

**BOARD OF TRUSTEES
UNIVERSITY OF THE DISTRICT OF COLUMBIA
UDC RESOLUTION NO. 2016 ____**

SUBJECT: NOTICE OF FINAL RULEMAKING, REVISION TO THE UNIVERSITY ALCOHOL POLICY

WHEREAS, the District of Columbia law (D.C. Official Code § 1201.01(a) provides for the Board of Trustees of the University of the District of Columbia to adopt, prescribe, amend, repeal, and enforce such bylaws, rules, and regulations as it may deem necessary for the governance and administration of the University; and

WHEREAS, pursuant to D.C. Official Code § 38-1202.06(3), the Board of Trustees is authorized to establish or approve policies and procedures governing admissions, curricula, programs, graduation, the awarding of degrees, and general policy for the components of the University; and

WHEREAS, the University is required to maintain an alcohol policy in compliance with the Higher Education Act, the Campus Safety Act and other federal and local laws; and

WHEREAS, the Board of Trustees approved 8B DCMR § 616 and the corresponding University Alcohol and Drug Policy Guidelines on April 27, 2012; and

WHEREAS, the University now seeks to update the regulations and corresponding policy;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Trustees hereby adopts the Notice of Final Rulemaking and University Alcohol and Drug Policy Guidelines, attached and incorporated hereto; and

BE IT FURTHER RESOLVED that the General Counsel is hereby directed to publish this Notice Final Rulemaking in the District of Columbia Register.

Approved by the Board of Trustees:

July 26, 2016

Dr. Elaine A. Crider
Chairperson, Board of Trustees

NOTICE OF FINAL RULEMAKING

The Board of Trustees of the University of the District of Columbia pursuant to the authority set forth under the District of Columbia Public Postsecondary Education Reorganization Act Amendments (“Act”) effective January 2, 1976 (D.C. Law 1-36; D.C. Official Code §§38-1202.01(a); 38-1202.06) hereby gives notice of its intent to amend Chapter 6 (Campus Life) of Subtitle B (University of the District of Columbia) of Title 8 (Higher Education) of the District of Columbia Municipal Regulations (DCMR).

Henceforth, the Board of Trustees gives notice of its intent to formally adopt a University Alcohol Policy in not less than thirty (30) days from the date of publication of this notice in the D.C. Register and on an emergency basis, to supersede existing alcohol policies and immediately adopt the University Alcohol Policy as approved on May 5, 2016. These emergency rules expire one hundred twenty (120) days after adoption by the Board of Trustees, or upon adoption of a final regulation, whichever shall first occur.

The purpose of the proposed rule is to comply with the requirements of the Drug-Free Schools and Communities Act Amendments of 1989. This policy expands the current University Alcohol Policy statement as it exists in the Student Code of Conduct. The substance of the rules adopted herein was published in the D.C. Register on May 20, 2016 for a period of public comment of not less than thirty (30) days, in accordance with D.C. Official Code §2-505 (a). No public comment was received by the Board within the public comment period.

Chapter 6, CAMPUS LIFE, of subtitle B, UNIVERSITY OF THE DISTRICT OF COLUMBIA, of title 8, HIGHER EDUCATION, of the DCMR is amended as follows:

Section 616.11 is amended as follows:

616.11 The sale of alcoholic beverages on University property shall be strictly limited to approved locations with special permission from the Office of the President.



FISCAL IMPACT STATEMENT

TO: The Board of Trustees

FROM: Office of the Chief Financial Officer (UDC) *Deavia Cooper*

DATE: July 22, 2016

SUBJECT: Final Rulemaking-Revision to the University Alcohol Policy

Conclusion

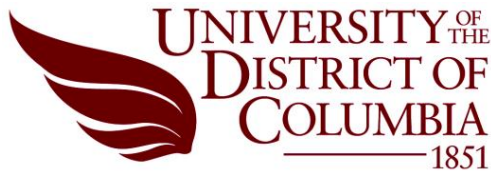
It is concluded that there is no significant fiscal impact associated with the Board of Trustees' authority to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations that it believes necessary for the governance and administration of the University to amend the University's Alcohol Policy. The removal of restrictions allows for the inclusion of events with outside vendors and the associated revenues therewith.

Background

Pursuant to 8B DCMR 616, the Board of Trustees approved the corresponding University Alcohol and Drug Policy Guidelines on April 27, 2012. The purpose of this rule is to comply with the requirements of the Drug-Free Schools and Communities Act Amendments of 1989. The Board of Trustees will revise its regulations and/or policies to reflect administrative changes at the University regarding its Alcohol Policy. The revision is intended to bring UDC's regulation in full compliance with the applicable laws within Department of Education Guidelines. The sale of alcoholic beverages on University property shall be limited strictly to approved locations with special permission from the Office of the President.

Financial Impact

The Office of the Chief Financial Officer of UDC has approved this request based on the information provided. We do not anticipate any risks as this time.



Office of the General Counsel

TO: CHAIR, OPERATIONS COMMITTEE

FROM: KAREN HARDWICK, GENERAL COUNSEL

SUBJECT: NOTICE OF FINAL RULEMAKING – UNIVERSITY ALCOHOL POLICY

DATE: JULY 22, 2016

On May 5, 2016, the Board of Trustees approved a Notice of Proposed Rulemaking (NPRM) to formally adopt a revised University Alcohol Policy. The Notice of Proposed Rulemaking was published in the D.C. Register on May 20, 2016 for a thirty (30) day comment period. The public comment period has lapsed, and no comments have been submitted during the period pursuant to the instructions printed in the Notice.

The Notice of Proposed Rulemaking was initially adopted and forwarded for consideration by the Operations Committee. Pursuant to 8 D.C.M.R. §128.4, if no public comments are received on a Notice of Proposed Rulemaking, "the chairperson of the Board committee may forward the rules to the Board for final adoption without a meeting of or action by the committee."

Accordingly, I am requesting that you, as chairperson of the Operations Committee, forward the referenced rulemaking action to the full Board of Trustees for its further consideration and final rulemaking action. Please contact me if I can be of further assistance.