

Network Maryland Charter

July 2009

Article I — Introduction

In 1998, the State of Maryland Legislature passed legislation creating a Task Force on High Speed Network Development (HB 847). The Task Force was created to assess the need, develop specific goals, develop proposals, make recommendations, and guide implementation of high-speed computer networking in the State of Maryland.

The Task Force recommended that the State build a high-speed network hereafter referred to as networkMaryland. The intent of was to realize the vision of “One Maryland” through “One Network Maryland” by providing a high-speed network with equitable access to network services regardless of location. Its intent was to position the State well in the new digital economy by serving a wide variety of stakeholders. It was envisioned that the new network would provide high-speed access for stakeholders, enable new services and communication to be developed which, heretofore, had been impossible due to high cost and bandwidth constraints. The design of the network would provide equitable and affordable access to all Marylanders.

The networkMaryland project began in December 1999, under the direction of Maryland State Chief Information Officer (CIO). Computer Science Corporation performed work on the project.

In January 2002, the Maryland State CIO instituted a pause on the project in order to reassess the solution being implemented. A Stop-Work order was issued to Computer Science Corporation on February 11, 2002. Work that began before the Stop-Work order will be referenced as Phase Zero (0). This project charter and plan will address Phase I and beyond of the project.

In June 2003, with Phase I underway, active planning and collaboration for Phase II undertaken and a new direction defined, a revision to the charter and bylaws was begun. NetworkMaryland is now focused on connectivity for state agencies and on collaboration across the state in a network of networks model to extend services to local government as well as schools, libraries, and higher education.

The Department of Information Technology (DoIT) was established with the passage of HB 362 and Senate Bill 212 and approved by Governor Martin O'Malley on April 8, 2008. The former Office of Information Technology within the Department of Budget and Management joined the Major Information

Technology Development Fund to form State agency F50 as a principal unit of the Executive Branch effective July 1, 2008.

Article II — networkMaryland Project Management Office

Section 1. Origin. On February 1, 2002, the State CIO established the networkMaryland Project Management Office within the Department of Budget and Management, Office of Information Technology (DBM/OIT).

On July 1, 2008, the Project Management Office became part of the newly formed Department of Information Technology.

Section 2. Mission: The networkMaryland Project Management Office is responsible for ensuring the State's compliance with the intent of the State Legislature, the State CIO and networkMaryland Advisory Group recommendations.

Section 3. Responsibilities: Specific responsibilities of the networkMaryland Project Management Office were detailed in the networkMaryland Project Plan – Phase II dated May 2003. The Project Management Office now executes projects affecting networkMaryland, consistent with the Department of Information Technology's master plan, under the direction of the networkMaryland Director.

Article III –networkMaryland Advisory Group

Section 1. Origin. NetworkMaryland will have a significant impact to a wide variety of constituents throughout the State of Maryland. On February 8, 2002, the Secretary, Department of Budget and Management (DBM) and the State CIO presented to the Maryland Delegates, and on February 20, 2002, presented to the Maryland Senate, their intent to implement an Advisory Group to provide oversight and direction of the networkMaryland Project.

In June 2003 with new leadership and the developing network, the Advisory Group has evolved from an oversight and direction role to that of a body of professionals focused on discussion, review, advocacy and advice for the project.

- **Section 2. Mission**

The Advisory Group exists to provide:

- Representation and active participation of all stakeholders
- Advice and expertise on a wide range of issues related to networkMaryland, including customer needs and evaluation of services
- Advocacy

- **Section 3. Responsibilities.**

The responsibilities of the networkMaryland Advisory Group are to:

- Act as the representative for each stakeholder group providing a continuing arena for stakeholder input and communication
- Provide advice on key issues facing networkMaryland
- Provide recommendations concerning capital and operating budgets
- Assist with prioritization of approved funded work efforts
- Provide input to the development of a multiyear strategic plan and to budget forecasts for networkMaryland

To accomplish these responsibilities the Advisory Group will:

- Regularly inform, seek input and update appropriate stakeholder groups regarding networkMaryland initiatives and operations
- Formally bring issues and needs of stakeholders to the attention of the State CIO, project team and the Advisory Group
- Participate in standing subcommittees or ad hoc groups formed to address specific issues or tasks
- Attend scheduled Advisory Group meetings and provide input

- Identify and assist with planning for future use needs, requirements and priorities
- Discuss and provide recommendations related to budgets and cost effective formulas needed to develop and maintain a viable project
- Discuss and make recommendations on key issues facing networkMaryland
- Participate in the strategic planning process for networkMaryland

Section 4. Advisory Group Membership

Section 4A Criteria: The primary criteria for Advisory Group membership are individual expertise and commitment to the vision and purpose of networkMaryland. The Advisory Group shall consist of members that provide cross representation throughout the State.

Section 4B. Voting Members. The Advisory Group will consist of one representative or their designee from each of the following entities.

1. State Government, representative selected by Secretary of the Department of Information Technology.
2. Higher Education, representative selected by Secretary of Higher Education.
3. County Government, representative selected by Executive Director, Maryland Association of Counties.
4. Municipal Government, representative selected by Executive Director, Maryland Municipal League.
5. Maryland Department of Transportation, representative selected by Secretary of Transportation, Maryland Department of Transportation.
6. Hospitals, representative selected by Senior Vice President Legislative Policy, Maryland Hospital Association.
7. Libraries, representative selected by Assistant State Superintendent for Libraries, Maryland State Department of Education.

8. Western Maryland, representative selected by the General Assembly.
9. Eastern Shore, representative selected by the General Assembly.
10. Southern Maryland, representative selected by the General Assembly.
11. Central Maryland, representative selected by the General Assembly.
12. K-12, representative appointed by Secretary of Maryland State Department of Education.
13. Department of Business and Economic Development (DBED), representative appointed by Secretary of DBED

Section 4C. Ex-officio Members. The networkMaryland Director shall be an ex officio, non-voting member of the Advisory Group. One representative from the Public Services Commission, TEDCO, and Public Safety shall be an ex officio, non-voting member of the Advisory Group. The Advisory Group may designate other personnel as ex-officio, non-voting members of the Advisory Group when warranted to bring particular skills and expertise to the project.

Section 4D. Member Rights. Members may, during any regularly scheduled meeting:

- Make recommendations to the Advisory Group for consideration
- Delegate, in writing, a voting proxy to a member of Advisory Group or another appropriate representative as defined in Section 4B.

Members may, prior to any scheduled meeting:

- Submit agenda items for meetings to the networkMaryland Chairperson.
- Designate an alternate representative to attend the scheduled meeting. The alternate shall have all voting rights of the delegating member.

Section 4E. Membership Change Process The make-up of the Advisory Group may be modified by a two-thirds vote of the Advisory Group. At no time will the size of the Advisory Group be less than 8 or more than 16 Voting Members.

Members may make suggestions to establish representation for entities not covered in Section 4B.

Section 4F. Re-Certification. To confirm representation on a regular basis and to ensure the continued experience and vitality of the Advisory Group, a re-certification process shall be instituted biennially for all Members, starting in January 2005. Appointing groups must re-certify they're existing representative or designate a replacement by April 30th of the re-certification year. New representatives will be seated at the July meeting.

Section 4G. Vacancy. An Advisory Group Member who must step down for reason of retirement, job transfer, etc., shall send a letter to the Chair of the Advisory Group indicating the date of his last meeting. His alternate shall be seated at the meeting following his departure. If an alternate is not available, the appointing group will be asked to name a replacement until the next re-certification cycle.

A vacant seat shall exist when an Advisory Group Member, or an identified alternate representative, is absent half of the meetings in one calendar year. The appointing group shall be asked to name a replacement until the next recruitment process.

Section 5. Officers and Records

Section 5A. Chair: The Department of Information Technology Secretary, or designee, shall serve as the Chair of the networkMaryland Advisory Group. The Chair shall:

- Preside over all regular and, if required, special –networkMaryland Advisory Group meetings.
- Oversee the coordination of the networkMaryland Advisory Group meetings, including setting the time and location of such meetings.
- Create and distribute an agenda for the meeting five days in advance of each networkMaryland meeting date.
- Regularly report on the status of networkMaryland, its budget and related issues.

Section 5B. Vice-Chair. The networkMaryland Director shall serve as Vice-Chair. The Vice-Chair shall serve as the Chair when the Department of Information Technology Secretary is unable to attend meetings, and to support the Department of Information Technology Secretary as Chair.

Section 5C. Staff Support. The Department of Information Technology shall provide staff support and keep the official records of the Advisory Group. The Department of Information Technology shall:

- Be responsible for all records of the Advisory Group, including but not limited to the original Charter; meeting notes, white papers, and correspondence; and current membership enrollment.

Section 6. Task Forces.

Section 6A. Task Forces. The Advisory Group will establish Task Forces to accomplish certain activities or functions, as will be required to fulfill the responsibilities. The Advisory Group shall determine the Task Forces needed, and will define the structure and membership of each task force. All Task Forces shall have at least one member from the networkMaryland Advisory Group.

Section 6B. Task Force Objectives. The objective of the Task Force shall be clearly identified to include the objective, deliverables, and time frame of the Task Force. The Task Force shall cease to exist at the completion of their charge.

Section 7. Voting Rights; Quorum. All decisions made by the Advisory Group shall be decided by vote. Each representative is allowed one vote on behalf of his/her respective organization, and up to one additional vote if bearing the proxy of another representative. A quorum of half the membership must be established in order for an issue to be decided by majority vote. The Advisory Group shall act upon the agreement of a majority of the membership present and voting except as specifically provided elsewhere in this Charter. The chairperson shall vote only where no decision can be reached, such as in the event of a tie.

Section 8. Meetings

Section 8A. Regular Meetings. During its initial year, the networkMaryland Advisory Group will meet monthly on a scheduled basis, with additional meetings called as needed. Thereafter, the networkMaryland Advisory Group will establish a meeting schedule that reflects the ongoing needs of networkMaryland, no less than 3 times per calendar year.

Section 8C. Meeting Agenda. An agenda for regular meetings of the Advisory Group shall be prepared by the networkMaryland Director in accordance with directions of the Advisory Group Chairperson and shall be sent to each member of the Advisory Group at least five days in advance of

each meeting. Discussions and actions by the Advisory Group shall not, however, be limited to the items included on the agenda, but may include any business not inconsistent with the Bylaws and within the duties and powers of the Advisory Group.

Section 8D. Special Meetings. The Advisory Group shall hold special meetings upon the call of the Chairperson. The Chairperson may call a special meeting at his/her initiative or in response to the written request of five members of the Advisory Group at any time. Five days notice of any special meeting shall be given to all Advisory Group members, except when the Chairperson determines that special circumstances warrant a shorter notice. At special meetings, only matters covered in the notice to members may be transacted.

Section 8E. Virtual Attendance. The networkMaryland Advisory Group may permit any or all members to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all members participating in the meetings may simultaneously communicate with each other, provided that all participating Advisory Group members deliberate collectively, each in the hearing of every other Advisory Group member and others in attendance at the meeting. A member participating in a meeting by this means is deemed to be present in person at the meeting.

Section 8F. Action Without a Meeting. Actions of the networkMaryland Advisory Group may be taken without a meeting if the action is taken by all voting members of the Advisory Group. The action shall be evidenced by one or more written consents, whether executed manually or electronically.

Section 8G. Addressing the Advisory Group. Groups or stakeholders wishing to address the Advisory Group should submit a written request through appropriate channels to the networkMaryland Director at least 10 days in advance of the meeting of the Advisory Group. The networkMaryland Director shall present such requests to the Chairperson who may deny the request, refer the matter to an appropriate committee of the Advisory Group for consideration, or recognize the non-members to address the Advisory Group at a meeting, provided they adhere to the subject deemed appropriate by the Chairperson and limit their presentation as requested by the Chairperson.

Section 8H. Open Meetings. All Advisory Group meetings shall be conducted in accordance with Title 10, Subtitle 5 of the State Government Article, Maryland Annotated Code.

Article IV — Advisory Group Committees

Section 1. Committees.

The Advisory Group may establish both Standing and Special Committees. The Chairperson of the Advisory Group or designee shall be an ex officio member of all Standing, Special and Ad Hoc Committees.

Section 2. Standing Committees

The Chairperson of the Advisory Group shall consult with members of the Advisory Group and, having done so, shall appoint members to each of the Standing Committees. In addition, the Chairperson of the Advisory Group shall designate the Chairperson and the Vice Chairperson of each Standing Committee. In making such appointments, the Chairperson shall determine the number of members on each standing committee. In case of a vacancy on a committee, the Chairperson of the Advisory Group shall appoint a new member. Each Committee member shall serve at the pleasure of the Advisory Group Chairperson. Standing Committees of the Advisory Group are:

Section 2A. Committee 1.

Engineering Committee

The Engineering Committee of the networkMaryland Advisory Group will use the best engineering talent available from networkMaryland stakeholders to inform the technical decision making process for networkMaryland. The Committee will support the Advisory Group decision-making process by proposing or reviewing technical standards, network designs, operational practices, network change requests, and producing studies and reports. The Committee will strive to ensure that decisions are technically feasible and beneficial and that they promote ubiquitous network access and cost effectiveness.

The Engineering Committee will:

- Validate that existing and proposed network designs will support the approved business requirements of all current and potential customers
- Review network proposals and make technical recommendations to the Advisory Group

- Recommend networkMaryland technical standards that impact infrastructure reliability, security, interoperability, performance, or other network operations
- Perform comparative studies against other statewide or similar networks
- Recommend practices to improve network operations
- Comment on the technical impacts of any proposal requested by the Advisory Group
- Foster collaboration with and among peer networks, leveraging network initiatives within Maryland

Section 3. Special Committees

Special or Ad Hoc Committees as authorized by the Advisory Group shall be appointed by the Chairperson of the Advisory Group. Such appointments are effective for a period not to exceed one year and Special or Ad Hoc Committees may be reappointed for an additional term of one year by the Chairperson of the Advisory Group.

Section 4. Authority of Committees

Unless otherwise specifically delegated by appropriate resolution or policy of the Advisory Group, authority to act on all matters is reserved to the Advisory Group and the duty of each Standing or Special Committee shall be only to consider and to report or recommend to the Advisory Group on appropriate matters. In cases where specific power or authority to act is granted, a report of final action by any Committee shall be made at the next regular meeting of the Advisory Group and, if confirmation is required, shall be confirmed and approved by the Advisory Group at that time. Any grant to a Committee of authority or power to commit the Advisory Group shall be reviewed by the Advisory Group at the annual meeting each year, at which time it may be modified or rescinded by a majority vote of the members of the Advisory Group.

Section 5. Committee Meetings

All regular committee meetings of the Advisory Group shall be called by the networkMaryland Director or designee at the request of the Committee Chairperson, who shall determine the time and place of the meeting. A majority of the members of any Standing or Special Committee of the Advisory Group may request the Chairperson of the Committee to call a meeting of the Committee. The Chairperson shall, upon receipt of such a

request, have the networkMaryland Director call a meeting.

Section 6. Notice of Meetings

Calls for meetings of Standing Committees shall be in writing and, along with an agenda and such other materials as may be appropriate which the networkMaryland Director shall prepare in consultation with the Committee Chairperson, shall be sent to each member of the Committee at least five days before the scheduled date of the meeting. The networkMaryland Director shall give such other notice as may be deemed appropriate and shall make available upon request a copy of such notice through the Office of the networkMaryland Director.

Section 7. Special or Emergency Meetings

Special or emergency meetings of any Committee may be called at any time by the Chairperson of the Advisory Group or by the networkMaryland Director, who shall designate the time and place for such meetings. The call and notice required in Section 5 and Section 6 above shall not be applicable to the call for such meetings.

Section 8. Records

The transactions of every public committee meeting of the Advisory Group shall be recorded, in summary, and the minutes thereof shall be made available to the public within seven days after approval by the Committee Chairperson. Minutes of executive sessions shall not be available to public inspection.

Article V — Amendments to the Bylaws

Section 1. This Charter may be amended upon two-thirds vote of all Voting Members and ratified by the Secretary, Department of Information Technology. Any request to modify this Charter must be submitted in writing to the networkMaryland Chair.

Section 2. The Bylaws shall be reviewed annually and ratified at the June meeting of the Group.

Article VI — Robert’s Rules of Order Newly Revised

Section 1. Robert’s “Rules of Order”, current edition, shall govern in all matters not covered in the bylaws.

Article VII — Repeal of Inconsistent Provisions

Section 1. Other. Robert's Rules or Order, current edition, shall govern in all matters not covered in this Charter.

Article VIII. — Miscellaneous

Section 1. Acceptance. This Charter takes effect upon the signature by the Secretary, Department of Information Technology and approval of the Advisory Group.

The By-Laws of this Charter were amended by the Advisory Group and ratified by the Secretary, Department of Information Technology on 07/29/2009.

Elliot Schlanger,

Secretary, Department of Information Technology