



**BOARD OF REGENTS
Special Board Meeting
Conference Call
March 19, 2020**

REVISED AGENDA

AGENDA FOR PUBLIC SESSION

5:00 P.M.

Dial-in number: 888-240-3210

Access code: 9241171

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Call to Order | Chair Gooden |
| 1. Opening Remarks | Chair Gooden |
| 2. Temporary Delegation of Authority to the Chancellor to Amend Board Policy as Needed to Implement Response to COVID-19 (action) | Chair Gooden |
| 3. Reconvene to Closed Session (action) | Chair Gooden |
| 4. Briefing on USM COVID-19 Response (information) | Chancellor Perman |
| 5. Update on Preparedness for Remote Learning (information) | Vice Chancellor Boughman |



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Temporary Delegation of Authority to the Chancellor to Amend Board Policy as Needed to Implement Response to COVID-19

COMMITTEE: Committee of the Whole

DATE OF MEETING: March 19, 2020

SUMMARY: The Board will consider temporary delegation of authority to the Chancellor to suspend or amend any Board of Regents policies, to the extent consistent with applicable laws, as the Chancellor determines necessary to meet the time-critical situations during this Coronavirus pandemic and statewide health emergency. This delegation is consistent with the Board’s authority under Md. Code, Education, § 12-104(k)(1)(i) and the Board’s Bylaws, and is made with the understanding that such delegation of authority will not interfere, impede, or supplant authority already granted to the USM institution presidents. Any temporary authority delegated to the Chancellor to suspend or amend any Board of Regents policies to respond to this emergency situation is initially granted for a maximum of one year and with a fiscal limit of less than \$10 million dollars. The Chancellor will inform the Board chair (or Vice Chair in the absence of the Chair) immediately upon any exercise of such authority, and the full Board will be apprised of such action in a timely manner. In granting this delegation of authority, it is understood that the Board of Regents may revise or renew this authority hereafter as it deems necessary.

The Board will vote on granting the Chancellor temporary authority described above to temporarily suspend or amend Board of Regents policy as needed to implement the USM’s response to COVID-19.

ALTERNATIVE(S): The Board could vote not to delegate this authority to the Chancellor.

FISCAL IMPACT: None.

CHANCELLOR’S RECOMMENDATION: Respectfully request that the Board consider temporary delegation of authority to the Chancellor to suspend or amend Board of Regents policies as needed to implement response to COVID-19.

COMMITTEE ACTION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 301-445-1906



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Convening Closed Session

COMMITTEE: Committee of the Whole

DATE OF MEETING: March 19, 2020

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, dwickerson@usmd.edu, 301-445-1906



STATEMENT REGARDING CLOSING A MEETING
OF THE USM BOARD OF REGENTS

Date: March 19, 2020
Time: Approximately 5:10 p.m.
Location: Conference Call

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) [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) [] 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 and discussion with staff related to potential legal/liability issues associated with COVID-19 response;
2. Discussion regarding status of collective bargaining; and
3. Discussion regarding strategic communication with internal and external stakeholders.

REASON FOR CLOSING:

1. To maintain attorney-client privilege regarding consultation with legal counsel to obtain advice, and to maintain confidentiality of discussion with staff regarding legal/liability issues associated with various aspects of COVID-19 response (§3-305(b)(7) and (8));
2. To discuss matters related to status of collective bargaining (§3-305(b)(9)); and
3. To handle an administrative matter regarding strategies for USM communications with internal and external stakeholders (§3-103(a)(1)(i)).



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Briefing on USM COVID-19 Response

COMMITTEE: Committee of the Whole

DATE OF MEETING: March 19, 2020

SUMMARY: The University System of Maryland continues to prepare for the impact of the COVID-19 outbreak. The Chancellor will brief the Board on a number of key actions and issues related to this preparation and planning.

ALTERNATIVE(S): The Board could choose to not hear this update.

FISCAL IMPACT: None.

CHANCELLOR'S RECOMMENDATION: That the Board receive an update on the USM's response to COVID-19.

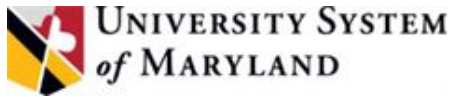
COMMITTEE ACTION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 301-445-1906



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Update on Preparedness for Remote Learning

COMMITTEE: Committee of the Whole

DATE OF MEETING: March 19, 2020

SUMMARY: USM institutions are preparing for students to move to remote learning environments after an extended spring break. Senior Vice Chancellor for Academic and Student Affairs Boughman will provide a brief update on the extensive work being done at the USM institutions to meet the needs of the students.

ALTERNATIVE(S): The Board could choose to not hear this update.

FISCAL IMPACT: None.

CHANCELLOR'S RECOMMENDATION: That the Board receive an update on the preparations for remote learning.

COMMITTEE ACTION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 301-445-1906
