CUSF General Body Meeting
University of Baltimore, Baltimore, Maryland

Minutes

Monday, December 10, 2012

Attendance:	
Bowie (2)	Joan S. Langdon, Monika Gross
Coppin (2)	Virletta Bryant
Frostburg (3)	Robert Kauffman, Elesha Ruminski
Salisbury (3)	David Parker, Bobbi Adams, Paul Flexner
Towson (4)	Jay Zimmerman, Martha Siegel, Leonie Brooks (phone), Cheryl Brown, Thomas Krause
UB (2)	Stephanie Gibson, John Callahan
UMB (5)	Richard Manski, Richard Zhao
UMBC (3)	Drew Alfgren, Roy Rada, Nagaraj Neerchal
UMCES (2)	Rose Jagnus
UMCP (6)	Bernard Cooperman, Radu, Balan
UMES (2)	Bill Chapin
UMUC (3)	Betty Jo Mayeske, Margaret Cohen, Joyce Henderson, David Hershfield
Guests:	Joann Boughman (USM)

Future Meeting Dates for 2012-2013:

January 23, 2013 (Wednesday)	USM, University System of Maryland
February 18, 2013 (Monday)	UMB, University of Maryland, Baltimore
March 11, 2013 (Monday)	SU, Salsibury University
April 9, 2013 (Tuesday)	TU, Towson University
May 10, 2013 (Friday)	UMCP, University of Maryland College Park
June 14, 2013 (Friday)	UMBC, University of Maryland Baltimore County

CONVENING THE MEETING - 10:00 a.m.

The meeting was convened at 10:00 a.m. by Jay Zimmerman.

WELCOME FROM UNIVERSITY OF BALTIMORE - 10:02 a.m.

Stephanie Gibson introduced Joseph Wood, Provost at UB for the last three and one half years. Dr Wood noted that the University of Baltimore is changing significantly. He noted that last year the institution graduated more undergraduates than graduate students with 51% undergraduates. It is changing the nature of the institution. He noted that when the institution went public, it did not have students for the first two years. It was the period of the 1970s and 1980s and the rise of the community college. They didn't take students for the first two years because they didn't want to compete with the community

colleges. Regarding shared governance, admitting freshman students reflects the changing climate within the institution and has opened up and evolved considerably over the last several years.

Dr. Wood took several questions. One focused on *meet and confer*. He noted that they have 264 adjuncts and 200 full-time faculty. They had 53% of the adjuncts voting and they chose to use internal representation. Next, there was a follow-up question on the transformation of UB into a more traditional undergraduate institution. Third, there was a question regarding the terminology of adjunct and the use of adjunct one and two. Fourth, he touched briefly on their connection with John Hopkins. Fifth, there was a question if adjuncts have representation on faculty senate. He indicated that they have one representative who will be duly elected by a process that is currently being determined. Last, he noted that their law school was fairly unique. He termed it as a "retail law school." He defined this as local people who actually went to law school to practice law. He went on to explain how they were able to utilize judges and other key personnel to enhance their law school.

INTRODUCTIONS AND MINUTES - 10:27 a.m.

At the request of Jay Zimmerman, faculty introduced themselves and their institutions.

Regarding the minutes, John Callahan noted that in the motion made at the last meeting regarding MHEC, that the problem was not due to a blocking action of MHEC but that they were having administrative problems that affected not only his institution but other institutions within the System also. Because of these administrative problems, program approval from out-of-state institutions and privates were inconsistent. He desired a "level playing field" and that this was the intent of the motion. The motion to approve the minutes with the previous clarification was approved. [Secretary's Note: *The October CUSF General Body minutes have been updated with an addendum to this effect*.]

REPORT FROM USM - 10:32 a.m.

Joann Boughman, Senior Vice Chancellor of Academic Affairs, presented her report. First, she indicated that the *Faculty Workload Report* was presented to the Board of Regents and it will be forwarded to the State. There was nothing in the report that was not unexpected. Several of the comments made regarding the Workload Report are listed below:

- In response to a question on the *workload report*, Joann noted that UMUC and sometimes even UB are not included in the Workload Report due to the unique structure of their institutions. The main focus of the workload report is on full-time faculty rather than adjuncts. There was some disagreement from members with not including these institutions in the workload report. Joann indicated that there may be an opportunity to enhance the report by including adjuncts.

- In response to another question on funding, Joann indicated that the traditional monies available because of enrollment growth are no longer available. She suggested that this may lead to a flattening of enrollment growth or a "plateau effect."

- One faculty member expressed continued concern with Coppin. Their teaching load was still 8.3 while traditionally, their teaching load should not be over 8.0.

- It was noted by Jay that if desired, Ben Passmore could be invited to the General Body meeting to explain the workload report and its implications for CUSF members. In addition, it was noted

that Ben discussed this issue at the October ExecCom meeting and that the general consensus of ExecCom was that CUSF should proceed with caution since the workload report is designed to meet a specific need by the legislature. [Secretary's Note: *See the October 3, 2012 ExecCom Minutes for a discussion of the workload report and its implications for CUSF. The summary from the October 3rd discussion is provided below for member's convenience*.]

> Regarding the next step and what should be done, there was general consensus to proceed with caution because of the unintentional consequences of using an instrument designed to provide the Regents and the Legislature with data on productivity differently than its original intent. Second, this topic should be brought up at the Chair's meeting to determine if workload is an issue on other campuses. Third, regarding Coppin, the general consensus was that the faculty should work with their President in this issue in conjunction with Joann's office. Fourth, the UMUC issue was raised. Ben noted that UMUC along with several other schools where there are a large number of adjunct faculty have been excluded from the workload report. This is because the workload report was a report of full-time faculty workload, and they were excluded because they didn't fit the parameters of the report. Fifth, it was suggested that ExecCom continue to work with and pursue this issue with Joann and her office. (October 3, 2012 ExecCom Minutes)

Next, Joann discussed general *enrollment trends* based on a recent report. First, there are only 1,100 additional students in the entire system this past year. Second, there are 47 new full-time faculty across the system this past year. Most of the campuses are maintaining current enrollment levels. Third, she indicated that the campuses have lost enhancement funding. It is her opinion that many campuses are making the decision that the status quo is alright. Fourth, at the same time the head count is not increasing, but the graduation rates are increasing. We have newer students each year and there are fewer "hanger-on" students adding to the head count. Stable is not where we want to be. In theory, it is not where the Governor wants to be either. Regardless, System will continue to make the point that in order to teach more students, we will need additional resources.

At the request of the chair, Joann discussed *performance based budgeting*. This is an issue where a few legislature staffers have latched onto the concept and recommend its implementation within Maryland. Although on the surface it may seem plausible, Joann noted that in every state in which it has been tried, it has failed. She noted that because of the differences in the goals and missions of the individual campuses, it would be difficult to develop a performance based budgeting system across the system. In addition, there is a pier based system already in place and the base is underfunded. She noted that they have had a very busy work group and reported on its findings. A recommendation was that if performance based funding is considered, it should be considered at the base of all the funding that goes to higher education with a 1% additional funding being distributed on the basis of performance based funding. There would be a little bit to the community colleges and to the System based on their formulas. [Secretary's Note: *See the November 13, 2012 CUSF Minutes, Legislative Update, for a more complete discussion by P.J. Hogan of the three funding levels and the budgeting process.*] In conclusion, Joann noted that they have been having some success explaining the problems associated with performance based budgeting and this has decreased the interest in the approach by the legislative staffers.

The Ed Policy Committee of the BOR now has a new name. It is the *Committee on Education and Student Life*. She noted that issues on student life would normally have made it to this committee and that the change reflects the normal processes currently in place.

Last, Joann returned to the Coppin situation. As everyone knows, President Reginald Avery is stepping down as president in January. There is an interim president. In addition, there has been an oversight or advisory committee appointed with Freeman Hrabowski III, President of UMBC as chair of the committee. The purpose of the committee is to focus on Coppin's mission and how they can assist in

developing a structure and infrastructure to implement their mission, to meet the needs of students on campus, and to facilitate and strengthen their long term relationship with the community. This group will begin working immediately.

STATE OF SHARED GOVERNANCE REPORT - UB - 11:13 a.m

Background: Jay Zimmerman introduced Dr. Dan Gerlowski, Chair of Faculty Senate at the University of Baltimore. Dan indicated that they are fortunate to have a dedicated faculty and that at UB he is attempting to move the faculty back to their roots. For the faculty this a focus on reading and writing skills. For shared governance, the focus is on developing a campus wide shared governance plan. As part of their governance plan, they have three bodies: the student, staff, and faculty senates. Dan indicated that he was chair of the Faculty Senate and the Faculty Hearing Council.

Current State of Shared Governance: They are implementing their Shared Governance Plan that they developed last spring and so far it is going well. They are building their structure and in spring 2013 they will begin to push on the issues. They will put together their data and meet with their President, as everyone does at their individual campuses.

Concerns and Issues: The first concern focuses on the changing role of UB in addressing the needs of the students enrolling within the institution. Normally, the credits to graduation for students is supposed to be 120 credits. At UB, credits to graduation is really 132 credits with an additional 12 developmental credit. Unfortunately for students, they are paying for 132 credits where 12 of the credits do not count toward graduation or they are not included in their GPA. In light of this, they wrote scathing reviews of their math and writing programs as well as scathing reviews of student retention. The reviews were written to gain the attention of the administration and they have been somewhat successful in gaining the attention and focus of the administration on the problem.

Next, he focused on the concerns that have affected higher education. The first of these was the *debt load* carried by students for their education in terms of their earning ability. The issue is what is their ability to earn money to pay off the debt. Third, he noted the fiscal cliff. Traditionally, Maryland has benefitted from all of the defense industries located in the region. The impact of the fiscal cliff could be significant on UB as well as System. There is a third trend. It is how is the University is spending the money. He noted that if you look at the literature on how universities spend their monies, there is some agreement in the literature on this. Typically, there are four or five major categories for university spending. These include instruction, academic support, central administration, student support, and physical support (building and maintenance). He noted two disturbing trends. First, is that university expenditures continuously grow. The total pie gets bigger each year. Unfortunately, the incremental spending on instruction and academic spending is getting smaller. In essence, their share of the pie is getting smaller. According to Dan, this is true for the System schools as well as nationally. He noted that it is here now, and it is a long term trend. Amidst this trend, Dan indicated that they have received a commitment from their President for 40 new faculty positions within the next five years.

He indicated that in their new shared governance plan the Faculty Senate President receives one quarter reassign time each semester. He indicated that this support is lower than in some of the sister institutions.

Q&A: In response to a question, Dan indicated that the administrative portion of the pie was growing faster proportionally than the instructional budget. Hence, the problem is that although budgets and enrollments have been increasing, the instructional budgets needed to support the increased enrollments have not occurred. From a System and administrative perspective, it was grow, grow, grow. However, the instructional budgets did not increase correspondingly. [Secretary's Note: *See the last paragraph of this*

section. It may suggest one reason why administrative costs have increased disproportionately.]

The Department of Budget and Management publishes numbers provided by your institutions in their operating budget. They break down university expenditures by functions. This information is public. Remember, the information is the administration's information provided by the institutions.

There was a discussion on transparency with a focus on the budget. The discussion included a discussion on the Report on Shared Governance and on developing a metric to assess the budget. The conclusion was that faculty needed to be assertive and work through their individual institutions and through their committee structure to review expenditures. [Secretary's Note: *The structure and process of the Report on Shared Governance is delineated in the September General Body minutes of CUSF and the August 3, 2012 ExecCom Meeting minutes. Since the report process is being addressed, the formal motion* (Motion #1212: Senate Chairs Annual Shared Governance Review [from May 18, 2012 minutes]) *was tabled until further notice at the October CUSF General Body meeting.*]

Regarding increased administrative costs, one faculty member noted the change in campus life and the change in student expectations regarding meeting their needs. There has been an increase in student services for students including tutoring, counselors, and dealing with individual disabilities. It was suggested that so much of the extra expenses on campus relate to these special cases. It was noted that this faculty member had to deal with an anorexic student. With all the special needs of this student, it could have easily required a full-time person to service all of her needs.

EMPLOYEE ASSISTANCE PROGRAM - 11:50 a.m.

Jay indicated that JoAnn Goedert, Assistant Vice Chancellor, Administration and Finance, wanted feedback from CUSF on a proposal that would centralize what is already being done on the individual campuses (see attachment: PROPOSAL FOR A USM EMPLOYEE ASSISTANCE PROGRAM). JoAnn indicated that these programs have been around both on System campuses and in the private sector for numerous years. These services have been expanded over the years. She noted that the way these services are priced there are significant cost saving advantages to a group of institutions addressing these services under a System contract. This proposal would not preclude individual campuses from doing what they are already doing. This proposal would enable System to pursue an RFP.

Several questions were raised. There was the issue of whether the individual institutions or System should pay for the services. Also, there was no budget item associated with the proposal. This comment ties back into the previous comments on budget transparency. JoAnn Goedert noted that the RFP will most likely be constructed in modules so it is difficult to predict the costs and second, it will be difficult to know the costs until later in the process.

Since the item was primarily informational, no motion was made nor was one passed regarding the Employee Assistance Program proposal.

COLLEGE PARK AMENDMENTS - 11:50 a.m.

Jay indicated that the purpose of this item at this time was not to pass a motion, but to discuss the item as an informational item. JoAnn Goedert, Assistant Vice Chancellor, Administration and Finance, provided an overview of this item. Overall, the policy is in need of revision (See attachment: USM II-2.30 Policy on Accident Leave and Creditable and Non-Creditable Sick Leave for Faculty Members). It was enacted

in November 1989 and since then the Federal and State law has changed significantly. These include the ADA, the Medical Leave Act, changes in the Workman's Compensation Law, and changes in the State pension plan. The policy is in need of updating to reflect these and other changes in this area.

The first comment noted that the proposal looks like a College Park proposal, and questioned what prompted or was behind the recommendation. In looking at the policy, College Park correctly noted that the staff had the ability to take care of sick family members, faculty did not have this as part of their policy. It is a serious omission. When the auditors check the time sheets and find that a faculty member has been absent for a significant period of time due to taking care of sick family members, this is a violation of policy. The College Park proposal is an attempt to fill a hole in the policy.

Since this was an informational item, no motion was made nor was one passed regarding this item.

LUNCH - 12:24 p.m.

TUITION REMISSION MOTION - 1:00 p.m.

BOR Policy VII-4.20, Paragraph IV.B, Section 2 b states that a spouse or dependent child may attend another USM institution with 50% tuition remission, with the approval of the President or designee, if the academic program is not available at the home institution or if the spouse or dependent child is not accepted for admission at the home institution. The ExecCom has developed the following motion for discussion and approval by the General Body.

> **MOTION #1213: Tuition Remission Proposal** – CUSF requests that the following change to the above BOR policy provision be made. The spouse or dependent child may attend any USM institution to which they have been admitted with 50% tuition remission. This is intended to extend the tuition remission benefit of those employees whose date of employment is on or after January 1, 1990. It will not affect the tuition remission for employees hired before January 1, 1990 and it will not affect the tuition remission for spouses or dependent children admitted to the home institution.
> [disposition: motion passed; 11 yea; 1 no; 2 abstentions]

Discussion comments echoed those noted at the December ExecCom meeting. Although CUSF is not requesting the pre-1990 package, this motion is one of positioning where the Chancellor is provided with a proposal that is feasible in terms of potentially being implemented given the political and economic climate. There was some discussion of the proposal, mostly antidotal comments. Contingent on this motion passing, Jay noted that CUSS was addressing a similar proposal tomorrow at their meeting (December 11, 2012). Joann Boughman noted that one of the things needed for the Chancellor to support the proposal were actual examples where it has made a difference in recruitment and retention of faculty. Additional discussion suggested that this proposal was a huge benefit for staff and faculty noted examples where staff sought out university positions because of this benefit. With no further discussion, the question was called and the motion was passed.

COMMITTEE MEETINGS AND REPORTS - 1:23 p.m.

Committees met for approximately twenty minutes after which the general meeting was again convened. Due to the time constraints, the chair's report was brief as were the committee reports. It was suggested that there is additional time needed for committees to meet since there was a need to share more information among members. Separate meeting rooms were suggested also. In addition, there was a request for an update on meet and confer.

NEW BUSINESS - 1:50 p.m.

There was a brief discussion regarding a BOR motion that would change the shared governance policy under item III.B Practice. The proposal would eliminate the sentence **"*This percentage shall not apply to paragraph G. below.*"** The item was briefly noted and due to time constraints and lack of quorum, no action was taken. Jay noted that this would be on the agenda for the next meeting. [Secretary's Note: *The affected sections of the policy are provided below for the convenience and understanding of the reader.*]

> I - 6.00 POLICY ON SHARED GOVERNANCE IN THE UNIVERSITY SYSTEM OF MARYLAND
> III. PRACTICE
> B. Each constituent institution within the USM shall have either a single shared governance body for the institution as a whole, or separate bodies for faculty, staff, and students. At least 75% of the voting members shall be elected by their constituencies. [*This percentage shall not apply to paragraph G. below.*] These bodies shall have written bylaws and shall meet regularly. [Note: The sentence to be eliminated is in italics, red and in brackets.]
>
> G. The Presidents shall assure that shared governance, based upon the principles and practices in this policy, is appropriately implemented in all sub-units, and are accountable for assuring that other administrators follow them in unit-level deliberations

It was suggested that CUSF obligate itself to writing one column in the Faculty Voice newsletter. No action was taken.

ADJOURNMENT - 2:00 PM

Respectfully Submitted,

Robert B. Kauffman

Robert B. Kauffman
Secretary

Attachments: PROPOSAL FOR A USM EMPLOYEE ASSISTANCE PROGRAM
                USM II-2.30 Policy on Accident Leave and Creditable and Non-Creditable Sick Leave for Faculty Members

PROPOSAL FOR A USM EMPLOYEE ASSISTANCE PROGRAM

It is the recommendation of USM institutional human resource leadership (the Systemwide Human Resources Committee) that a single Employee Assistance Program (EAP) be established for all participating USM campuses and operational locations that elect to participate. The program will offer a valuable service for employees and their families and provide both a talent acquisition and retention advantage for USM institutions. Pricing for such programs depends greatly on number of participants, so a USM contract can offer significant cost benefits to individual institutions.

EAPs provide short-term counseling and/or referral for participants in areas including, but not limited to, alcohol/drug abuse, disability-oriented services, marital/family issues, financial, legal, childcare & eldercare resources and other problems that may reduce the employee's work performance.

Specific, core EAP services include:

- Toll-free Help-Line available to all participants on a twenty-four (24) hours per day, 365 days a year basis.
- Trained counselors who assess a participant's problem or reason for referral and makes an immediate referral to the closest EAP affiliate within two (2) hours of the initial contact, or as agreed upon with the participant.
- Assistance in locating appropriate referrals and resources if further counseling or treatment is recommended.
- Case-management that is comprehensive and ongoing with follow-ups via telephone, monitoring participant status throughout treatment.
- On-site training sessions on cyclical psychosocial issues and trends, the schedule of which being determined by USM participating institutional HR leadership.
- On-site Critical Incident Stress Debriefing (CISD) group meetings, as needed, for employees who have experienced job-related critical incidents.
- On-line services, to include feature articles, publications, library, webcasts, podcasts, CDs, and references on various topics related to health and wellness.
- Quarterly utilization reports.

The next step in the development of a USM EAP program is completion and issuance of an RFP. An inter-institution Human Resources committee is currently preparing such an RFP. A number of national organizations provide EAP programs, and it is expected that a USM RFP will generate a good deal of interest among these vendors.

November 14, 2012

USM II-2.30 Policy on Accident Leave and Creditable and Non-Creditable Sick Leave for Faculty Members

UMCP Proposed Amendment:

Below follows a proposal to modify *USM II-2-30 Policy on Accident Leave and Creditable and Non-Creditable Sick Leave for Faculty Members*, (hereinafter "USM Faculty Sick Leave Policy"), to expressly permit faculty to utilize accrued sick leave, e.g., creditable sick leave, for purposes consistent with the uses authorized for exempt and non-exempt staff. The current USM Faculty Sick Leave policy authorizes accrued sick leave to be utilized for purposes of the faculty member's own personal illness, injury or childbirth. In contrast, *USM VII-7.45 Policy on Sick Leave for Exempt and Nonexempt Staff Employees* "USM Staff Sick Leave Policy"), expressly authorizes two additional uses: (1) the use of up to 15 days of accrued leave per calendar year to care for family members, and (2) the use of up to 3 days (and up to 5 days if travel and overnight stay away from home, is involved) upon the death of a family member. This proposal seeks to provide faculty with the same ability as staff to use accrued sick leave for the medical care of family members and to attend to the death of a relative.

The proposed modifications to USM II-2.30 follow below. Please note that while the proposed additions substantially parallel certain sections of the USM Staff Sick Leave Policy, certain provisions, including the specification of medical providers authorized to provide medical verification, have been omitted.

Modify Section III to add a new subsection C. Use of Accrued Creditable Sick Leave

1. A faculty member may use accrued sick leave as needed for personal illness or for parental leave subject to the requirements and criteria of the USM Faculty Policy on Parental Leave.
2. Sick leave shall be granted when a faculty member is absent because of:
   a. Illness, injury or disability of the faculty member.
   b. A pre-scheduled and approved, or emergency medical appointment, examination, or treatment for the faculty member that cannot be scheduled during non-work hours.
   c. Illness or injury in the faculty member's immediate family and medical appointments, examinations or treatments for the immediate family member that cannot be scheduled during non-work hours.
      (i) Immediate family as used in this section of the policy shall mean a spouse, child, step-child, grandchild, mother, father, mother-in-law, father-in-law, brother, sister, grandparent, brother-in-law, sister-in-law, or legal dependent of the faculty member irrespective of residence. Use of sick leave shall be granted to care for any other relative who permanently resides in the faculty member's household for whom the faculty member has an obligation to provide care. The Chief Executive Officer or designee may require the faculty member to provide certification by a medical provider to demonstrate this obligation or to authenticate the need for the faculty member to care for the ill family member.
      (ii) Up to fifteen (15) days of accrued sick leave shall be granted by the Chief Executive Officer or designee during any one (1) calendar year for the medical care of a family member.
   d. Death of a Relative
      (i) For the death of a close relative, the Chief Executive Officer or designee shall grant the use of up to three (3) days of accrued sick leave. If the

death of a close relative requires a faculty member to travel requiring staying away from home overnight, upon request the Chief Executive Officer or designee shall grant the use of up to a maximum of five (5) days of accrued sick leave for this purpose.

(ii) Close relative as used in this section of this policy shall mean a spouse, child, step-child, mother, father (or someone who took the place of a parent), mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, or other relative who permanently resided in the faculty member's household.

(iii) The Chief Executive Officer or designee shall grant the use of up to a maximum of one (1) day of sick leave for reasons related to the death of the faculty member's or his or her spouse's aunt, uncle, niece or nephew.

e. Pregnancy-related disabilities, childbirth and immediate recovery therefrom

(i) A female faculty member may request the use of accrued sick leave for any period of time related to temporary disability during pregnancy or related to childbirth and immediate physical recovery therefrom.

(ii) The faculty member shall keep the Chief Executive Officer or designee informed of any changes to her condition which affect the length of time that she will need to be away from work.

f. Birth of a child or placement of a child with the employee for adoption.

(i) Accrued sick leave may be used to care for a child following the birth of a child or placement of the child with the faculty member for adoption, subject to the provisions of the USM Faculty Parental Leave Policy.

SU Proposed Amendment:

Modify Section III.A.5. to require medical verification of "extended illness" (i.e., 5 or more days), such that it aligns with the medical verification requirement for staff. This section currently states:

"A faculty member may be required to present appropriate diagnostic or medical evidence to support his or her sick leave."