



UNIVERSITY SYSTEM OF MARYLAND

Office of Government Relations

2010 End of Session Report

April 13, 2010

Last evening, the Maryland General Assembly completed its work for the 2010 legislative session and adjourned Sine Die at midnight.

The major responsibility of the Chancellor's Office is to prepare and advance the annual operating and capital budgets for the 11 universities, one research institution, two regional higher education centers that comprise the University System of Maryland (USM). In addition, the USM Office of Government Relations tracked more than 60 individual bills that would have had varying impacts on the system, its faculty, staff and students. Working closely with the USM State Relations Council, and often with our colleagues across all sectors of education, USM succeeded in blocking or amending heavily several bills that would have imposed onerous new regulations or financially curtailed USM programs. At the same time, USM supported legislation that made permanent the Higher Education Investment Fund; developed a longitudinal data system to better track students throughout their educational careers; and strengthened the process to respond quickly to findings from the Office of Legislative audits.

The End-of-Session report is a snapshot of the major issues the System faced during the Session and their final resolution. The report is broken into three parts: Operating Budget, Capital Budget, and Bill Watch.

USM OPERATING BUDGET

The 2010 Legislative Session for Maryland's public universities began amidst unsettled state economic conditions and continued retrenchment of the nation's workforce and fiscal position. Legislatively, persistently high unemployment continues to strain Maryland government's ability to provide support for those without employment, healthcare, or housing. The fiscal year 2011 budget contains \$1.6 billion in federal funds resulting from the American Recovery and Reinvestment Act which relieved pressure to make deeper cuts in state spending.

Throughout the 2010 legislative session, the Chancellor and the Board of Regents were committed to advancing the priorities affirmed by the Commission to Develop the Maryland

Model for Funding Higher Education – excellence, access, and affordability. If higher education is to fuel the state’s economy and workforce, it is undeniable that the ongoing fiscal crisis is challenging the system’s ability to fulfill this commitment. Since FY 2009 (including the 2011 Allowance) the USM budget had sustained state funding reductions of \$59.3 million, enacted furloughs to achieve savings of \$68 million, and transferred \$134 million in fund balance back to the State – a total of \$261 million in reductions. Over the past three years, USM has implemented systemwide spending controls only allowing exceptions primarily to accommodate enrollment growth and to sustain critical functions. USM also reduced funds for important facility renewal projects, student services, and academic program support. More noticeably, for the third fiscal year in a row, USM will join with the rest of state government in implementing furloughs.

In difficult economic times the state must prioritize what it can and cannot afford. With the passage of the fiscal year 2011 budget, Governor O’Malley and the General Assembly have reaffirmed their commitment to keep Maryland’s public universities affordable and accessible. Policymakers in Maryland understand clearly the critical role a homegrown college-educated workforce plays in not only attracting business and industry, but also creating high-paying jobs. **Given the state of the economy, the operating and capital budgets speak volumes of the Governor and General Assembly’s support for public higher education and USM.**

One of the brightest moments from the 2010 Legislative Session was working closely with higher education advocates to mobilize USM’s grassroots efforts at a critical moment. A group of legislators tried to advance a bill to reduce General Fund appropriations for USM by at least \$50 million; eliminate 1,000 positions; reduce the budget for travel by 50%; and halve the tuition remission benefit for employees and their families. It was vital that legislators were made aware of the potential negative effects on student success and retention and the recruitment of staff and faculty. Using Capwiz, we generated 9,635 responses opposing the proposed cuts and supporting the Governor’s recommended budget. These are amazing figures and we appreciate everyone who took the time to respond.

In the end, the legislatively adopted budget for USM for fiscal year 2011 approved a net operating budget that provides approximately \$ 1.074 billion in overall General Fund support. This figure will be further adjusted as USM is required to take additional furlough actions in FY 2011 to achieve savings of \$26.1 million. The state will reduce general funds by \$14.4 million and the USM must transfer the remaining cash savings of \$11.7 million as is included in the BFRA.

Governor’s Priority:

Last year, the priority for Governor O’Malley was to fund higher education at an appropriate level in order to extend his tuition freeze for in-state undergraduate students at public institutions of higher education. With an unprecedented 4th consecutive year tuition freeze, Maryland moved from 6th highest tuition to 17th in terms of national tuition rates by state. This was tuition relief that other states simply are not providing to their citizens. This year, Governor O’Malley and the leadership of the General Assembly followed-up with that commitment to permanently extend the Higher Education Investment Fund (HEIF) and create a

tuition stabilization account within HEIF. The stabilization account, as a goal, would peg increases in resident tuition to a percentage not to exceed the increase in the 3-year rolling average of Maryland's median family income.

Given the state of the economy, and the need to adjust state funding for significant revenue write downs, the funding provided to USM shows a significant commitment to higher education by Governor O'Malley and the Maryland General Assembly.

Operating Budget & Budget Reconciliation and Financing Act (BRFA)
Highlights; Senate Bill 140 and Senate Bill 141

- In the Budget Reconciliation and Financing Act, the final budget modified the amount transferred from the USM fund balance. The House desired to transfer an additional \$10 million and the Senate called for a fund balance transfer of 3.8 million. **However, the conference negotiations finalized an \$8 million USM fund balance transfer.**
- The BRFA details that state employees employed by University System of Maryland may not receive bonuses, merit increases, or cost-of-living adjustments in fiscal year 2011. An exception was made for the retention of faculty in the University System of Maryland.
- The Senate rejected an earlier proposal suggested by the Department of Legislative Services (DLS) to reduce USM's budget by an additional \$2 million in general funds resulting from the savings captured by the reorganization of the University of Maryland Biotechnology Institute (UMBI).
- The House and Senate agreed to withhold \$250,000 until USM submits a report updating the budget committees on how the System can be more proactive when receiving preliminary findings from the Office of Legislative Audits. The report is due on or before September 1, 2010. Concomitantly, the University of Maryland, Baltimore must submit a report addressing the findings raised by a February report issued by the Office of Legislative Audits. Due September 1, 2010, and with \$250,000 withheld, the report must include updated policies regarding special compensation payments to faculty and the justification for making such payments.
- Under no threat of withholding funding from the institution, the House and Senate conferees agreed that the University of Maryland, Baltimore submit a report by August 1, 2010 containing information, to the extent possible, from the Environmental Law Clinic describing legal cases over the last two years in which they participated in a court action. More directive and expansive language that included not only an additional report by the Office of the Chancellor, but also the withholding of funds was rejected by the budget conference committee.
- A Senate proposal to cut \$589,152 from the Graduate and Professional Scholarship Program operated by the Maryland Higher Education Commission, eliminating the program entirely, was rejected in conference committee negotiations and funding remains.

- House language reducing funds to the University System of Maryland at Hagerstown and the Universities at Shady Grove by \$1.3 million **did not** appear in the final agreement.
- The conference report included \$285,250 in general fund support for the University of Maryland, Baltimore Wellmobile Program.
- The House and Senate rejected a proposed \$500,000 cut to the Maryland Industrial Partnerships Program or MIPS. MIPS accelerates commercialization of technology by jointly funding collaborative R&D projects between and companies and USM faculty.

COMMITTEE NARRATIVE

At times, the budget committees wish to express legislative intent or request USM to perform certain studies or report on particular issues during the interim. This is usually written as “committee narrative” in the Joint Chairmen’s report of the budget committees’ action. Committee narrative does not have the effect of law nor does it require agreement to the language on the part of the entire House and Senate. However, both budget committees must agree on the wording. Several items fall under the title of “Committee Narrative” providing the intent of the General Assembly that USM performs certain actions in the form of reports or studies into relevant issues. The subcommittee included the following items as Committee Narrative.

- The Senate and House agreed on a request that the University System of Maryland continue to provide annual faculty workload reports for tenured and tenure-track faculty. The report is due December 1, 2010. Separately, the committees have requested that USM submit a report on all categories of institutional aid including need-based, merit, mission, and athletic scholarship. As a part of the report on institutional aid, lawmakers have asked that data on tuition remission be submitted as a separate category. The report is to be submitted to the Maryland Higher Education Commission on or before by January 10, 2011.
- The committee requests that Bowie State University, Coppin State University, and the University of Maryland Eastern Shore submit progression, retention, and graduation data on all students participating in Access and Success programs. Additionally, the conferees request that the University System of Maryland, in partnership with the Maryland Higher Education Commission (MHEC), establish a team to assess a decade-old report issued by the 2001 Independent Study Team on the Revitalization of Coppin State College (now Coppin State University). The report is due July 15, 2011.
- On or before September 1, 2010, the committee requests that USM submit a report on the institutional policies regarding outreach efforts to the surrounding community during the design review process of new buildings and before the exterior modification of an existing building.

USM CAPITAL CONSTRUCTION BUDGET

With a commitment of over \$235 million dollars in fiscal year 2011, the General Assembly approved **all** of the USM projects included in the Governor's Capital Budget. Two items were added in conference committee -- \$1 million for Bowie State University's new Turf Field and \$3 million for planning the new Engineering and Aviation Science Building at the University of Maryland Eastern Shore.

BOWIE STATE UNIVERSITY

Campuswide Site Improvements – \$200,000

Funds will be provided to upgrade Bowie State University's electrical distribution system. The new system will provide feeder redundancy and additional capacity to support future campus expansions.

New Fine and Performing Arts Building – \$32.053 million

This project will construct a new 62,465 net assignable square foot (NASF) Fine and Performing Arts Center to replace facilities in the existing Martin Luther King, Jr. Center that currently houses the visual arts, communications, history, government, English, foreign language, and music and theater programs. The facility will include classrooms, class laboratories, office space, a 200-seat recital hall, a 400-seat theater, a 200-seat black box theater, and an art gallery.

New Turf Field -- \$1 million

Enhancing competitiveness and contributing to health and wellness - the new multipurpose playing surface at Bowie State University will support the institution's championship level of participation in intercollegiate athletics. The new field will also serve a venue for intramural activities that contribute to student life and as a location for campus-wide events.

COPPIN STATE UNIVERSITY

New Science and Technology Center – \$6.497 million

The New Science & Technology Center (STC) is a continuation of the southern campus expansion acquisition and construction to house natural sciences, academic and industrial research programs, biology, biotechnology, physics, chemistry, general sciences, environmental sciences, preparing students to enter professional schools in dentistry, pharmacy, medicine or to pursue careers in industry of science and technology. The new STC will provide a state of the art technology based learning environment; which will build an academic identity for Coppin's commitment to the academic disciplines and professional practices associated with science and technology. The new facility will be located on the Southside of North Avenue adjacent to the new Health and Human Services Building.

FROSTBURG STATE UNIVERSITY

New Center for Communications and Information Technology -- \$2.681 million

The 2010 Legislative Session appropriates funding for the second phase to design and bid the new Center for Communications and Information Technology. This building will provide state-of-the-art facilities for mass communications and computer related programs. The Center will also house new facilities for FSU radio and television studios. Funding for construction will be available beginning in 2013. FSU currently has the oldest average academic facilities in the USM.

SALISBURY UNIVERSITY

New Perdue School of Business -- \$9.869 million

Salisbury University seeks to continue the addition of much-needed academic space with the construction of a 112,800 square-foot building that will replace and expand the facilities currently supporting the Franklin P. Perdue School of Business and its academic, research, and public service programs. The new Perdue School of Business will be located on Route 13 near the main entrance of the campus. The building will contain 20 classrooms, one computer and four business labs, a 200-seat auditorium which can double as a large classroom, student lounges, break-out rooms, faculty and administrative offices, and the Perdue Museum. The facility will allow students, faculty, and the community to engage in both traditional and experiential learning settings. As the University's first building designed with silver Leadership in Energy and Environmental Design (LEED) certification, it will be a model of sustainability. Some of the environmental highlights include use of at least 20 percent recycled materials, state-of-the-art energy systems projected to use 24 percent less heating and cooling than similar classroom buildings, a minimum of 75 percent construction waste being recycled, and many bicycle racks to encourage students, faculty, and staff to consider alternate modes of transportation.

UNIVERSITY OF BALTIMORE

New Law School Building – \$37.3 million

The new building will house state-of-the-art classroom spaces and a law library, a moot court room, two public law clinics and faculty offices, uniting currently fragmented law school units by bringing these distinct operations under one roof. The planned facility comprises 189,700 gross square feet, which includes 112,310 net assignable square feet. While increased space is a fundamental requirement in accommodating the growth we have experienced and the cutting-edge academic instruction we deliver, UB also makes special efforts to ensure its physical expansion and renovation projects focus both on quality and environmental sustainability. The new law center is no exception: It will be certified Silver—though we will strive for Gold—by the Leadership in Energy and Environmental Design Green Building Rating System. The

design will incorporate green roofs and terraces, natural light and fresh-air ventilation that are consistent with the most strenuous green principles.

UNIVERSITY OF MARYLAND, BALTIMORE

School of Pharmacy Addition and Renovation -- \$2.606 million

The total Pharmacy Hall Addition will result in 128,591 GSF/66,115 NASF of new space and includes three academic floors with lecture halls, teaching laboratories, a model pharmacy, student study spaces and student lounge areas. The remaining four floors will be dedicated to research laboratories and faculty offices. The project also includes the renovation of approximately 10,000 square feet of Pharmacy Hall space where the new addition interfaces with the existing facility. The result will be an integrated complex able to support the School of Pharmacy's planned enrollment growth of 82%. The addition to Pharmacy Hall is on track to be a LEED Silver certified building, incorporating environmentally sensitive design and construction. The building will utilize energy efficient equipment, wood products that are certified by the U.S. Forestry Service Council, recycled materials, lower lighting levels and natural day-lighting.

UNIVERSITY OF MARYLAND, BALTIMORE COUNTY

New Performing Arts and Humanities Facility – \$37.4 million

The new PAHF will house UMBC's arts and humanities departments and programs fundamental to address overcrowded space conditions in the existing Fine Arts building. The PAHF will replace deteriorating conditions in the current facilities (failing building envelopes and mechanical systems) where renovation is more costly than replacement. PAHF will be UMBC's first LEED certified building and phase one of the project includes the classrooms, open laboratories, multi-media study spaces, 275-seat main theater, 100-seat black box theater, backstage support spaces, and front of the house support spaces.

UNIVERSITY OF MARYLAND, COLLEGE PARK

Physical Sciences Complex – \$41.1 million

This project is the first phase of a three-phased plan to provide a new home for the Department of Physics, the Department of Astronomy, and the Institute for Physical Sciences and Technology (IPST). The Phase I building, sized at 142,400 GSF/75,100 NASF, is proposed to be attached to the east side of the existing Computer and Space Sciences Building (CSS) in the northeast sector of the campus. More than half of the NASF in Phase I will be dedicated to solving the pressing need for modern research laboratory facilities. In addition, there will be offices and meeting spaces for the faculty, students, and staff.

Phase I is intended to replace some of the existing facilities, which are dilapidated and obsolete; to provide additional research space so that the volume of sponsored research can be increased; and to ameliorate campus wide shortages in research space. Phases II and III will ultimately increase the size of the complex to 369,500 GSF/193,100 NASF and replace the remaining substandard facilities, as well as bring the units together in one location to overcome operational inefficiencies resulting from physical separation of the units.

Maryland Fire and Rescue Institute North East Regional Training Center -- \$331,000

Provide funds for the design, renovation, and construction of improvements to the Maryland Fire and Rescue Institute North East Regional Training Center located at Aberdeen Proving Ground.

East Campus Redevelopment -- \$5.0 million

Provide funds to design and construct infrastructure and building improvements for the redevelopment of east Campus.

TOWSON UNIVERSITY

New College of Liberal Arts Complex Phase II – \$28.650 million in General Obligation Bonds/\$10.0 million on Revenue Bonds

This final round of funding will enable completion of the College of Liberal Arts Complex. The result is an academic building with 293,000 gross square feet that will provide classroom, research, laboratory, student study, and office space. In addition to accommodating planned enrollment growth, completion of the project will consolidate ten departments of the College into one facility. Phase II construction is on schedule to be completed by fall 2011.

UNIVERSITY SYSTEM OF MARYLAND

Capital Facilities Renewal Program – \$17.0 million

The USM Facilities Renewal Program is part of an overall pro-active approach by the Board of Regents to address the problem of deferred maintenance.

USM BILLWATCH

Senate Bill 283 – Higher Education Investment Fund - Tuition Stabilization and Funding

Original USM Position: Support with Amendment

USM Impact/outcome: High

Senate Bill 283 makes permanent the distribution of corporate income tax revenues to the Higher Education Investment Fund (HEIF). Additionally, the bill establishes the Tuition

Stabilization Trust Account within HEIF to retain revenues for stabilizing tuition costs for students. The bill establishes the goal that any increase in resident undergraduate tuition and fees at public institutions of higher education in any given year should not exceed the percent increase in the three-year rolling average of the State's median family income.

USM supported (and the conferees adopted) amendments stating that it is a goal of the state that, in conjunction with moderate and affordable tuition, funding for USM should "reach 100% of the funding guidelines as developed and approved by the Maryland Higher Education Commission." An additional amendment states: "That, in order to provide access to higher education for Maryland students and to ensure a high return on State general fund allocations to higher education, the governing boards of public senior higher education institutions shall periodically conduct a review of tuition at individual institutions and make adjustments when necessary to promote access, to increase funding for financial aid, to align resident tuition rates with peer institutions in the State and nationwide, and to affect student demand as demonstrated by admissions data and productivity measures."

Senate Bill 283 passed both chambers and is headed to the Governor's office for signature.

House Bill 1370, Public-Private Partnerships – Oversight

Original USM Position: Support with Amendment

USM Impact/outcome: Moderate

HB 1370 defines a "public-private partnership" (P3) and establishes a framework of P3 reporting requirements and oversight procedures for state agencies. The bill also establishes a Joint Legislative and Executive Commission on Oversight of Public-Private Partnerships. The bill requires the state treasurer to analyze the impact of each P3 operating lease on the State's capital debt affordability limits and submit the analysis to the General Assembly for its review and comment. The committee can take as long as 45 days to review and comment on an analysis. The bill also prohibits the Board of Public Works (BPW) from approving P3 operating leases until after legislative review. The Capital Debt Affordability Committee (CDAC) would be required to include in its annual report an analysis of the aggregate impact of P3 operating leases on the total amount of new State debt that may be authorized for the next fiscal year.

USM testified in support of HB 1370 with an amendment that exempted USM P3 projects not financed or otherwise supported by state dollars.

House Bill 482 – Maryland Football Act

Original USM Position: Oppose

USM Impact/outcome: Measure died in committee

House Bill 482 would have required the University of Maryland, College Park (UMCP) to schedule and play a regular season football game at least once every four years against Morgan State University (MSU) and Towson University (TU).

Senate Bill 708 – Maryland Higher Education Business Coalition and Fund
Original USM Position: Monitor
USM Impact/outcome: Measure withdrawn by Sponsor

Senate Bill 708 was introduced as a way to promote partnerships and enhance cooperation between higher education and the business community to achieve the goals detailed in the State Plan for Postsecondary Education. The bill would have established a Maryland Higher Education Business Coalition Fund to leverage public, private, and foundation funding to promote the State's goals for higher education and to enhance cooperation and partnerships between higher education and the business community.

Senate Bill 191 – Weapon-Free Higher Education Zones
Original USM Position: Support with Amendment
USM Impact/outcome: Measure died in committee

Senate Bill 191 would prohibit a person from carrying or possessing any firearm, knife, or deadly weapon on the property of a public institution of higher education. Violators would face a misdemeanor charge and be subject to a maximum penalty of three years imprisonment and/or a \$1,000 fine. Although the prohibition does not apply to an on-duty law enforcement officer, a guard hired by the institution, a person engaged in organized shooting activity for educational purposes, or historical activities with an educational purpose, USM sought an amendment allowing each USM president greater discretion in formulating the ban.

House Bill 1102 – Bookstores Purchasing Used Textbooks
Original USM Position: Support with Amendment
USM Impact/outcome: Measure died in committee

House Bill 1102 would have required bookstores to create and maintain transaction records when purchasing used textbooks valued at \$50 or more. For each qualifying transaction bookstores would have been required to record: (1) the name and address of the seller; (2) the seller's driver's license number or similar information from another form of government-issued identification; (3) a description of the items sold; and (4) the transaction date. Records would have been kept for two years from the date of sale and violators would have been guilty of a misdemeanor and fined up to \$5,000 and/or imprisoned for up to 60 days.

USM offered an amendment that acknowledged the strong efforts and current practices of USM bookstores to monitor stringently textbook buybacks.

Senate Bill 1084 – Review of Program Proposals
Original USM Position: Oppose
USM Impact/outcome: Measure died in committee

Senate Bill 1084 would have required the Maryland Higher Education Commission (MHEC) to review program proposals through a deliberative fact-finding process, including receiving witness testimony and the weighing of evidence. The bill would also require the Commission to adopt regulations that provide for the receipt of comments and objections from appropriate

parties following submission of a completed proposal. The bill allowed institutions of higher education to seek judicial review of program proposal and to file suit in circuit court. USM testified in opposition to the bill primarily due to the delay in program approval it would create and the possibility of state agencies suing one another.

Senate Bill 604 – College and Career Readiness

Original USM Position: Support with Amendment

USM Impact/outcome: Measure died in committee

Senate Bill 604 requires the Maryland State Department of Education (MSDE) and the Maryland Higher Education Commission (MHEC) to adopt a definition of college and career readiness and adopt common assessment and benchmarks to show progress toward college readiness. The bill also seeks to develop strategies and curricula to be implemented to ensure students are successful in college. USM testified in support of Senate Bill 604 with a minor amendment to ensure that MSDE and MHEC consulted with institutions of higher education when developing the definition and criteria for college and career readiness.

HB 466 – Governor's P-20 Leadership Council of Maryland

Original USM Position: Support

USM Impact/outcome: Moderate

Taking effect July 1, 2010, this Administration bill codifies the Governor's P-20 Leadership Council of Maryland, which is primarily charged with aligning pre-kindergarten through post-secondary education and ensuring that Maryland will produce and maintain a competitive workforce. The bill establishes the membership of the council, and adds two members of the House of Delegates and two members of the Senate of Maryland to the existing council. Members of the executive committee that directs the council's work must provide primary staff support for the council. An annual report of the council's work and any recommendations is due by December 15 of each year to the Governor and the General Assembly.

The council is charged with investigating ways to improve education, advance workforce creation, and make the state more competitive. The Governor or the Governor's designee is required to chair the council. The bill establishes the membership of the executive committee which consists of the Governor; Secretary of Higher Education; Secretary of Labor, Licensing, and Regulation; Secretary of Business and Economic Development; Chancellor of the University System of Maryland; and State Superintendent of Schools.

The bill passed both chambers of the General assembly and is awaiting the Governor's signature.

House Bill 466 – Maryland Longitudinal Data System

Original USM Position: Support

USM Impact/outcome: High

House Bill 466 sets the groundwork to establish the Maryland Longitudinal Data System. The bill reflects the plan developed by the inter-agency workgroup which was chaired by

Chancellor Kirwan, and Mr. Jim DeGraffenreidt, President of the State Board of Education. The workgroup included representation from the Maryland State Department of Education (MSDE), Maryland Higher Education Commission (MHEC), Maryland Association of Community Colleges (MACC), Maryland Independent Colleges and University Association (MICUA), University System of Maryland (USM), St. Mary's College, Morgan State University and Maryland Department of Labor, Licensing and Regulation (DLLR).

The plan represents a consensus of those agencies on an approach which can be rapidly put in place; effectively meets the assurances associated with the federal American Recovery and Reinvestment Act (ARRA) of 2009; and offers a system that can answer Maryland's critical policy questions regarding educational persistence and achievement. Most importantly, it builds on existing processes, establishes no new agencies, and limits duplication of efforts by existing agencies. It has formed the basis for a \$13 million dollar federal ARRA Department of Education grant. Those testifying in support of the bill worked hard to assure legislators that while no data system is 100% perfect, the safeguards for data security and confidentiality are the highest priority during the planning period.

The bill passed both chambers of the General Assembly and is awaiting signature by the Governor.

House Bill 795 – Task Force to Study Nanotechnology and Nanobiotechnology

Original USM Position: Support

USM Impact/outcome: Moderate

House Bill 795 establishes a Task Force to Study Nanotechnology and Nanobiotechnology. With staffing provided the Department of Business and Economic Development (DBED) and the Maryland Technology Development Corporation (TEDCO), the task force is required to report its findings and recommendations on the benefits of these technologies and the State's role in promoting them by January 1, 2011.

Currently, state law established the Coordinating Emerging Nanobiotechnology Research (CENTR) Program and Fund requiring TEDCO to provide operating and capital grants for nanobiotechnology research projects. Specifically, the purpose of the CENTR program is to support advanced nanobiotechnology research at higher education institutions and promote Maryland as a key location for private-sector firms in the industry. In June 2009, TEDCO, in consultation with DBED, awarded \$2.9 million in research funding through what is now called the 2009 Maryland Nanobiotechnology Research and Industry Competition Grants. Each award was capped at \$250,000 to foster public-private partnerships as feasible to carry out the purpose of the CENTR program.

USM supports these efforts and the bill calls for the Governor to appoint three representatives of higher education institutions in Maryland involved in research or scholarship on nanotechnology or nanobiotechnology.

House Bill 348 – Public Institutions of Higher Education – New Design and Substantial Exterior Modification – Notice and Consultation

Original USM Position: Support with amendments

USM Impact/outcome: Measure died in committee

House Bill 348 would have required each USM institution to send a notice of construction or renovation to residents within a 3 mile radius of the proposed construction site. As originally written, USM and campus officials expressed strong opposition to the bill. These concerns were made clear to the sponsor of the bill as well as several House Appropriations Committee members. As the first hearing approached, the bill's sponsor made a good-faith effort to reach out to USM and accept several changes that preserved the spirit of the bill. More important, great care was taken to ensure the amendments were unobtrusive to the campus capital improvement process as it operates currently.

With the amendments, House Bill 348 would require USM institutions to make "reasonable efforts" to inform all adjoining property owners and the municipal government of the design of a new structure or substantial modification of an existing structure. The means of communication can be paper or electronic.

USM testified that campuses should make reasonable efforts to inform community members of potential nuisances resulting from campus construction activity that is adjacent to private homes and businesses. USM also explained that every five years, the Board of Regents requires each campus to submit a facilities master plan. The purpose of this submission is to establish a framework for orderly growth and development of capital improvements that is responsive to an institution's current and projected needs and sufficiently flexible to accommodate changes that can be expected to occur in a dynamic design review environment. The committee also heard that USM institutions use a variety of means to reach out to neighbors on aspects of how the community and university can work together towards mutual benefit.

Mitigating the need for the bill was an approach by the Senate Budget and Taxation Committee expressing a desire for USM to study community outreach efforts prior to major construction projects.

House Bill 59 – Task Force to Explore the Incorporation of the Principles of Universal Design for Learning into the Education Systems in Maryland

Original USM Position: Support with amendment

USM Impact/outcome: Moderate

The University System of Maryland testified before the House Ways & Means Committee in support of House Bill 59 with an amendment to add the Chancellor of USM, or his designee, to the task force membership. House Bill 59 creates a task force to incorporate the Principles of Universal Design in education delivery and teacher training curriculum at various levels. These principles include, but are not limited to, multiple means of representation to give diverse learners options for acquiring information and knowledge; action and expression to provide learners options for demonstrating what they know; and engagement to tap into learners' interests, offer appropriate challenges, and increase motivation. USM requested membership to help shed light on the costs and the benefits of incorporating the principles into teacher preparation curriculum and how these principles are embedded in the curriculum for

teacher preparation. According the USM Office of Academic Affairs, the task force offers an opportunity to increase the dissemination of information about UDL. The bill passed the Senate and is awaiting signature by the Governor.

Senate Bill 702 – Tuition Cap and College Opportunity Act of 2010

Original USM Position: Support

USM Impact/outcome: Measure died in committee

SB 702 would have mandated that the annual State general fund support levels for the University System of Maryland (USM) and Morgan State University (MSU) reach 100% of the funding guidelines by fiscal 2021. The bill would also set funding goals for higher education while permanently reauthorizing the Higher Education Investment Fund (HEIF). The final report of the Commission to Develop the Maryland Model for Funding Higher Education, by 2021, established state funding guidelines for public higher education institutions. Those guidelines are pegged at the seventy-fifth percentile of funding per student of a group of comparable institutions located in competitor states. State funding of historically black institutions (HBIs) should be set at the eightieth percentile of funding of a group of comparable institutions located in competitor states. Competitor states are states with which Maryland principally competes for employers, as determined by MHEC in consultation with the Department of Business and Economic Development.

USM supports the Funding Commission's recommendation (and the bill's intent) to move Maryland to 100 percent of the funding guidelines. Unfortunately, the economic climate and the hefty fiscal note attached to Senate Bill 702 hindered its viability this legislative session. Senate Bill 702 denotes the positive efforts by legislators to move Maryland higher education to the competitive forefront.

House Bill 1312 – Task Force to Study the Creation of a Maryland Center for School Safety

Original USM Position: Monitor

USM Impact/outcome: Low

House Bill 1312 establishes a Task Force to Study the Creation of a Maryland Center for School Safety. Bowie State University (BSU) must provide staff support for the task force and a final report detailing recommendations is due by July 1, 2011.

The task force will discuss key elements needed to establish a center for school safety, including, but not limited to: best practices, training programs, and statewide data collection. The task force will also explore security criteria that local school systems may consider in the design of new school construction and the development of interagency agreements to address discipline and safety issues.

House Bill 782 – Department of Information Technology - Security of Computer Systems

Original USM Position: Oppose

USM Impact/outcome: Measure died in committee

House Bill 782 would have required the Secretary of Information Technology to adopt, by regulation, security procedures for the Department of Information Technology (DoIT), and to develop standards and make recommendations concerning the security of computer systems used by State government and educational institutions – including USM. House Bill 782 would have signaled an overly broad reach of the authority for the Secretary of Information Technology beyond reviewing the annual project plans and providing technical assistance, advice, and recommendations to state agencies.