AGENDA FOR PUBLIC SESSION  

4:30 P.M.

Call to Order  
Chair Gooden

1. Chair’s Remarks  
Chair Gooden

2. Reconvene to Closed Session  
Chair Gooden
**TOPIC:** Convening Closed Session

**COMMITTEE:** Committee of the Whole

**DATE OF MEETING:** June 11, 2019

**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 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 Board determines should be discussed in open session or added to the closed session agenda for discussion. In that event, the Board 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 vote to reconvene in closed session.

---

**COMMITTEE ACTION:**

**DATE:**

**BOARD ACTION:**

**DATE:**

**SUBMITTED BY:** Denise Wilkerson, dwilkerson@usmd.edu, 301-445-1906
STATEMENT REGARDING CLOSING A MEETING
OF THE USM BOARD OF REGENTS

Date: June 11, 2019
Time: Approximately 4:35 pm
Location: Conference Call, Elkins Building, Adelphi, MD for Public Session

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) [X] To consult with counsel to obtain legal advice on a legal matter.

(8) [X] 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.
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.

To prepare, administer or grade a scholastic, licensing, or qualifying
examination.

To conduct or discuss an investigative proceeding on actual or possible
criminal conduct.

To comply with a specific constitutional, statutory, or judicially imposed
requirement that prevents public disclosures about a particular
proceeding or matter.

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.

To discuss cybersecurity, if the public body determines that public
discussion would constitute a risk to:

(i) security assessments or deployments relating to information
    resources technology;
(ii) network security information, including information that is:
    1. related to passwords, personal identification numbers, access
codes, encryption, or other components of the security system of
a governmental entity;
    2. collected, assembled, or maintained by or for a governmental
entity to prevent, detect, or investigate criminal activity; or
    3. related to assessment, made by or for a governmental entity
or maintained by a governmental entity, of the vulnerability of a
network to criminal activity; or
(iii) deployments or implementation of security personnel, critical
infrastructure, or security devices.

Md. Code, General Provisions Article §3-103(a)(1)(i):  
[X]   Administrative Matters
TOPICS TO BE DISCUSSED:

1. Plan for an investigation into UMCP’s handling of the adenovirus matter.

REASON FOR CLOSING:

1. To handle administrative matters involved in planning and carrying out an investigation (§3-103(a)(1)(i)).

2. To maintain confidentiality of discussion concerning matters involving potential litigation; and, to maintain confidentiality of attorney-client communications (§3-305(b)(7) and (8)).