



## BOARD OF REGENTS

### SUMMARY OF ITEM FOR ACTION, INFORMATION OR DISCUSSION

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**TOPIC:** Convening Closed Session

**COMMITTEE:** Effectiveness and Efficiency

**DATE OF COMMITTEE MEETING:** January 25, 2012

**SUMMARY:** The Open Meetings Act permits public bodies to close their meetings to the public in special circumstances outlined in Subtitle 5, section §10-508(a) of the Act. The open session of today's meeting of the Committee will be adjourned following completion of the regular public agenda, and the Committee will reconvene in closed session to discuss issues specifically exempted in the Act from the requirement for public consideration.

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) is attached

**ALTERNATIVE(S):** No alternative is suggested.

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

**CHANCELLOR'S RECOMMENDATION:** That the Committee on Effectiveness and Efficiency adjourn the open session to reconvene in closed session under article §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

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**STATEMENT REGARDING CLOSING A MEETING  
OF THE COMMITTEE ON EFFECTIVENESS AND EFFICIENCY  
OF THE USM BOARD OF REGENTS**

Date: January 25, 2012

Time:

Location: Atrium, University System of Maryland Office, Wilson H. Elkins Building,  
3300 Metzert Road, Adelphi, MD

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: Proposed legislation.

REASON FOR CLOSING: To discuss and make recommendations to the Board on items checked above.

VOTE ON MOTION TO CONVENE CLOSED SESSION:

\_\_\_\_\_ Unanimous

or

\_\_\_\_\_ In Favor

\_\_\_\_\_ Opposed

\_\_\_\_\_ Abstained