



University System of Maryland Board of Regents
University System of Maryland at Hagerstown
April 15, 2011

Minutes of the Public Session

1. Call to Order. Chairman Kendall called the meeting of the University System of Maryland Board of Regents to order at 8:32 a.m. on Friday, April 15, 2011 at the University System of Maryland at Hagerstown (USMH). Those in attendance were: Chairman Kendall; Regents Attman, Florestano, Gonzales, Gooden, Gossett, Johnson, Kelly, McMillen, Shea, Slater, Vance, and Young; Chancellor Kirwan, Vice Chancellor Vivona; Associate Vice Chancellors Hogan and Moultrie; Assistant Attorneys General Travieso and Short; Presidents Avery, Boesch, Burnim, Caret, Dudley-Eshbach, Gibraltar, Hrabowski, Loh, and Thompson; Provost Greg von Lehmen (for Aldridge), Provost Joseph Wood (for Bogomolny), USM council representatives; Ms. Doyle, USM Staff.

Chairman Kendall welcomed the two new regents appointed to the BOR effective July 1, 2011 – Dave Kinkopf and the new student regent, Collin Wojciechowski – who were in attendance at the meeting. Chairman Kendall also congratulated Regents Shea and Gossett who were reappointed to second terms on the BOR.

2. Welcome from University System of Maryland at Hagerstown (USMH). Dr. Warner welcomed the regents to the University System of Maryland at Hagerstown and provided an update on the status of USMH.
3. Committee of the Whole.
 - a. Chancellor's Report. Chancellor Kirwan thanked David Warner, Executive Director of the University System of Maryland at Hagerstown (USMH), for hosting the meeting, noting the significant growth of the center. Dr. Kirwan noted many highlights and significant achievements of the USM institutions and noted that the meeting included recognition of this year's Regents Faculty Award winners. He also reported that Regent Johnson was honored by the U.S. Securities and Exchange Commission's African American Council with its "Trailblazer" award and Regent Augustine was named by Drexel University as the nation's 2011 Engineer of the Year and by the *Daily Record* as one of their 2011 Influential Marylanders.

Chancellor Kirwan congratulated Towson University (TU) President Bob Caret, who will be taking the helm of the University of Massachusetts System on July 1, 2011. He also reported that University of Maryland Eastern Shore (UMES) President Thelma

Thompson announced her retirement effective on August 15, 2011 and thanked her for her nine year tenure at UMES.

Chancellor Kirwan reviewed the recent legislative noting that it was especially difficult and challenging given the difficult fiscal situation, the challenges of pension reform, and several pieces of contentious legislation. However he was pleased to report that USM came through the session reasonably well with a cut of \$4 million—or less than .4 percent—from the Governor’s proposed FY 2012 budget for USM. This is a relatively modest cut when viewed from a national perspective. In addition, the USM was given some flexibility as to how to manage the \$4 million cut. The Board will also need to determine the impact of the reduction on tuition levels for next year. While the budget does not include merit or COLA pay increases for employees, it eliminates the need for furloughs, provides a bonus payment of \$750 per employee, and allows retention pay increases to prevent the loss of critical USM staff—in addition to critical faculty.

The Chancellor stressed that while the budget did not include funds in support of the initiatives in the new strategic plan, the plan will move forward. The biggest loss is in USM’s ability to expand capacity, serve more students, move toward the state goal of a 55 percent college completion rate, expand programs in critical workforce areas and fully implement STEM initiatives. However, he noted that it is a 10 year effort and the USM will continue to build support for greater levels of funding as the economy begins to rebound. With regard to the capital budget, the USM fared well, with a commitment of over \$158 million. The General Assembly approved every USM project included in the Governor’s Capital Budget and added \$17 million in new funds to our budget.

Finally, The Chancellor reported that most of the actions on significant pieces of legislation impacting the USM were favorable to the system. One significant issue is the study of the advantages and disadvantages of merging the University of Maryland, College Park and the University of Maryland, Baltimore. The USM BOR is fully supportive of any and all efforts to foster greater educational and research collaborations across disciplinary boundaries and campus borders, since such efforts strengthen the USM internally, and spawn increased economic activity, commercialization efforts, and enhance the state’s economic vitality.

- b. Conferring of Regents’ Faculty Awards. Chairman Kendall and Chancellor Kirwan presented the Regents’ Faculty Awards to the awardees.
- c. Approval of meeting minutes from February 11, 2011 Public Session. (Moved by Chairman Kendall, seconded by Regent Gossett; unanimously approved.)
- d. Approval of notes from February 11, 2011 Executive Session. (Moved by Chairman Kendall, seconded by Regent Shea; unanimously approved.)
- e. Citation for Dr. Robert Caret. Chairman Kendall and Chancellor Kirwan thanked Dr. Caret for her service as president of Towson University and presented him with a BOR Resolution.

- f. BOR Nominating Committee. (Moved by Chairman Kendall, seconded by Regent Attman, unanimously approved.)
 - g. Biennial Nonexempt Market Salary Survey Report—Nonexempt Staff Employees Salary Structure. Mr. Vivona presented the report. Regent Gossett moved approval. After some discussion, Regent Gossett withdrew his motion and Regent Slater moved to table the item and bring it to the next BOR meeting for action to allow sufficient time to review the item. (Moved by Regent Slater, seconded by Regent Florestano, unanimously approved.)
4. Report of Councils.
- a. Council of University System Presidents. President Burnim presented the report of the Council. The presidents discussed the status of the FY 2012 operating and capital budgets, and were briefed on the various studies required by the Joint Chairmen’s Report. In addition, there was extensive discussion regarding the UMCP/UMB merger study. Finally the Council discussed the tuition rates for AY 2011-2012. Regent Slater asked about the ability for Salisbury University to increase tuition rates above the agreed upon rates for other USM institutions. Chancellor Kirwan indicated that Salisbury University will be able to make a higher adjustment in their tuition rates as a market correction.
 - b. Council of University System Faculty. Dr. Joyce Shirazi presented the CUSF report. The Council held 2 general body meetings in February and March and an executive Committee meeting in April. The Council meetings focused on legislative updates and reports on the budget status for USM, discussion of a Voluntary Separation Program, a panel discussion on academic freedom, shared governance, and employment of adjunct faculty, retirement and health benefits, and election of officers for the next year.
 - c. Council of University System Staff. Mr. Brown provided the CUSS report. CUSS provided letters of introduction to legislators, sent a letter to the Governor raising their concerns about competitive salaries for staff and faculty, and supported a letter writing campaign on State retirement benefits. The council also discussed the proposed study of a merger between UMCP and UMB.
 - d. University System of Maryland Student Council. Mr. Veneziano provided the USMSC on behalf of Ms. Streets. The council sent a letter to members of the General Assembly supporting funding for higher education and is working toward expanding the role of the USM RHECs in the council. The council is also reviewing their constitution and bylaws and will be electing new officers at the next meeting.
5. Education Policy Committee. Regent Florestano provided the report of the Committee.
- a. Approval of minutes from March 16, 2011 Public Session. (Regent Florestano moved, Regent Johnson seconded; unanimously approved.)
 - b. New Academic Program Proposal: University of Maryland University College Substantial Modification of the Bachelor’s of Technical/Professional Studies (BTPS) in Biotechnology and the BTPS in Laboratory Management. (Regent Florestano moved, Regent Slater seconded; unanimously approved.)

- c. Cultural Diversity Progress Reports. Regent Florestano briefed the regents on the reports. Regent Slater asked if the reports are required annually. Mr. Hogan stated that it is a legislatively mandated report. (Regent Florestano moved, Regent Johnson seconded; unanimously approved.)
 - d. Report on General Education at the University of Baltimore. Regent Florestano briefed the BOR on this information item.
 - e. P-20 Update. Regent Florestano briefed the BOR on this information item.
 - f. Extramural Funding Report. Regent Florestano briefed the BOR on this information item.
 - g. Campus Crime Reports, 2009. Regent Florestano briefed the BOR on this information item.
 - h. USM Enrollment Projections, 2011-2020. Regent Florestano briefed the BOR on this information item.
6. Finance Committee. Regent Gossett provided the report of the Committee.
- a. Approval of minutes from March 17, 2011 Public Session. (Regent Gossett moved, Regent Kelly seconded, unanimously approved.)
 - b. Approval of notes from March 17, 2011 Closed Session. Regent Gossett moved, Regent Kelly seconded, unanimously approved.)
 - c. USM Enrollment Projections: 2011-2020. (Regent Gossett moved, Regent Gooden seconded; unanimously approved.)
 - d. University System of Maryland: Self-Support Charges and Fees for FY 2012. Regent Gossett moved, Regent McMillen seconded; unanimously approved.)
 - e. University of Maryland, Baltimore: Dental Student Clinics Management Contract. (Regent Gossett moved, Regent Attman seconded; unanimously approved.)
 - f. University of Maryland University College: Marketing and Advertising Contract. (Regent Gossett moved, Regent Johnson seconded; unanimously approved.)
 - g. University of Maryland University College: Renovation of the UMUC Inn & Conference Center. (Regent Gossett moved, Regent Kelly seconded; unanimously approved.)
 - h. Towson University: Increase in Authorization for Campus Safety and Circulation Project. (Regent Gossett moved, Regent Florestano seconded; unanimously approved.)
 - i. University of Baltimore: Facilities Master Plan Update. Regent Gossett briefed the BOR on the plan and noted that the item will be brought to the BOR for action at the June FC and full BOR meetings.

- j. University System of Maryland: Review of Capital Improvement Projects. Regent Gossett briefed the BOR on the information item.
7. Audit and Inst. Assessment Committee. Regent Shea presented the report of the Committee.
 - a. Approval of notes from March 17, 2011 Closed Session. (Regent Shea moved, Regent McMillen seconded; unanimously approved.)
 8. Committee on Advancement. Regent Gossett provided the Committee report.
 9. Economic Development and Technology Commercialization Committee. Regent Attman provided the report of the Committee.
 - a. Approval of minutes from March 17, 2011 Public Session. (Regent Attman moved, Regent Florestano seconded; unanimously approved.)
 - b. Approval of notes from March 17, 2011 Closed Session. (Regent Attman moved, Regent Gooden seconded; unanimously approved.)
 - c. Economic Development and Technology Commercialization Committee By-law Changes. (Regent Attman moved, Regent Florestano approved; unanimously approved.)
 10. Effectiveness & Efficiency Committee. Regent Slater provided the committee report.
 - a. Approval of minutes from March 16, 2011 Public Session. (Regent Slater moved, Regent Young seconded; unanimously approved.)
 - b. E&E Committee BOR By-laws Changes. (Regent Slater moved, Regent Attman seconded; unanimously approved.)
 - c. Dashboard Indicators: Future Directions and Process. Regent Slater briefed the BOR on this item.
 - d. Recommendations of the Administrative Vice Presidents: Status. Regent Slater briefed the BOR on this item.
 - e. Towson University Trimester Pilot: Update. Regent Slater briefed the BOR on this item.
 11. Additional Items.
 - a) Chairman Kendall charged Chancellor Kirwan to review the legislatively proposed study of a merger between UMCP and UMB and develop an outline for the study and bring it back to the BOR at their June meeting for review.
 - b) Regent Florestano suggested that a general discussion on academic freedom be held at a future meeting and that new regents be briefed on this issue during orientation.
 - c) Regent McMillen raised the issue of athletics and academic performance in response to information that UMCP was losing 2 football scholarships due to poor academic performance of the football players which resulted in below

NCAA requirement Academic Progress Rates. In response to a regent question, Dr. Loh reported that the previous leadership of the athletic department developed a plan to correct the problem but failed to implement the supervisory academic programs included in the plan. Dr. Loh reported that the plan has now been implemented under the new athletic director. Regent McMillen suggested that an appropriate BOR Committee review the issue, using the Sarbanes-Oxley law as a model and consider including a clause in the employment agreements for athletic directors and coaches providing for a claw back of bonuses, etc. if there were academic penalties imposed on the athletic program in which the actions that were penalized occurred during the term of such employment agreements.

12. Reconvene to Executive Session. (Chairman Kendall moved, Regent Vance seconded and it was unanimously approved to reconvene in Executive Session.

The meeting was adjourned at 11:14 a.m.

Audio CDs of the meeting are on file in the Office of the Board of Regents.