. **Membership.** When appointing members to a subcommittee or workgroup, the Chair shall first ask for volunteers from among the members of the Committee. At the discretion of the Chair, a subcommittee or workgroup may include members who are not members of the Committee, so long as more than half of the subcommittee or workgroup members are members of the Committee.

26. **Leadership.** The Chair shall designate a Leader from among the Committee members appointed to the subcommittee or workgroup. The Leader shall be responsible for scheduling meetings, preparing the meeting agenda, reporting the activities of the subcommittee or workgroup to the full Committee at a Committee meeting, and providing minutes and materials to the Staff Liaison to post on the Committee's webpage.

### **Reporting**

27. **Initial Report.** On or before December 1, 2024, the Committee shall report its findings and recommendations to the Governor and Legislature as set forth in Educ. § 11-108(h).

28. **Additional Reports.** The Committee may report additional findings and recommendations at the Committee's discretion or as requested by the Governor or the Legislature.

### **Committee Administration**

29. **Staff Liaison.** In lieu of Educ. § 11-108(d), the Maryland Higher Education Commission shall provide staff for the Committee to ensure consistency in recordkeeping. In consultation with the Chair, the Staff Liaison shall maintain the Committee webpage; maintain the member roster, including coordination of appointments and vacancies; maintain subcommittee and workgroup rosters; and ensure compliance with Open Meetings Act requirements, including dissemination and posting of meeting information and agendas, drafting written minutes when video recording is not available, and posting meeting minutes and materials.

30. **Amendments.** These bylaws may be amended by written resolution and the approval of a majority of the members then serving on the Committee.