

**REVISED**



**BOARD OF REGENTS  
Special Board Meeting  
Columbus Center, Baltimore, MD  
August 7, 2019**

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**AGENDA FOR PUBLIC SESSION**

**10:00 A.M.**

- |  |                        |
|--|------------------------|
| Call to Order  | Chair Gooden           |
| 1. <a href="#">Update on Implementation of Legislative Actions</a> | Chair Gooden           |
| 2. <a href="#">Update on AGB Implementation Plan</a>               | Chair Gooden           |
| 3. <a href="#">Update on Presidents and Chancellor Searches</a>    | Chair Gooden           |
| 4. <a href="#">Update on Shady Grove</a>                           | Vice Chancellor Herbst |
| 5. <a href="#">Convene to Closed Session</a>                       | Chair Gooden           |



**BOARD OF REGENTS**

SUMMARY OF ITEM FOR ACTION,  
INFORMATION OR DISCUSSION

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**TOPIC:** Update on Implementation of Legislative Actions

**COMMITTEE:** Committee of the Whole

**DATE OF MEETING:** August 7, 2019

**SUMMARY:** The Board will receive an update on the implementation of the University System of Maryland - Board of Regents - Transparency and Oversight Legislation (SB 719 & HB 533).

**ALTERNATIVE(S):** The Board could choose not to receive an update.

**FISCAL IMPACT:** No direct fiscal impact at this time.

**CHANCELLOR'S RECOMMENDATION:** Information item.

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COMMITTEE ACTION: DATE: August 7, 2019

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BOARD ACTION: DATE:

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SUBMITTED BY: Denise Wilkerson; [dwilkerson@usmd.edu](mailto:dwilkerson@usmd.edu); 301-445-1906 or 410-576-5734

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**BOARD OF REGENTS**

SUMMARY OF ITEM FOR ACTION,  
INFORMATION OR DISCUSSION

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**TOPIC:** AGB Implementation Update

**COMMITTEE:** Committee of the Whole

**DATE OF MEETING:** August 7, 2019

**SUMMARY:** The Board will receive an update on the implementation of the Association of Governing Board (AGB) report recommendations.

**ALTERNATIVE(S):** The Board could choose not to receive an update on this agenda item.

**FISCAL IMPACT:** No direct fiscal impact at this time.

**CHANCELLOR'S RECOMMENDATION:** Information item.

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COMMITTEE ACTION: DATE: August 7, 2019

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BOARD ACTION: DATE:

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SUBMITTED BY: Denise Wilkerson; [dwilkerson@usmd.edu](mailto:dwilkerson@usmd.edu); 301-445-1906 or 410-576-5734

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**BOARD OF REGENTS**

SUMMARY OF ITEM FOR ACTION,  
INFORMATION OR DISCUSSION

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**TOPIC:** Update on Presidents and Chancellor Searches

**COMMITTEE:** Committee of the Whole

**DATE OF MEETING:** August 7, 2019

**SUMMARY:** The Board will receive an update on the Coppin State University and University of Maryland, College Park president searches and the USM Chancellor search.

**ALTERNATIVE(S):** The board can choose to not discuss this matter.

**FISCAL IMPACT:** TBD.

**CHANCELLOR'S RECOMMENDATION:** This is an information item.

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COMMITTEE ACTION:

DATE: August 7, 2019

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BOARD ACTION:

DATE:

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SUBMITTED BY: Denise Wilkerson, [dwilkerson@usmd.edu](mailto:dwilkerson@usmd.edu), 410-576-5734

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**BOARD OF REGENTS**

SUMMARY OF ITEM FOR ACTION,  
INFORMATION OR DISCUSSION

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**TOPIC:** Update of Shady Grove

**COMMITTEE:** Committee of the Whole

**DATE OF MEETING:** August 7, 2019

**SUMMARY:** The Board will receive an update on the Universities at Shady Grove.

**ALTERNATIVE(S):** The Board could choose not to receive the update.

**FISCAL IMPACT:** No direct fiscal impact at this time.

**CHANCELLOR'S RECOMMENDATION:** Information item.

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COMMITTEE ACTION: DATE: August 7, 2019

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BOARD ACTION: DATE:

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SUBMITTED BY: Denise Wilkerson; [dwickerson@usmd.edu](mailto:dwickerson@usmd.edu); 301-445-1906 or 410-576-5734

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**BOARD OF REGENTS**

SUMMARY OF ITEM FOR ACTION,  
INFORMATION OR DISCUSSION

**TOPIC:** Convening Closed Session

**COMMITTEE:** Committee of the Whole

**DATE OF MEETING:** August 7, 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](mailto:dwilkerson@usmd.edu), 301-445-1906



STATEMENT REGARDING CLOSING A MEETING  
OF THE USM BOARD OF REGENTS

Date: August 7, 2019  
Time: Approximately 10:20 a.m.  
Location: Board Room (G020)  
Columbus Center  
Baltimore, MD

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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.

- (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.
  
- (15) [ ] 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 an 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. Legal advice from counsel on the chancellor's and presidents' appointments and compensation.
2. Legal advice from counsel on UMCP's response to adenovirus and mold.
3. Update on Coalition v. MHEC litigation.
4. Planning of assignments for legislative visits.
5. Update on McNair matter.

REASON FOR CLOSING:

1. To discuss administrative matters concerning assignment of regents for legislative visits (§3-103(a)(1)(i)).
2. To maintain attorney-client privilege with respect to legal advice of counsel relating to personnel matters, and potential and pending litigation (§3-305(b)(7) and (8)).