

BOARD OF TRUSTEES
UNIVERSITY OF THE DISTRICT OF COLUMBIA
UDC RESOLUTION NO. 2019-_____

SUBJECT: NOTICE OF FINAL RULEMAKING, AMENDMENT TO CHAPTER 4, TITLE 8-B BY ADDING A NEW SECTION 446 - TRAVEL FOR FINAL PRE-EMPLOYMENT INTERVIEWS

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

WHEREAS, pursuant to D.C. Official Code § 38-1202.06(13), it is the duty of the Board to perform such duties and make such regulations as may be necessary to carry out the purposes of the University and that such regulations are adopted in accordance with the provisions of D.C. Official Code § 2-505(a); and

WHEREAS, the University is amending Title 8-B DCMR by adding a new Section 446 to allow the University in certain situations approved by the President, to reimburse reasonable travel expenses for candidates traveling to the University for final, pre-employment interviews in order to strengthen the University’s competitive position in pursuit of talented candidates; and

WHEREAS, the substance of the proposed rules enacted herein was published on September 27, 2019 at 66 DCR 40 for a thirty-day public comment period in accordance with D.C. Official Code §2-505(a) and no public comment was received during the public comment period; and

WHEREAS, pursuant to 8 D.C.M.R. §128.4, where no comments are received, the Chairperson of the Board may forward the rules for final adoption without committee action.

NOW, THEREFORE BE IT RESOLVED that, the Board of Trustees of the University hereby adopts the Notice of Final Rulemaking attached and incorporated hereto as Exhibit A; and

BE IT FURTHER RESOLVED that the Rules enacted herein shall take effect upon publication in the DC Register and that all prior inconsistent resolutions, customs, procedures, and practices are hereby repealed and the General Counsel is hereby directed to publish this Notice of Final Rulemaking in the D.C. Register.

Approved by the Board of Trustees:

November 19, 2019

Christopher D. Bell
Chairperson of the Board

APPENDIX A

UNIVERSITY OF THE DISTRICT OF COLUMBIA

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(13) (2012 Repl.)) hereby gives notice of its intent to amend Chapter 30 (University Procurement Rules) of Subtitle B (University of the District of Columbia) of Title 8 (Higher Education) of the District of Columbia Municipal Regulations (DCMR) effective upon publication of this notice in the *D.C. Register*.

The University is amending Chapter 4, Title 8-B DCMR by adding a new Section 446 to allow the University in certain situations approved by the President, to reimburse reasonable travel expenses for candidates traveling to the University for final, pre-employment interviews in order to strengthen the University's competitive position in pursuit of talented candidates.

The substance of the rules adopted herein was published in the D.C. Register on September 27, 2019 at 66 DCR 40 for a thirty-day public comment period in accordance with D.C. Official Code §2-505(a) and no public comment was received during the public comment period. The rule was adopted by the Board as final on November 19, 2019 and will become effective upon publication of this notice in the *D.C. Register*.

Chapter 4, BUDGET AND FINANCE, of Title 8-B DCMR, UNIVERSITY OF THE DISTRICT OF COLUMBIA, is amended by adding a new Section 446 as follows:


446 TRAVEL FOR FINAL PRE-EMPLOYMENT INTERVIEWS

- 446.1 The University may reimburse an applicant for reasonable travel expenses incurred incidental to final pre-employment interviews for specifically designated positions, approved by the President.
- 446.2 Reasonable travel expenses will be reimbursed in accordance with the University's travel policies and procedures.

MEMORANDUM

TO: JEROME SHELTON, CHAIR, OPERATIONS COMMITTEE

COPY TO: TROY LEMAILE-STOVALL, CHIEF OPERATING OFFICER

FROM: AVIS MARIE RUSSELL, ACTING GENERAL COUNSEL 

SUBJECT: **NOTICE OF FINAL RULEMAKING, AMENDMENT TO CHAPTER 4, TITLE 8-B DCMR – TRAVEL FOR FINAL PRE-EMPLOYMENT INTERVIEWS**

DATE: November 8, 2019

On September 10, 2019, the Board of Trustees approved a Notice of Proposed Rulemaking (NPRM) to allow the University in certain situations approved by the President, to reimburse reasonable travel expenses for candidates traveling to the University for final pre-employment interviews. The NPRM was published in the D.C. Register on September 27, 2019 (66 DCR 40) for a thirty (30) day comment period. The public comment period has elapsed, and no comments were received during the applicable period.

The NPRM was initially adopted and forwarded for consideration by the Operations Committee on August 27, 2019. Pursuant to 8B DCMR §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, as Chairperson of the Operations Committee, you may forward the referenced rulemaking action to the full Board of Trustees for final rulemaking action at the Board meeting scheduled for November 19, 2019.

FISCAL IMPACT STATEMENT

TO: Board of Trustees

FROM: Managing Director of Finance *David A. Franklin*

DATE: September 10, 2019

SUBJECT: DCMR Change – Title 8B, Sections 446 – Pre-Employment Travel

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.

Background

Pursuant to 8B DCMR, the Board of Trustees intends to revise its regulations to allow the University, acting through the approval of the President, to reimburse travel expenses, in accordance with University policy, incurred by candidates for certain designated positions during and in connection with their final pre-employment interview trips to the University.

This expansion of the University's authority to provide reimbursement of travel-related expenses has been determined to be essential in ensuring the University will remain competitive in its recruitment of talented faculty and administrators.

Fiscal Impact

While the addition of circumstances in which travel expense reimbursement may be offered naturally will result in increased expenses for the University, the University expects the impact of its expanded use of travel reimbursement to be immaterial and can be absorbed through the operating budget. Travel expenses for pre-employment interviews are subject to the University's existing travel expense policy. In all cases, expenses will be reimbursed only if reasonable.¹

This request has been approved based upon the information provided. There are no anticipated risks at this time.

¹ In FY2017, the University spent \$4,634.17 for 11 individuals to attend final interviews; in FY2018, the University spent \$1,893.56 for 5 individuals to attend final interviews; and in FY2019, the University spent \$6,763.14 for 12 individuals to attend final interviews.