

Office of the General Counsel

TO: CHAIR, OPERATIONS COMMITTEE

FROM: STACIE MILLS, ASSISTANT GENERAL COUNSEL

SUBJECT: NOTICE OF FINAL RULEMAKING- ANNUAL MEETINGS

DATE: DECEMBER 1, 2015

On July 14, 2015, the Board of Trustees approved a Notice of Proposed Rulemaking (NPRM) to require a minimum of four (4) Regular Meetings of the Board of Trustees annually . The Notice of Proposed Rulemaking was published in the D.C. Register on August 7, 2015 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 at the Board Meeting on December 8, 2015. Please contact me if I can be of further assistance.

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

**SUBJECT: NOTICE OF FINAL 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;

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

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

Approved by the Board of Trustees:

Dr. Elaine Crider
Chairperson of the Board

Date

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)(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).

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 substance of the rules adopted herein was published in the *D.C. Register* on August 7, 2015 for a period of public comment of not less than thirty (30) days, in accordance with D.C. Official Code § 2-505(a) (2011 Supp.). No public comment was received by the Board within the public comment period.

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.

Donald L. Rickford
Chief Financial Officer

Office of the Chief Financial Officer

FISCAL IMPACT STATEMENT

TO: The Board of Trustees

FROM: Office of the Chief Financial Officer (UDC) 

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.