
MEMORANDUM

TO: CHAIR, OPERATIONS COMMITTEE
FROM: STACIE MILLS, ASSISTANT GENERAL COUNSEL *sm*
SUBJECT: CHAPTER 1 RULEMAKING
DATE: JUNE 5, 2015

The purpose of the attached resolution and rulemaking is to update Title 8B of the D.C. Municipal Regulations to reflect current law. Prior to 2012, and pursuant to D.C. Code §38-1204.01(a)(1), the Board of Trustees was required to hold at least six regular meetings annually. The Board of Trustees recognized that they were operating in a manner that was organized and efficient and therefore determined that the business of the Board could be conducted in less than six regular meetings. Accordingly, in 2012 at the Board's request, the D.C. Council enacted D.C. Public Law 19-251 which amended D.C. Code §38-1204.01(a)(1) and changed the minimum meeting requirement from six meetings to four meetings.

Title 8, Chapter 1 of the D.C. Municipal Regulations, which contains the University's rules for Board of Trustee meetings, has not been updated to reflect the 2012 change in law. It is therefore the recommendation of the Office of the General Counsel that the Board of Trustees approve the attached resolution and rulemaking to update 8B D.C.M.R. Chapter 1, §105 to provide for a minimum of four Regular Board meetings rather than six. I am available should there be any further questions.

**BOARD OF TRUSTEES
UNIVERSITY OF THE DISTRICT OF COLUMBIA
UDC RESOLUTION NO. 2015-____**

**SUBJECT: NOTICE OF PROPOSED RULEMAKING, AMENDMENT TO
CHAPTER 1, MINIMUM NUMBER OF REGULAR MEETINGS**

WHEREAS, District of Columbia law (D.C. Official Code §38-1204.01((a)(1))) provides that the Board of Trustees of the University of the District of Columbia (“University”) shall hold meetings periodically, as scheduled by the Trustees; provided, that at least 4 (four) meetings shall be held each year.; and

WHEREAS, pursuant to D.C. Official Code §38-1202.01, the Board of Trustees, was established as a body corporate and charged with the responsibility of governing the University of the District of Columbia and all of its components, possessing all the powers necessary or convenient to accomplish the objects and perform the duties as authorized; and

WHEREAS, the Board of Trustees is committed to operating in an effective and efficient manner consistent with the Mission, Vision, and Goals as communicated in the Vision 2020 Strategic Plan;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the University of the District of Columbia hereby takes proposed rulemaking action to amend Chapter 1 of the University Rules (Title 8B DCMR) consistent with the D.C. Official Code §38-1204.01((a)(1)) which requires a minimum of 4 (four) Regular Meetings annually and as indicated in the attached Notice of Proposed Rulemaking; 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 §2-505 (a).

Submitted by the Operations Committee

June 18, 2015

Approved by the Board of Trustees:

Date

Dr. Elaine Crider
Chairperson of the Board

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 1 (Board of Trustees) 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 adjust the minimum number of Regular Meetings which must be held annually consistent with D.C. Official Code §38-1204.01(a)(1). 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.

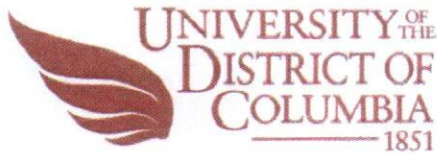
Chapter 1, BOARD OF TRUSTEES, of subtitle B, UNIVERSITY OF THE DISTRICT OF COLUMBIA, of title 8, HIGHER EDUCATION, is amended as follows:

Section 105, MEETING OF THE BOARD OF TRUSTEES, Subsection 105.4 is amended as follows:

- 105.4 Meetings of the Board of Trustees shall be held in the District of Columbia in accordance with D.C. Official Code § 38-1204.01 (2001; 2011 Supp.) and shall be called or scheduled as follows:
- (a) Regular Meetings. In accordance with D.C. Official Code § 38-1204.01 (2001; 2011 Supp.) the Chairperson or a majority of the members of the Trustees may convene a meeting. Regular meetings of the Board shall be based upon a schedule established by the Chairperson or majority of the members of the Board in consultation with the President. The Board shall conduct at least four (4) regular meetings each year.
 - (b) Special Meetings. Special meetings of the Board shall be called by the Chairperson, or by a majority of the members of the Board. In the case of a meeting called by the Chairperson or a majority of the members of the Board, the Chairperson or majority shall notify the President in writing not less than forty-eight (48) hours prior to the meeting of the time and place of the meeting.
 - (c) Emergency Meetings. The Chairperson may call an emergency meeting of the Board by notifying the President as promptly as

possible of the nature of the emergency, and the purpose, time, and place of the meeting.

All persons desiring to comment on the subject matter of the proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the D.C. Register. Comments should be filed with the Office of General Counsel, Building 39- Room 301-Q, University of the District of Columbia, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Comments may also be submitted by email to smills@udc.edu. Individuals wishing to comment by email must include the phrase "Comment to Proposed Rulemaking: Board Meetings" in the subject line.



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) *[Signature]*

DATE: June 4, 2015

SUBJECT: Minimizing the Number of Regular Board of Trustees Meetings

Conclusion

It is concluded that there is no significant fiscal impact to effect changes to the Title 8B DCMR §38-1204.01 in which the Board of Trustees of University of the District of Columbia shall hold meetings periodically, as scheduled by the Trustees; provided, that at least four meetings are held each year.

Background

Pursuant to 8B DCMR §1202.01, the Board of Trustees, was established as a body corporate and charged with the responsibility of governing the University of the District of Columbia and all of its components, possessing all the powers necessary or convenient to accomplish the objects and perform the duties as authorized.

Financial Impact

The funding requirement associated with the proposal of minimizing the number of regular annual Board of Trustees Meetings appears to be negligible. As such, the Office of the Chief Financial Officer of UDC has approved this request based on the information provided. We do not anticipate any risks at this time.