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**TOPIC:** Convening Closed Session

**COMMITTEE:** Finance

**DATE OF COMMITTEE MEETING:** October 6, 2011

**SUMMARY:** The Open Meetings Act permits public bodies to close their meetings to the public in special circumstances outlined in State Government Article §10-508(a) of the Act. The Finance Committee will convene in closed session today to discuss issues specifically exempted in the Act from the requirement for public consideration. These matters include the discussion of USM financial strategies and issues.

As required by law, the vote on the closing of the session will be recorded. In addition, a written statement of the reason for closing the meeting, including a citation of the authority under §10-508(a) and a listing of the topics to be discussed, is attached.

**ALTERNATIVE(S):** There is no alternative proposed.

**FISCAL IMPACT:** There is no fiscal impact.

**CHANCELLOR'S RECOMMENDATION:** That the Committee on Finance adjourn the open session to reconvene in closed session under §10-508(a) of the Open Meetings Act.

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COMMITTEE RECOMMENDATION:

DATE:

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BOARD ACTION:

DATE:

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SUBMITTED BY: Joseph F. Vivona (301) 445-1923

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**STATEMENT REGARDING CLOSING A MEETING  
OF THE COMMITTEE ON FINANCE  
OF THE USM BOARD OF REGENTS**

Date: October 6, 2011  
Time: 11:15 a.m.  
Location: BWI Hilton  
Motion by: Sen. Frank Kelly  
Seconded by: \_\_\_\_\_

Board  
members:

Vote to close session:

- Unanimous  
 Abstain \_\_\_\_\_  
 Nay \_\_\_\_\_

**STATUTORY AUTHORITY TO CLOSE A SESSION  
State Government Article §10-508(a):**

- (1) To discuss:
- (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) Any other personnel matter that affects one or more specific individuals.
- (2)  To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3)  To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4)  To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

- (5)  To consider the investment of public funds.
- (6)  To consider the marketing of public securities.
- (7)  To consult with counsel to obtain legal advice on a legal matter.
- (8)  To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9)  To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10)  To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
- (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans.
- (11)  To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12)  To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13)  To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14)  Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- Administrative matters.

TOPICS TO BE DISCUSSED: USM financial strategies and issues.

REASON FOR CLOSING: To discuss with members of the Board the item(s) checked above.