



TOPIC: Proposed Amendments to USM Policies on Graduate Assistants (No. III—7.11) and the Employment of Adjunct Faculty (No. 1I—1.07)

COMMITTEE: Finance

DATE OF COMMITTEE MEETING: June 19, 2012

SUMMARY: In December 2010, the Board approved two new University System of Maryland (USM) policies to improve the status of graduate assistants and adjunct faculty at USM institutions. The policies included provisions to enhance the participation of those groups in institution shared governance and required periodic meetings between institution administrators and representatives of adjunct faculty and graduate assistants to discuss issues of interest. To further advance these policy goals, in March 2012 the USM authorized institution graduate assistants and adjunct faculty to elect to engage an external labor organization to represent them in their discussions with campus administration. The proposed amendments modify the relevant sections of the current graduate assistant and adjunct faculty policies to recognize the USM’s authorization of this “meet and confer” process.

The amendments will:

- Expressly acknowledge that graduate assistants and adjunct faculty may engage a labor representative in “meet and confer” discussions with campus administration;
- Direct the Chancellor, in consultation with the Presidents, to develop basic principles and guidelines for the organization and administration of the “meet and confer” process; and
- Clarify that the availability of a “meet and confer” process at an institution will not restrict the institution’s existing shared governance functions.

The proposed amendments will replace the following sections of current policies:

- *Policy on the Employment of Adjunct Faculty in the University System of Maryland—Section X (B).*
- *Policy on Graduate Assistants—Section VI.*

The new proposed text is noted in bold print in the attached copies of the current policies. The policies are otherwise unchanged.

ALTERNATIVES: The committee can recommend that the amendments to the policies not be approved.

FISCAL IMPACT: Modest costs related to institution administrative support for “Meet and Confer” elections and ongoing processes are anticipated.

CHANCELLOR'S RECOMMENDATION: The Chancellor recommends that amendments to the policy be approved.

COMMITTEE ACTION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Joseph Vivona

II--1.07 POLICY ON THE EMPLOYMENT OF ADJUNCT FACULTY IN THE UNIVERSITY SYSTEM OF MARYLAND

(Approved by the Board of Regents on December 3, 2010; amended on _____)

I. PURPOSE

This policy is designed to establish baseline standards for the institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions of employment for adjunct faculty. The goal of the policy is to assure a high quality of instruction by individuals with appropriate credentials and experience and to provide a set of policies that will lead to continuous improvement in the status of adjunct faculty in all USM institutions.

II. APPLICABILITY

A. Adjunct Faculty. This policy applies only to adjunct faculty, defined for the purposes of this policy as faculty members of the USM institutions who are:

1. Employed to provide instructional services;
2. Neither tenured nor eligible for tenure; and
3. Appointed to teach specific courses and compensated on a course-by-course basis.

B. Policies for Salaried Part-Time, Non-Tenure Track Faculty. Part-Time, Non-Tenure Track (PTNTT) faculty who are appointed to salaried positions are not included as "Adjunct Faculty" for the purposes of this policy, and are covered instead by USM Policy II - 1.06 - Policy On The Employment Of Salaried Part-Time, Non-Tenure-Track Instructional Faculty In The University System Of Maryland.

C. University of Maryland University College Overseas Programs. This policy does not apply to the overseas programs of the University of Maryland University College, which must comply with the Status of Forces Agreements, contractual provisions of the Department of Defense, and local and national employment laws in the nations where programs are located.

III. CATEGORIES OF ADJUNCT FACULTY

For the purposes of this policy, adjunct faculty shall be designated as one of the following:

- A. "Adjunct Faculty I": All adjunct faculty, except those faculty members who meet the criteria for designation by an institution as Adjunct Faculty II";
- B. "Adjunct Faculty II": Adjunct faculty members who are determined by an institution to have a consistent record of high-quality instruction as follows:

1. Each institution shall grant Adjunct Faculty II status to adjunct faculty members who meet the following criteria:
 - a. After establishing a record of teaching consistently for multiple semesters at a USM institution, according to criteria to be determined by the Chancellor no later than December 31, 2010.
 - b. Supported by a series of high-level performance evaluations over the course of multiple semesters at the institution; and
 - c. Upon written request by the faculty member to the institution.
2. An institution may adopt alternative criteria for the designation of Adjunct Faculty II status, provided that the institution's requirements are not more restrictive than those listed in paragraph III.B.1, above, of this section.

IV. ADJUNCT FACULTY POSITION TITLES

In addition to designation of adjunct faculty as Adjunct Faculty I or Adjunct Faculty II, each institution may establish a range of position titles for its adjunct faculty, consistent with the goals of this policy.

V. RECRUITMENT AND SELECTION OF ADJUNCT FACULTY

1. Credentials. Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment as adjunct faculty. These standards may vary depending on the level of courses to be taught.
2. Selection Procedures. The institutional president or designee shall assure that each department or unit has in place written procedures for selecting adjunct faculty. These procedures shall include verification of credentials, and shall reflect the commitment of the institution and the University System of Maryland to equal opportunity and affirmative action.

VI. PROFESSIONAL DEVELOPMENT AND WORKING CONDITIONS

- A. Support for Teaching. The institution shall provide each adjunct faculty member with the support it determines to be necessary for the execution of the appointee's duties, which may include access through the institution's website or other electronic resources, including the following:
 1. Information on the department's policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);
 2. Official schedule of classes, including academic calendar and time frames of class meetings;
 3. Assistance in the selection of textbook(s) for the course(s) and ancillaries for the text(s), if these are not otherwise selected by an institutional designee;

4. An institutional email account along with access to on-campus computer facilities; and
 5. For adjunct faculty teaching face-to-face classes on campus:
 - a. Telephone or other voice access, as appropriate;
 - b. Necessary office supplies;
 - c. Copying services for course materials; and
 - d. Appropriate space for meeting with students during scheduled office hours.
- B. Professional Development. Professional development opportunities for adjunct faculty shall be supported to the extent feasible, and may include invitations to departmental, institutional, and external faculty development events.
- C. Performance Evaluation. The institutional president or designee shall assure that each department or unit has in place approved written procedures for evaluating adjunct faculty performance on a regular schedule, as required by Board of Regents' Policy II-1.20.
1. Departments shall evaluate the teaching of adjunct faculty members in a manner that identifies high-level performance, according to institution or departmental standards.
 2. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, compensation, and any subsequent appointment are made.

VII. APPOINTMENT AND ASSIGNMENT

A. Appointment of Adjunct Faculty Members.

1. Contracts and Letters of Appointment. Each adjunct faculty member, including both Adjunct Faculty I and Adjunct Faculty II, shall be provided a written contract or formal letter of appointment prior to the beginning of the assignment, which includes:
 - a. Position title,
 - b. Contract term,
 - c. Per-course compensation,
 - d. Description of the assignment,
 - e. Institution benefits, if any,
 - f. Performance-evaluation policies and procedures,
 - g. Explanation of the implications of the cancellation of a course before its start date.
2. Provisions for Adjunct Faculty II.
 - a. After designation as Adjunct Faculty II at an institution, a faculty member:
 - i. Shall receive a compensation increment of at least 10% of the minimum, annual per-course compensation for adjunct faculty at the institution, consistent with State and USM budget policies.

- ii. Shall be given priority consideration, to the extent operationally feasible, among adjunct faculty for future teaching assignments in the subjects for which the faculty member has had consistent instructional experience at the institution.
 - iii. May be eligible for longer term appointments that assure the faculty member assignment to a fixed number of classes during the term of the appointment.
 - b. The designation of a faculty member as Adjunct Faculty II will not prevent the faculty member from competition for or selection into a position as salaried PTNTT or other faculty.
 - c. Each institution has the discretion to:
 - i. Adopt standards and protocols for the periodic evaluation of a faculty member's status as Adjunct Faculty II;
 - ii. Provide additional compensation or other benefits to Adjunct Faculty II;
 - iii. Determine the compensation increment for Adjunct Faculty II based upon the minimum compensation for adjunct faculty in a particular school, department, or other unit; and
 - iv. Administer alternative adjunct faculty promotion and compensation systems, provided that they meet or exceed the requirements of this section.
- 3. Teaching Assignments. The appointing department or unit shall provide adjunct faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes.
 - a. Each institution shall have the goal of providing such notice 45 days before the class start date, to the extent feasible. Nothing in this section shall prevent a department or unit from making an adjunct faculty teaching appointment on short notice based on changed circumstances in class enrollments, the availability of resources, or other factors.
 - b. If the institution cancels a fall or spring semester class to which an adjunct faculty member has been assigned less than 30 days before the class start date, and has been unable to offer the faculty member re-assignment to a comparable class, the institution shall compensate the faculty member 10% of the payment amount specified in the contract or appointment letter for that class.
- B. Notice of Policies and Procedures. Upon signing a contract or otherwise accepting an appointment, the adjunct faculty member will receive access, electronically or in print, to the institution's faculty handbook and institution or University System of Maryland policies, including those policies explaining the benefits for which the faculty member may be eligible.

VIII. COMPENSATION AND BENEFITS

- A. Compensation. Every effort should be made to make adjunct faculty compensation professionally appropriate and competitive to the extent allowed by available fiscal resources.
- B. Benefits for Adjunct Faculty. An institution may provide designated institutional benefits to adjunct faculty, in either or both of the Adjunct Faculty I and Adjunct Faculty II categories, at the discretion of the President.
- C. Sabbatical and Terminal Leave. Adjunct faculty are ineligible for sabbatical leave or for terminal leave, regardless of length of service.

IX. GRIEVANCE AND APPOINTMENT RIGHTS

- A. Grievance Procedure. With the exception of those policies and procedures that relate to the appointment, rank and tenure of tenured and tenure-track faculty, adjunct faculty shall have available the same grievance procedure as all other faculty, consistent with the USM Policy on Faculty Grievances, No. II-4.00.
- B. Process Related to the Termination of Adjunct Faculty. All adjunct faculty members shall have the opportunity for an informal hearing at the level of the appropriate dean's office before termination of an appointment within the term of the faculty member's contract. The institution may remove the adjunct faculty member from the classroom, while continuing to pay the faculty member, pending the outcome of the hearing.
- C. Subsequent Appointments. The decision whether to re-appoint an adjunct faculty member after the term of the faculty member's contract remains within the discretion of the institution:
 1. Consistent with Section VII.A.2 of this policy;
 2. Provided that the decision was not made for unlawful reasons or in retaliation for the faculty member's exercise of grievance rights or shared governance activities.

X. PARTICIPATION IN THE CAMPUS COMMUNITY

- A. Integration into Institution Life. Adjunct faculty members shall be invited, to the extent feasible, to participate in the scholarly, intellectual, academic, and social life aspects of the department or unit, and institution.
- B. **Communication with Administration. Institutions shall provide opportunities for adjunct faculty to communicate their concerns to campus administration, provide advice in the development and implementation of policies and procedures related to adjunct faculty, and otherwise participate fully in shared governance.**
 1. **The institution will provide adjunct faculty representatives with the opportunity to meet for discussions with campus administration, including the institution's vice presidents for**

academic affairs and administration and finance, at least twice annually.

2. Each institution will facilitate the formation and operation of an adjunct advisory committee, to be comprised of adjunct faculty members who will represent the interests of the institution's adjunct faculty.
 - a. The committee may be part of an existing shared governance body or a distinct advisory group formed for the purpose of addressing the interests of adjunct faculty.
 - b. Members will have the option of engaging an external representative in their discussions with administration, as described in paragraph 3, below.
3. Adjunct faculty may elect to engage an external representative, which may be a labor organization, to assist them in "meet and confer" discussions with administration over issues of concern, including compensation, benefits and terms of employment.
 - a. The institution will give serious consideration to the information, views and suggestions gained from the meet and confer process in any relevant policy decisions regarding adjunct faculty. Agreements reached during the process that are amenable to formalization as policy may be adopted as such through appropriate decisional processes of the institution; the President retains final authority over all such decisions.
 - b. The Chancellor, in consultation with the Presidents, shall develop principles and guidelines for organization of the meet and confer process at USM institutions.
 - i. Principles underlying the meet and confer process must include appropriate legal parameters, requirements for fairness and adequate representation, respect for the fundamental elements of higher education shared governance, and administrative feasibility.
 - ii. Guidelines will address the processes by which adjunct faculty will determine whether to engage representative, the selection of representative, access to information, and minimum requirements for meet and confer meetings.
4. Communications between adjunct faculty and the institution administration are based upon the free and candid expression of views. The presence of a meet and confer process at an institution in which adjunct faculty engage a representative organization does not limit or constrain the role, function or

processes of institutional shared governance. Shared governance bodies and other groups of adjunct faculty remain free to confer with administrators regarding matters of concern to those groups, and adjunct faculty members may participate in institutional shared governance bodies, consistent with institution policies.

C. Reimbursement of Expenses. In recognition that adjunct faculty are compensated only for course-by-course instructional services, each campus shall provide reimbursement for travel and other reasonable expenses, consistent with University System of Maryland and institution travel policies, to each adjunct faculty member who serves on an institution's adjunct advisory committee or other shared governance group.

XI. IMPLEMENTATION

The provisions of this policy, and any policies and procedures adopted by the institutions for the administration of this policy, shall be implemented by each institution employing adjunct faculty no later than September 1, 2011; and each President shall submit a report to the Chancellor summarizing the measures taken to implement this policy no later than November 1, 2011. The Chancellor will report to the Board of Regents on the impact of the implementation of this policy on the status of adjunct faculty no later than November 1, 2012.

III – 7.11 Policy on Graduate Assistantships

(Approved by the Board of Regents, December 3, 2010; amended _____)

I. Purpose and Scope

- A. Graduate Assistantships in the USM: The purpose of graduate assistantships in the institutions of the University System of Maryland (USM) is to support graduate students who are appointed to assistantships by:
 - 1. Advancing the student’s graduate education through practicum-based experiences, including the development and application of teaching, research and other skills, while also advancing the mission of the institution.
 - 2. Providing financial support, including stipends and tuition assistance, to aid degree-seeking students enrolled in USM masters or doctoral programs and appointed as graduate assistants in the pursuit of their graduate degrees.
- B. Policy Goal: This policy is intended to establish baseline standards for the administration of graduate assistantships, with a commitment to continuous improvement in the status of graduate assistants.
- C. Institution Policies and Procedures: Each institution will develop a graduate assistant handbook that includes policies and procedures that include this policy, as supplemented by institution-specific policies, procedures and guidance, with recognition for differences in the nature of the specific graduate education programs at the institution, and the roles and responsibilities of the institution’s graduate assistants.

II. Appointments

- A. Length: Appointments may be made for appropriate periods of time, as determined by the institution, ranging from a term, an academic year, 12 months, or a multi-year basis.
- B. Time Commitment: A graduate assistant may serve on a full-time, half-time or other basis. For the purposes of this policy, such time commitments are as follows:
 - 1. Full-time Assistantship: A graduate assistantship in which the graduate assistant’s responsibilities will require an average of 20 hours per week.
 - 2. Half-time Assistantship: A graduate assistantship in which the graduate assistant’s responsibilities will require an average of 10 hours per week.
- C. Renewal of Appointments: Students may be re-appointed to assistantships for successive terms, but renewal is not automatic or guaranteed. Factors entering into a decision to reappoint a graduate assistant may include:
 - 1. Satisfactory academic performance and progress toward degree;
 - 2. Satisfactory performance of assigned assistantship responsibilities and duties;

3. Availability of funds;
 4. Departmental or institutional limits on the number of years for which an assistantship may be held; and
 5. Specific departmental needs, constraints and policies, including efforts to allow a large number of qualified students to benefit from assistantships.
- D. Notice of Appointments: Except under justifiable circumstances, graduate assistants whose appointments are for more than one term will be notified of their appointments, and of decisions not to renew appointments, at least 60 days before the date upon which the appointment is to begin.
1. If a decision to renew an appointment cannot be made within that time line, the graduate assistant will be informed at least 60 days in advance of the assistantship's start date of an estimated date for the renewal decision.
 2. Circumstances which may justify fewer than 60 days notice include, but are not limited to, uncertainty in departmental funding and course enrollments.
 3. Nothing in this section shall prevent a department or unit from making an appointment to a graduate assistant on short notice based on changed circumstances in class enrollments, the availability of resources, or other factors.
- E. Appointment Letters: Upon appointment, each graduate assistant will receive an appointment letter that contains detailed information concerning the terms and expectations of the assistantship. The appointment letter shall include, at a minimum:
1. The length of the appointment;
 2. The starting and ending dates of the appointment, including the dates during which the graduate assistant is expected to be on campus to perform the duties of the assistantship;
 3. The average weekly time commitment of the assistantship;
 4. The basic responsibilities of the assistantship;
 5. The economic benefits of the assistantship, including stipend and tuition assistance amounts, and any access to health and other benefits;
 6. The department or office to which the student will report, including the name of the faculty member or other individual who will supervise the assistantship, when feasible;
 7. An affirmation that the provisions of the institution's graduate assistant handbook apply to the assistantship;
 8. Any special requirements of the assistantship related to leave, scheduling, or other terms (e.g., coverage over breaks and weather emergencies) that may vary from the provisions of the institution's graduate assistant handbook; and
 9. Contact information where the graduate assistant may obtain additional information and advice concerning the appointment, the provisions of the handbook, and graduate assistant grievance rights and processes.
- F. Assignments: To the extent feasible, graduate assistants shall be given a written description of their teaching, research or other assignments, duties, and responsibilities at least two weeks before the beginning of the semester. However, departments retain the flexibility to

- adjust assignments as necessary due to loss of funding, course enrollment fluctuations, or other unanticipated events, even after the semester has begun.
- G. Termination of Assistantships: An assistantship may be terminated within the term of the appointment under unusual and compelling conditions, for causes specified in institution's graduate assistant handbook.
- H. Best Practices for Research Institutions: To the extent feasible, given the nature of the graduate programs in the departments of a research institution, departments are encouraged to:
1. Provide information to newly admitted graduate students who will receive assistantships, upon admission into a graduate program, or as soon thereafter as is feasible, regarding:
 - a. An estimate of the potential additional length of time that the graduate student may be re-appointed, if the student remains in good standing and financial or other exigencies do not arise;
 - b. The financial benefits of the assistantship, including tuition assistance, stipends and other benefits;
 - c. An estimate of fees to be paid to the institution by the student that are not part of the benefits of the assistantship.
 2. Develop protocols and provide graduate assistants with feedback concerning their performance in the assistantship.
 3. For teaching assistants, identify specific class assignments two weeks before the beginning of the semester, or as soon thereafter as is feasible.
 4. Seek to identify alternative employment opportunities for graduate students whose assistantships are rescinded after the appointment has been made due to financial or other exigencies.
- III. Due Process Protections
- A. Informal Resolution of Concerns: Graduate assistants are strongly encouraged to attempt to resolve grievances informally with their mentor(s) and/or supervisor(s). An institution may also establish a mediation process or an ombudsperson function to facilitate informal resolution of graduate assistant grievances.
- B. Grievance Policy: To address concerns that cannot be resolved informally, each institution must have a formal, written graduate assistant grievance policy that provides the graduate assistant with the opportunity to present grievances to either:
1. The student's department chair, unit head, or other institution officer designated by the President; or
 2. At the institution's discretion, a panel selected by the appropriate dean or the institution's senior academic officer:

- a. The panel will consist of a graduate student, as well as faculty members or administrators, who have no direct relationship with the department at issue or the individual parties to the grievance.
 - b. Either party to the grievance may request that a panel member be substituted on the grounds that the panel member has a conflict of interest.
- C. Content of Policy: Each institution's grievance policy must include fundamental due process protections and other minimum elements, including:
 1. The opportunity for graduate assistants to provide the facts and evidence that support their grievances and to explain their positions to the grievance decision makers;
 2. Any minimum information requirements and formats for presenting grievances, established by the institution, which shall not require adherence to complex procedures or evidentiary standards;
 3. A clear statement that reprisals against graduate assistants for filing a grievance are prohibited;
 4. Specific timelines for the phases of the grievance process;
 5. The right to appeal any departmental or unit head decision to an appropriate dean, which may include the dean of the institution's graduate school or of the school where the student is enrolled.
- D. Application:
 1. The grievance policy will apply to disputes concerning:
 - a. Workload volume and scheduling;
 - b. Inappropriate work assignments;
 - c. Termination of a graduate assistantship within the term of appointment; and
 - d. Non-renewal of an assistantship for arbitrary or capricious reasons including reprisal for filing a grievance.
 2. The decision whether to renew an assistantship, except for the reason listed above, remains within the discretion of the department chair and is not subject to the grievance process. However, if a graduate assistant believes that an assistantship was not renewed because of unlawful discrimination or other unlawful grounds, the graduate assistant may pursue available institution processes, such as access to the campus Fair Practices Office.
 3. Graduate assistants may raise concerns regarding suspected on-campus fraud or fiscal irregularities through the confidential University System of Maryland hot-line mechanisms established in USM Policy VIII-7.10, "Policy on Reporting Suspected or Known Fiscal Irregularities," institution fraud reporting policies, and any relevant state or federal "whistleblower" laws.
- E. Access to Policy: The institution's graduate assistant grievance policy shall be published on the campus website and included in its graduate assistant handbook.

IV. Professional Development

- A. Orientation and Information: Each institution must provide graduate assistants with initial graduate assistant orientation and access to a graduate assistant handbook that contains all relevant policies and procedures applicable to graduate assistants.
- B. Professional Development Opportunities: Each institution shall support professional development opportunities for graduate assistants, which may include special events for graduate assistants, and invitations to departmental, institutional, and other faculty development events.
- C. Information for Graduate Assistant Supervisors: Faculty and staff who supervise graduate assistants must be familiar with the institution's policies and procedures for graduate assistants.
 - 1. Each department chair, faculty member or unit head who supervises a graduate assistant shall have access to the institution's graduate assistant handbook and shall receive a copy of the graduate assistant's appointment letter.
 - 2. Institutions shall hold faculty members and unit heads who supervise graduate assistants accountable for adherence to the terms of the student's appointment letter and the requirements of the graduate assistant handbook.
- D. Changes to Policies and Procedures: Graduate assistants shall be apprised of any changes to relevant policies and procedures on a timely and ongoing basis.

V. Financial Assistance and Benefits

- A. Stipends: Each institution shall establish stipend levels for graduate assistants as follows:
 - 1. Institutions shall seek to set stipends at levels that are competitive with peer institutions, to the extent allowed by available fiscal resources.
 - 2. Each institution shall establish minimum stipend amounts annually, with discretion to award stipends above the minimum level.
- B. Time Away from Duty: Each institution shall provide paid "time away from duty" for graduate assistants as follows:
 - 1. The minimum paid time away from duty for a full-time, 12-month graduate assistant is 20 hours per year. Such leave:
 - a. Is in addition to institution holidays and other days that the institution is closed; and
 - b. May be scheduled, with the permission of the graduate assistant's supervisor, at times that do not conflict with the duties of the assistantship.

2. For graduate assistants with appointments of less than 12 months or 20 hours per week, the institution shall establish policies for time away from duty that may include breaks and holidays in the academic year, any specified total hour commitments in the graduate assistant's appointment letter, and other campus-specific factors.
 3. Requests for paid time away from duty must be approved by the graduate assistant's supervisor and department chair or unit head, with consideration given to the personal needs of the graduate assistant for such leave.
- C. Leave for Illness and Emergencies: Each institution's graduate assistant policies shall provide for collegial support for short-term illnesses and emergencies.
- D. Other Benefits: Each institution has the discretion to provide additional benefits to its graduate assistants, in light of the role of graduate assistants at the institution and the availability of resources.
- E. Administration: The administration of leave policies for graduate assistants shall be determined by each institution in a manner that recognizes both the graduate assistant's duties to the institution and the student's academic obligations.

VI. Communication with Administration

- A. Institutions shall provide opportunities for graduate assistants to communicate their concerns to campus administration, provide advice in the development and implementation of policies and procedures related to graduate assistants, be represented in institution-wide graduate assistant orientations, and otherwise participate fully in shared governance.**
- B. At a minimum, the institution will provide graduate assistant representatives with the opportunity to meet for discussions with campus administration, including the institution's vice presidents for academic affairs and administration and the graduate dean, at least twice annually.**
- C. Each institution will facilitate the formation and operation of a graduate assistant advisory committee, to be comprised of graduate assistant members who will represent the interests of the institution's graduate assistants.**
- 1. The committee may be part of an existing shared governance body or a distinct advisory group formed for the purpose of addressing the interests of graduate assistants.**
 - 2. Members will have the option of engaging an external representative in their discussions with administration, as described in paragraph D, below.**
- D. Graduate assistants may elect to engage a representative, which may be a labor organization, to assist them in "meet and confer" discussions with institution**

administrators over issues of concern to graduate assistants, including stipends, benefits and terms of appointments.

- 1. The institution will give serious consideration to the information, views, and suggestions gained from the meet and confer process in any relevant policy decisions regarding graduate assistants. Agreements reached during the process that are amenable to formalization as policy may be adopted as such through appropriate decisional processes of the institution; however, the President retains final authority over all such decisions.**
- 2. The Chancellor, in consultation with the Presidents, shall develop principles and guidelines for organization of the meet and confer process at USM institutions.**
 - a. Principles underlying the “meet and confer” process must include appropriate legal parameters, requirements for fairness and adequate representation, respect for the fundamental elements of higher education shared governance, and administrative feasibility.**
 - b. Guidelines will address the processes by which graduate assistants will determine whether to engage a labor representative, the selection of the representative, access to information, and minimum requirements for meet and confer meetings.**
- 3. Communications between graduate assistants and institution administration are based upon the free and candid expression of views. The presence of a meet and confer process at an institution in which graduate assistants engage a representative does not limit or constrain the role, function or processes of institutional shared governance. Shared governance bodies and other groups of graduate assistants remain free to confer with administrators regarding matters of concern to those groups, and graduate assistants may participate in institutional shared governance bodies, consistent with institution policies.**

VII. Implementation

The provisions of this policy shall be implemented by each institution that appoints graduate assistants no later than September 1, 2011, and each President shall submit a report to the Chancellor summarizing the measures taken to implement this policy no later than November 1, 2011. The Chancellor will report to the Board of Regents on the impact of the implementation of this policy on the status of graduate assistants no later than November 1, 2012.