STATEMENT REGARDING CLOSING A MEETING
OF THE USM BOARD OF REGENTS

Date: November 22, 2019
Time: Approximately 11:00 a.m.
Location: Building II – Bethesda/Gaithersburg Ballrooms
Universities at Shady Grove

STATUTORY AUTHORITY TO CLOSE A SESSION

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

(1) To discuss:

[X] (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

[X] (ii) Any other personnel matter that affects one or more specific individuals.

(2) [X] 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) [X] 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) [X] 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) [X] 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. Meetings with Presidents Nowaczyk and Wight as part of their performance review;
2. Ratification of collective bargaining MOU at UMCES;
3. Consideration of proposed contract for recruiting process contracting services;
4. Discussion of recommendations for an out-of-cycle nomination for an honorary degree;
5. Chancellor Appointment Letter;
6. Chancellor Transition;
7. Discussion of a personnel matter;
8. Update regarding status of investigations in connection with legal claims against an institution and discussion with counsel regarding associated liability issues; and

REASON FOR CLOSING:
1. To maintain confidentiality of discussions regarding a specific employee’s performance evaluations (§3-305(b)(1));
2. To maintain confidentiality regarding a proposed contract before its award (§3-305(b)(14));
3. To maintain confidentiality regarding collective bargaining negotiations (§3-305(b)(9));
4. To maintain confidentiality of personnel-related and personal information of a candidate for an honorary degree (§3-305(b)(1) and (2));
5. To maintain confidentiality of discussions regarding specific employees’ compensation (§3-305(b)(1));
6. To maintain confidentiality of discussion regarding specific employee’s employment contract (§3-305(b)(1));
7. To handle an administrative matter involving planning for transition in Chancellor position (§3-103(a)(1)(i));
8. To discuss matters involving the assessment of an institution’s IT security system (§3-205(b)(15)); and
9. To maintain attorney-client privilege with regard to discussions with counsel regarding legal claims and liability issues and to maintain confidentiality of discussions of pending and potential legal claims. (§3-305(b)(7) and (8)).