



## BOARD OF REGENTS

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

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**TOPIC:** Convening Closed Session

**COMMITTEE:** Organization and Compensation

**DATE OF MEETING:** September 8, 2016

**SUMMARY:** The Open Meetings Act permits public bodies to close their meetings to the public in special circumstances outlined in §3-305 of the Act and to carry out administrative functions exempted by §3-103 of the Act. The Board of Regents Organization and Compensation Committee will now vote to reconvene in closed session. As required by law, the vote on the closing of the session will be recorded. A written statement of the reason(s) for closing the meeting, including a citation of the authority under §3-305 and a listing of the topics to be discussed, is available for public review.

It is possible that an issue could arise during a closed session that the Committee determines should be discussed in open session or added to the closed session agenda for discussion. In that event, the Committee would reconvene in open session to discuss the open session topic or to vote to reconvene in closed session to discuss the additional closed session topic.

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

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

**CHANCELLOR'S RECOMMENDATION:** The Chancellor recommends that the BOR Committee on Organization and Compensation vote to reconvene in closed session.

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COMMITTEE ACTION:

DATE: September 8, 2016

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BOARD ACTION:

DATE:

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SUBMITTED BY: Janice Doyle, [jdoyle@usmd.edu](mailto:jdoyle@usmd.edu), 301-445-1906

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STATEMENT REGARDING CLOSING A MEETING  
OF THE USM BOARD OF REGENTS

Date: September 8, 2016

Time: Approximately 9:00 a.m.

Location: Saratoga Building, President's Conference Room 03-117 – 14th Floor,  
University of Maryland, Baltimore

STATUTORY AUTHORITY TO CLOSE A SESSION

Md. Code, General Provisions Article §3-305(b):

- (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.
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- (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.

Md. Code, General Provisions Article §3-103(a)(1)(i):

- [x] Administrative Matters

TOPICS TO BE DISCUSSED:

- 1) Status of unfair labor practice at Towson University, as permitted by §3-305(b)(9) of the General Provisions Article of the Annotated Code of Maryland.
- 2) Status of collective bargaining negotiations relating to the University of Maryland, Baltimore County, University of Maryland, College Park, University of Maryland, Baltimore, University of Baltimore, and the Fraternal Order of Police, as permitted by §3-305(b)(9) of the General Provisions Article of the Annotated Code of Maryland.
- 3) Information update regarding athletics contracts subject to review under BOR VII-10.0 Policy on Board of Regents Review of Certain Contracts and Employment Agreements, as permitted by §3-305(b)(1) of the General Provisions Article of the Annotated Code of Maryland.
- 4) To seek and receive legal advice, as permitted by §3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland.
- 5) Possible discussion regarding administrative matters and scheduling for the

committee.

REASONS FOR CLOSING:

- 1) To receive an update from staff and counsel regarding collective bargaining negotiations between University of Maryland, Baltimore County, University of Maryland, College Park, University of Maryland, Baltimore, University of Baltimore and the Fraternal Order of Police and an unfair labor practice at Towson University, and to discuss collective bargaining strategies, practices and procedures;
- 2) To receive information and conduct an information review concerning a Towson University contract and a number of University of Maryland, College Park contracts which are subject to special review pursuant to BOR VII-10.0;
- 3) To obtain legal advice from counsel regarding matters under discussion in closed session; and
- 4) To address matters relating to the duties, practices and procedures of the Committee on Organization and Compensation