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COUNCIL OF THE DISTRICT OF COLUMBIA

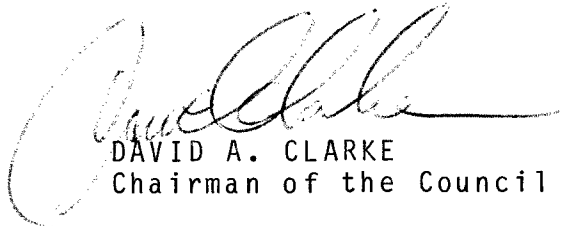
NOTICE

D.C. LAW 8-69

"Board of Trustees of the University of the District of Columbia Amendment Act of 1989".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-232 on first and second readings, September 26, 1989, and October 10, 1989, respectively. The legislation was deemed approved without the signature of the Mayor on November 1, 1989, pursuant to Section 404(e) of "the Act", and was assigned Act No. 8-105, published in the November 10, 1989, edition of the D.C. Register, (Vol. 36 page 7737) and transmitted to Congress on November 6, 1989 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-69, effective February 27, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

November 6,7,8,9,13,14,15,16,17,20,21,22

January 23,24,25,26,29,30,31

February 1,2,5,6,7,8,20,21,22,23,26

D.C. LAW 8 - 69
FFR 27 1990

Enrolled Original

Codification
District of Columbia Code
(1990 Supplement)

AN ACT

D.C. ACT 8 - 10 5

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOV 0 1 1989

To amend the District of Columbia Public Postsecondary Education Reorganization Act to change the terms of service and method for selecting the members of the Board of Trustees of the University of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Board of Trustees of the University of the District of Columbia Amendment Act of 1989".

Sec. 2. Section 201 (c) through (n) of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1424; D.C. Code, sec. 31-1511(c) through (n)), is amended by repealing subsections (m) and (n) and by amending subsections (c) through (l) to read as follows:

31-1511

"(c) The Board of Trustees shall consist of 15 voting members selected in the following manner:

"(1) Eleven members shall be appointed by the Mayor with the advice and consent of the Council.

"(2) One member shall be a full-time student in good standing at the University elected by secret ballot by the student community at an election at which each registered student at the University shall be entitled to 1 vote.

"(3) Each of the three remaining members shall be a holder of a degree from the University of the District of Columbia or from 1 or more of its predecessor institutions, including Miner Teachers College, Wilson Teachers College, District of Columbia Teachers College, Washington Technical Institute, or Federal City College, and shall be elected by a postal ballot election at which each living person who holds a degree from any of the foregoing institutions shall be sent a ballot and shall be entitled to vote.

"(4) The Board of Trustees shall be responsible for the efficient and fair conduct of the elections for

student and alumni Trustees pursuant to paragraphs (2) and (3) of this subsection. The elections shall be governed by election rules adopted by the Board of Trustees in accordance with the Board of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1501 et seq.). The initial rules shall be adopted by the Board of Trustees within 100 days of the effective date of the Board of Trustees of the University of the District of Columbia Amendment Act of 1989, and shall include provisions for nomination of candidates by petition and may also provide for a nominating committee which, if it is appointed, shall submit for inclusion on the ballot twice as many names of nominees as there are positions to be filled. The Board of Trustees may, in its discretion, seek and receive advice and assistance from the Board of Elections and Ethics in preparing the election rules. The Board of Elections and Ethics may, by agreement with the Board of Trustees of the University, furnish other assistance requested by the Board of Trustees.

"(d) The student member of the Board of Trustees shall serve for a term of 1 year, beginning on May 15th following his or her election.

"(e) Except as provided in subsection (1) of section 202, each non-student member of the Board of Trustees shall serve for a 5 year term, beginning on May 15th following his or her election or confirmation by the Council.

"(f) A member of the Board of Trustees who has completed a full 5 year term in accordance with subsection (e) may be reappointed or re-elected to serve 1 additional term, after which the former member may not become a Trustee by election or by appointment until May 15th of the fifth year following the year in which the former member left the Board. Service pursuant to subsection (1) of section 202 for the remainder of the term of a Trustee who has died or resigned shall not, by itself or in conjunction with other service, constitute a bar to the re-election or reappointment of a person who has served as a Trustee.

"(g) Each member of the Board of Trustees serving on the effective date of the Board of Trustees of the University of the District of Columbia Amendment Act of 1989 shall continue to serve until May 15th following the conclusion of his or her previously established term.

"(h) A member may not continue to serve as a Trustee after the expiration of the member's term as established by this section unless the member has been reappointed or re-elected pursuant to subsection (f) of this section.

"(i) When the term of 1 or more Trustees appointed by the Mayor with the advice and consent of the Council is due to expire on May 15th in any year, the Mayor shall transmit to the Council, not later than February 17th of that year,

the nomination of a person to succeed each Trustee whose term is due to expire that year. The Council shall act on each timely nomination not later than April 15th of that year, and if no action is taken by the Council by April 15th of that year, the nomination shall be deemed approved.

"(j) A chairperson and a vice-chairperson of the Board of Trustees:

"(1) Shall be chosen by a majority vote of the Trustees;

"(2) Shall serve as chairperson or vice-chairperson until May 15 next following his or her election to that office; and

"(3) May be re-elected as chairperson or vice-chairperson if still a member of the Board of Trustees.

"(k) A member of the Board of Education or a member of the Board of Governors of the District of Columbia School of Law shall not serve as a Trustee of the university. Except as provided in subsection (1) of this section a paid officer or employee of the University of the District of Columbia shall not serve as a Trustee. A retired officer or employee of the University of the District of Columbia, shall, however, be eligible to serve as a Trustee. A Trustee shall forfeit his or her membership on the Board upon failure to maintain the qualifications required by this subsection.

"(l) The Chief Executive Officer of the University shall be a non-voting ex officio member of the Board of Trustees."

Sec. 3. Section 202 (g) through (n) of the District of Columbia Public Postsecondary Reorganization Act, approved October 26, 1974 (88 Stat. 1425; D.C. Code, sec. 31-1512(g) through (n)), is amended to read as follows:

31-1512

"(g) Except as otherwise provided in this section, the Committee shall act only at a meeting called by the Chairperson of the Committee, or by a majority of the members of the Committee, and only after notice of the meeting has been given to each member of the Committee, and also to the general public by posting notices at the University and in other public places, publication in the District of Columbia Register, and publication through other media as the Committee shall deem appropriate. When the Committee plans to present proposed nominees to the Mayor, the notice shall invite suggestions and resumes of possible candidates from the public pursuant to subsection (j) of this section, except that republication is not required if an invitation for suggested nominees for the same vacancy or vacancies has already been published in the prescribed manner.

"(h) The Committee shall choose annually from among its members a Chairperson and other necessary officers. The

Committee may adopt rules of procedure to govern the business of the Committee, which shall be adopted in accordance with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1501 et seq.).

"(i) Each agency of the government of the District of Columbia shall furnish to the Committee, upon request, the records, information, services, other assistance, or facilities to enable the Committee to perform its function properly. Any information furnished to the Committee and designated "confidential" by the person furnishing it shall be treated by the Committee as privileged and confidential.

"(j) The Committee shall present prospective nominees to the Mayor for consideration for nomination for the Board of Trustees of the University of the District of Columbia. The Committee shall evaluate each candidate's performance, including experience on other boards, and shall assess the candidate's familiarity with University operations. The Committee shall publicly advertise in the District of Columbia Register, through notices posted, at the University and elsewhere, and otherwise, for suggestions and resumes of candidates for nomination as Trustees. The committee shall interview, to the extent practicable, all prospective candidates, and shall prepare a written assessment of each candidate for submission to the Mayor.

"(k) If the term of one or more Mayoral appointments to the Board of Trustees is due to expire on May 15 in any year, the Committee shall submit to the Mayor a list containing 3 times as many prospective nominees as there are expected vacancies. The list of names shall be submitted to the Mayor on or before January 2nd of the year in which the terms of the member or members are due to expire. If there is more than one prospective vacancy the Mayor may appoint more than one person from any list currently before him or her. To the extent permitted by section 201(f), the Committee may resubmit as a prospective nominee a Trustee whose term is due to expire and who is willing to continue his or her service as a Trustee. If the Mayor fails to submit a timely nomination to the Council as required by section 201(i), the Committee shall select a nominee from the list which had been sent to the Mayor and shall transmit the name of that nominee directly to the Council for consideration for confirmation.


"(l) If a vacancy on the Board of Trustees occurs as a result of the death, resignation, or removal for cause of a Trustee, the Board of Trustees shall promptly notify the Committee and the Committee shall submit a list of 3 persons to the Mayor for his or her consideration for filling the vacancy. The nomination of a person to fill the vacancy shall be submitted by the Mayor to the Council within 60

days subsequent to the death, resignation, or removal for cause of the former Trustee. A Trustee so appointed after confirmation by the Council shall serve only for the remainder of the term of the member who died, resigned, or was removed for cause.

"(m) Four of the 11 Trustees appointed by the Mayor with the advice and consent of the Council may be nonresidents of the District of Columbia. At least seven of the 11 Trustees so appointed shall reside in the District of Columbia at the time of their confirmation by the Council. In making proposed nominations to the Mayor, the Nominating Committee shall submit the names of District residents and nonresidents in such proportion that the Mayor may comply with the provisions of this subsection.

"(n) Each Mayoral nominee whose name is to be transmitted to the Council shall be selected from the list of proposed nominees submitted to the Mayor by the Committee."

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia

DEEMED APPROVED WITHOUT
SIGNATURE UPON EXPIRATION
OF 10-DAY MAYORAL REVIEW PERIOD.

NOT SIGNED

Mayor
District of Columbia

November 1, 1989



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-232

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 9-26-89

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
 Secretary to the Council

10-16-89
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 10-10-89

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell Smith
 Secretary to the Council

10-16-89
 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

 Secretary to the Council

 Date