

## Joint Meeting of Council of University System Staff (CUSS) and Council of University System Faculty (CUSF)

January 22, 2008, College Park

Special guests: Chancellor Kirwan, Senior Vice Chancellor for Academic Affairs Irwin Goldstein, Jo Ann Goedert Chief Counsel for Education Affairs, AG office

In attendance:

John T. Wolfe	USMO	CUSS Chair
John Cullins		CUSF chair
Janine Vienna	SU	CUSS Vice Chair
Kimberley Lynne	UB	CUSS Co-Secretary
Judy Sabalauskas	UB	CUSS Co-Secretary
Rodger Harvey	UMCES	Senate chair
Vincent Buannigan	UMCP	Guest – Emeritus faculty
Mike Garner	SU	Professor of Accounting
Jackie Eberts	SU	Staff exempt
William Chapin	UMES	CUSF
Ayman Abdo	UMUC	CUSS
Scott Wibbert	UMUC	CUSS
Kim Rotruck	FSU	CUSF
Jay Zimmerman	TU	CUSF
Martha Siegel	TU	CUSF
Alcott Arthur	Coppin	CUSF
Jami Kasco	UMBI	CUSS
Willie Brown	UMCP	CUSS
Sharon Simmons-Cook	UMCP	CUSS

Bill Stuart	UMCP	CUSF
Gary Love	FSU	CUSS
David DeLooze	UMB	CUSS
Roy Ross	UMB	CUSS
Colette Becker	UMB	CUSS
John Barber	UMB	CUSS
Marie Meehan	BSU	CUSS
Deborah Geare	UMBC	CUSS
Gus Mercanti	UMCES	CUSS
Emmanuel Onyeozili	UMES	CUSF
Bobbi Adams	SU	CUSF
Frank Robb	UMBI	CUSF
Joyce Jenney	UMBC	CUSF
Deloris James	UMUC	CUSF
Paul Flexner	SU	CUSF
Rahim Ashkebooss	FSU	CUSF
Dave Parker	SU	CUSF
Joe Hill	UMBC	CUSS
Larry Lauer	UMCP	CUSS
Joyce Shirazi	UMUC	CUSF Secretary
Rosario I. van Daalen	USMO	Chancellor's Liaison to CUSS

**Call to order:** 10:03AM John Wolfe called the meeting to order.

**Welcome and introductions:**

- College Park President C. Daniel Mote welcomed CUSS/CUSF members. He said that he relies upon the mixed Senates of Students, Staff and Faculty for our advice. For example, the senates have helped him define the campus strategic plan, what we do and who we are. Issues can be brought to the table.
- CUSF Chair John Collins welcomed members.
- CUSS Chair John Wolfe welcomed members.

**Chancellor Kirwan addressed the CUSF/CUSS combined group.** Last year was the first time the two organizations met jointly to address common issues. It's a great idea to combine the group meetings; it creates a good dialogue. The Chancellor addressed the requested topics on the agenda.

In short term, CUSS/CUSF should focus the Advocacy Plan with budget and legislation. The USM budget from the General Assembly will be a challenge in the spring, but we are starting from a good place. It will be hard to hold the ground gained. The General Assembly is in session for the next 80 days. Associate Vice Chancellor for Governmental Relations (and former State Senator) P.J. Hogan is USM's champion. He has hit the ground running and is well liked and approachable. General Assembly had sessions today, so he couldn't join the meeting, but the two Legislative Committees should connect with him.

USM has a good structure of **shared governance**, but it's been an effort to make it effective in practice. Chancellor Kirwan has always been a big proponent of it. He asked us all to stay engaged! All three councils should continue giving advice for he relies upon our communication and good will. Larry Lauer brought to the Chancellor's attention a year ago that CUSS' shared governance is not represented at several campuses, and the Chancellor is in the process of correcting the deficiencies.

**Budget** – Chancellor Kirwan is following Senior Vice Chancellor Irv Goldstein's advice to follow the fast track line of communication in response to budget changes: through communication within the structure of executive process of decisions, the Senior Vice Chancellor is in communication with CUSF three times monthly, and John Wolfe sits next door to the Vice Chancellor. There is a collaborative response path of communication.

The good news for the pending FY 2009 budget is relative to the rest of state government. Governor O'Malley has placed a huge priority on higher education, the greatest priority that Chancellor Kirwan has seen since 1964. The money is available and is being invested in higher education. There's a new source of that money – the dedicated (HEIF) Higher Education Investment Fund created from 1.25% corporate tax. \$55M is dedicated to higher education to make tuition affordable, improve the quality of the workforce, capital needs, and general fund support. The proposed HEIF is not a permanent fund – it's connected to slots. The fund will be permanent if these funds are

dedicated in the future. If slots are approved, funds will be available. Now, it's one time money. The Governor wants to use \$15M of the \$55M to hold tuition constant. If HEIF does not become permanent, the state will owe USM \$15M. Then: 5.2% using HEIF used for enrollment growth, one time money for quality initiatives and workforce issues (at every institution HEIF money is tagged for special projects).

Current budget is 16% USM state funded – increases state support by 9.4% over the old guideline of 15.5% state spending on higher education, including capital monies. This budget of 16% does not include capital money or possible COLA. The Governor is cutting \$500M from the state budget, probably only \$3M from USM. This decision is due to the response from USM – Governor received over 10,000 emails. The senate organizations should write collectively or individually.

John Wolfe encouraged the two executive and committees to write a joint letter to the Governor and bring in the student council. He also said that the legislative committees should write letters of thanks and support.

The proposed capital budget is very generous with an increase of \$180M this year. Five year \$1B, 165M for USM or an average of \$233M per year and by 2011 \$300M targeted.

The bad news is that the economy will impact state revenues. Governor submitted the budget under spending affordability – we have to work to hold this budget.

The state is planning 2% COLA. If the COLA is approved, bring allocation to 11.2%.

Brit opened the floor for questions from the members:

- Supreme Court decision on Enron did not impact the **USM endowment**. The return on the endowment is 22%; the average is 16%.
- \$200M **tax burden on information technology** is part of the budget fix but might be a reduction and create adjustments.
- **Tuition replacement** – 4% increase from the state. Maryland was 3-4<sup>th</sup> most expensive tuition but dropped to 16<sup>th</sup> with HEIF. Tuition has been flat since 2005.
- USM employees receive 1-3% **lower COLA** than the federal employees. Chancellor Kirwan said we have to look carefully at salaries - 2% annual and 4.5% distributed – it is uneven across the USM system.
- What happens to **COLA at the high end? Is there a cap on COLA?** The Chancellor said that he has addressed this with the Governor and it won't be capped this year. If the budget is decreased, COLA might be diminished or delayed.

- Larry asked about an increase to the **Optional Retirement Program** contribution – both CUSS and CUSF endorsed – 7.25% contribution at the bottom compared to other universities. Brit said it was a Regents' priority. If the money comes in unencumbered, this problem will be fixed. Other inequities in ORP – all accrued sick leave vanishes when the employee retires.
- **Salary compression issues:** new hires at SU are getting higher salaries than existing faculty hired in 2003. Brit said that in theory departments have the responsibility to correct salary inequities, but he will talk to the presidents about this. USM doesn't allocate the increases to the individual employees. He encouraged all to raise this issue on our institutions. Senior Vice Chancellor Goldstein said he'd talk to the Provosts. Joe Hill pointed out the same situation exists with staff since the allocated budget is an average of 2.5% merit increases.

On the slightly longer term, the Chancellor has three priorities:

**Environment sustainability:** the university system is the ideal construct to address climate change. We're great at the education and research. We should be a model (like the gold standard building at Shady Grove). We need to lower our carbon footprint. We're re-doing the master plans and planning on building LEED standard buildings. USM needs to develop public policy on the Chesapeake Bay, to address all pollution from the Midwest, and the State of Maryland as a huge net importer of energy. Governor O'Malley is behind these green initiatives. The Chancellor said that state bought into the notion of increased money for LEED certified buildings. There is an idea of a revolving fund so campuses can apply for LEED building upgrade. On the research side, the Governor has a climate change taskforce.

Larry suggested writing a letter to the Board of Regents. He asked about the teleworking program. Brit said he's looking at it actively, because we need to diminish the USM carbon footprint. Rosario said that a Teleworking Policy is moving up through the approval process. The policy will require each institution to report its achievements with Teleworking. There will be an analysis of jobs. The policy will not be mandated to employees.

The System needs a green czar. Don Bosch is the current coordinator.

**Closing the achievement gap -** There is an alarming disparity in higher education success rates when based on income and race. We have an obligation to address this issue. A Systemwide conference was organized to investigate the magnitude of the problem and the best practice ideas to address it. Every USM Institution has this problem. A letter will be sent to every Institution with data to analyze specific areas to close the gap and return plans. For example: low income high ability students are not as likely to go to college as higher income and students with less ability.

By 2015, the gap should be reduced by half. The Institutions will have targets. High school feeders share the problem, but USM admitted those students. We have to work more effectively with pre-K through 12 because there is a gap between grade 12 and college. We have to focus on the alignment between the high school exit and the college entrance.

High stakes testing is dumbed down in high school. The Chancellor said there are several joint grant proposals for high stakes test with core learning goals. Every high school district is different. The test has to be pushed up. Math standards are a good model. The Chancellor said that UMCP standards are at level with Chapel Hill. Maryland doesn't have qualified teachers in high school.

**Competitiveness about research** prowess of the institutions - Our institutions attract federal funds. UMCP and UMB together are 6<sup>th</sup> and 7<sup>th</sup> in the nation. Hopkins is number one. USM is a powerhouse and Maryland is the nation's leader.

**Competitiveness in the workforce issues** - need to address the caliber and quality of the workforce produced with graduates and STEM teachers. We need 300-400 teachers produced per year and we produce 100 (only one secondary physics teacher). We need a specific initiative. What can we do?

Lunch break from 12-1 and Chancellor Kirwan thanked the councils before leaving the meeting.

Jo Ann Goedert, Chief Counsel for Education Affairs, the Attorney General's Office, explained **Tuition Remission (TR): the definition of a dependent**. Effective January 2005 the IRS Tax Code changed the definition of depended under the Working Families Tax Relief Act. The USM Policy on Tuition Remission for dependents has always referred to the IRS. AG's Office is in process of trying to clarify the policy language. The BOR will make the final decision.

Over-riding principles from Chief Council:

- No change to benefit or requirements
- No child that would lose benefits
- No broad based reduction
- No increase in complexity of requirements

USM/AG office looks to IRS code for definition. In IRS code III.420, spouses and dependent children qualify as dependents. Dependent children are defined as biological, step-children, adopted, financially dependent by IRS.

1/1/90 and before the above definition applies

1/1/90-7/1/92 limited benefit – student required to live at home, only undergrad programs, and not child of retirees.

Post 7/1/92 only after employee is in the system for two years

2000-2004: two part test for a dependent child

- The relationship – biological, step or adopted
- No joint file with the IRS
- Half financial support
- Student makes less than exemption
- Not younger than 19 or older than 24

2004 Congress: generic dependent plus financial tests

- Qualifying child who resides in same abode (except in instance of dorms)
- Not more than 24 unless disabled

Can be qualifying relative – spouse and children

- Provide half the support
- Student makes less than the exemption

The AG office will collect data and survey the campuses. They will analyze the information and adjust policy. By end of next month AG office may be able to have data. Eventually will be a Board of Regents decision.

Jo Ann opened the floor to questions. CUSF members stated:

- No siblings or domestic partners eligible for tuition remission
- Does not mention eligibility of IRS exemption in USM policy
- Dependent child must be financially dependent – no mention of exemption
- There will be a grandfather clause.

**Service Commitment: valuing importance of staff service - performance evaluations in all the instances where faculty has supervisory responsibility for staff:**

John Wolfe asked the CUSF members to respect the process of assessing performance of staff when faculty supervises staff. Staff and faculty involvement in shared governance should be supported as well.

Rosario said that performance evaluation is mandatory per policy. There is a disparity of policy and practice. Some faculty ask staff employees to complete their own evaluations. We need faculty to take role of supervision seriously. The issue has been raised to the Chancellor's Council (includes all presidents) before.

CUSF is not reimbursed for travel to CUSF meetings, although it is BOR policy of shared governance that each president's office will fund those reimbursements.

### **USM Green Initiative**

John Wolfe told the CUSF how CUSS wrote a letter to the BOR, supporting the Student Climate Coalition. Copies were distributed.

Joe Hill said that the issue of money for new buildings but not money to retro-fit the old ones. Janine Vienna said that there needs to be a budget commitment – 2.5% of replacement cost towards retro-fit and maintenance.

Larry Lauer suggested that we send letters supporting sustainability to all the presidents.

### **Shared Governance**

There is still no representative from CSU in CUSS and only one from UMES.

New presidents need to be informed of Shared Governance policy. The Chancellor will address this with the new presidents.

The presidents will be asked to send out an annual report on Shared Governance.

CUSS should submit a report on Shared Governance. John will send one to the executive committee for review.

### **Announcements:**

2/28/08, Thursday, in the Miller Building in Annapolis – Combined CUSS/CUSF Annapolis Day to demonstrate to the legislature what students can do – contact [pcossard@umb.edu](mailto:pcossard@umb.edu) to volunteer.



Rosario reminded everyone that the USM has in place a BOR Policy on Election Judges. It is posted on the web.

BOR-Educational policy meeting, 1/23/08

**Next meetings:**

CUSS next meeting Bowie State, 2/26

CUSF next meeting Columbus Center 2/11

Minutes submitted by Kimberley Lynne, UB, CUSS