

**BOARD OF TRUSTEES**  
**UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
**UDC RESOLUTION 2016- \_\_\_\_\_**

**SUBJECT: Notice of Proposed Rulemaking- 8B DCMR, Chapter 2- Administration and Management**

**WHEREAS**, pursuant to D.C. Code §38-1202.01 (b), the Board of Trustees has the authority to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations it considers necessary for the governance and administration of the University; and

**WHEREAS**, the administration and management of the University are governed by the provisions of 8B DCMR Chapter 2; and

**WHEREAS**, the Board wishes to clarify the thresholds under which capital project contracts and change orders must be approved by the Board of Trustees; and

**THEREFORE BE IT RESOLVED**, that the Board of Trustees of the University of the District of Columbia hereby approves the attached DCMR regulations; and

**BE IT FURTHER RESOLVED**, that the Board of Trustees of the University of the District of Columbia hereby takes proposed rulemaking action to amend Chapter 2 of the University Rules (Title 8B DCMR); and

**BE IT FURTHER RESOLVED**, that the General Counsel is hereby directed to publish this Notice of Proposed Rulemaking in the D.C. Register as soon as is practicable for a comment period of not less than thirty (30) days, in accordance with the provisions of D.C. Official Code §2-205 (a).

Submitted by the Operations Committee

February 1, 2016

Approved by the Board of Trustees:

February 9, 2016

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Elaine A. Crider  
Chairperson of the Board

**UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
**NOTICE OF PROPOSED 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)(3),(13) (2001 & 2011 Supp.) hereby gives notice of its intent to amend chapter 2 (Administration and Management) of subtitle B (University of the District of Columbia) of title 8 (Higher Education) of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*. The purpose of the proposed rule is to update the administrative structure of University Personnel. The Board of Trustees will take final action to adopt these amendments to the University Rules in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

**Chapter 2, ADMINISTRATION AND MANAGEMENT, of subtitle B, UNIVERSITY OF THE DISTRICT OF COLUMBIA, of title 8, HIGHER EDUCATION, is amended as follows:**

205.4 Specific authorization by the Board shall be required for the following documents or any transaction that would establish an exception to the University Rules as set forth in this subtitle:

- (a) Any commitment for more than seven (7) years; or
- (b) All Capital Procurements as presented in the Capital Budget on annual basis;
- (c) Each transaction that would require any of the following:
  - (1) Modification of the financial plan in excess of the reprogramming authority delegated to the President;
  - (2) Modification of the Capital Budget; or
  - (3) Obligating the University to expenditures or costs for which there is no established funding source.
- (d) Any contracts, other than those already approved in the Capital Budget, resulting in a commitment of greater than four million dollars (\$4,000,000) in a single fiscal year for any Capital Procurement;
- (e) Any change orders/modifications resulting in a cumulative commitment of greater than one million dollars (\$1,000,000);
- (f) Any commitment greater than one million dollars (\$1,000,000) in a single fiscal year for all other University Procurements.



Office of the Chief Financial Officer

Donald L. Rickford  
Chief Financial Officer

### FISCAL IMPACT STATEMENT

**TO:** The Board of Trustees  
**FROM:** Office of the Chief Financial Officer (UDC) *JM*  
**DATE:** January 21, 2016  
**SUBJECT:** Notice of Proposed Rulemaking – 8B DCMR – Administration and Management

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#### Conclusion

It is concluded that there is no significant fiscal impact to the proposed rulemaking action to amend Chapter 2 of the University Rules (Title 8B DCMR).

#### Background

Pursuant to D.C. Code 38-1202.01(b), the Board of Trustees has the authority to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations it considers necessary for the governance and administration of the University. The administration and management of the University are governed by the provisions of 8B DCMR Chapter 2.

The Board wishes to clarify the thresholds under which capital project contracts and change orders must be approved by the Board of Trustees. To this end, the Board proposes to take rulemaking action to amend Chapter 2 of the University Rules (Title 8B DCMR) in order to effect the change in policy.

#### Financial Impact

There appears to be no identifiable additional costs with the implementation of this resolution. As such, the Office of the Chief Financial Officer of UDC has approved this request based on the information provided.