

**BOARD OF TRUSTEES
UNIVERSITY OF THE DISTRICT OF COLUMBIA
UDC RESOLUTION NO. 2020-_____**

SUBJECT: NOTICE OF PROPOSED RULEMAKING, AMENDMENT TO DCMR, Title 8B, CHAPTER 1, Section 105: MEETINGS OF THE BOARD OF TRUSTEES

WHEREAS, 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)(7); 38-1202.06(3)(13)(2012 Repl.) 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 of the District of Columbia (“University”); and

WHEREAS, pursuant to D.C. Official Code § 38-1202.06(13) and (16), 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 generally determine, control, supervise, manage, and govern all affairs of the University and adopt such regulations in accordance with the provisions of D.C. Official Code § 2-505(a); and

WHEREAS, pursuant to 8B DCMR §105.10(b) and (d), the Chair of a standing committee or ad hoc meeting conducted by telephone, electronic video or internet medium must be physically present at each meeting unless it is an emergency or executive meeting; and

WHEREAS, the University seeks to address contingencies in the event of a University emergency declaration issued by the Board of Trustees Executive Committee, or other public emergency declaration by providing that all Board members including the Chair of the Board of Trustees, Chair of standing committees and ad hoc meetings may participate in any meeting by telephone, electronic video or internet medium during such University declared emergency or other public emergency declaration; and

THEREFORE, BE IT RESOLVED that the Board of Trustees of the University of the District of Columbia hereby takes proposed rulemaking action to amend D. C. Municipal Regulations, Title 8B, Chapter 1, Section 105.10 of the University Rules to provide that all Board members including the Chair of the Board of Trustees, Chair of standing committees and ad hoc meetings may participate by telephone, electronic video or internet medium during such emergency declaration issued by the Board of Trustees Executive Committee or other public emergency declaration as indicated in the Notice of Proposed Rulemaking attached hereto as Exhibit A; 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

March 31, 2020

Approved by the Board of Trustees:

April 21, 2020

Christopher Bell
Chairperson of the Board

Exhibit A

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 §§ 38-1202.06(10); 38-1202.06)(13)(16) (2012 Repl. & 2015 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 rulemaking is to amend D. C. Municipal Regulations, Title 8B, Chapter 1, Section 105.10 of the University Rules to provide that all Board members including the Chair of the Board of Trustees, Chair of standing committees or ad hoc meetings may participate by telephone, electronic video or internet medium during such emergency declaration issued by the Board of Trustees Executive Committee or other public emergency declaration.

The Board of Trustees will take final action to adopt this amendment 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, MEETINGS OF THE BOARD OF TRUSTEES, of subtitle B, UNIVERSITY OF THE DISTRICT OF COLUMBIA, of title 8, HIGHER EDUCATION, is amended as follows:

Section 105.10, QUORUM AND VOTING, Subsection 105.10(b) is amended by deleting the following sentence:

105.10(b) “Other than at an emergency or Executive Committee meeting, the Chair of the standing committees shall be physically present at each meeting”.

Section 105.10, QUORUM AND VOTING, Subsection 105.10(d) is amended by adding the following sentence:

105.10(d) All Board members including the Chair of the Board of Trustees, Chair of standing committees or ad hoc meetings may participate remotely by telephone, electronic video or internet medium during an emergency declaration issued by Board of Trustees Executive Committee or other public emergency declaration. The Chair of the Board of Trustees may unilaterally issue such emergency declaration and authorize the convening of meetings remotely by telephone, electronic video or internet medium subject to subsequent ratification of the emergency declaration by the Executive Committee.

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 OfficeofGC@udc.edu. Individuals wishing to comment by email must include the phrase “Comment to Proposed Rulemaking: “Amendment to Meetings of the Board of Trustees” in the subject line.