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**COUNCIL of UNIVERSITY SYSTEM
FACULTY NEWSLETTER**

CUSF



2010-2011 CUSF Chair Joyce Shirazi and 2009-2010 CUSF Chair Bill Stuart pause during the Annual, New Chair's Workshop, planned by CUSF.

TABLE OF CONTENTS

Signing Off , <i>by Bill Stuart</i>	1
The History of Shared Governance at UMUC, Part I of IV , <i>by Joyce Shirazi</i>	2
Faculty Collective Bargaining: Is It a Possibility? <i>by Stephanie Gibson</i>	3
Faculty Rights & Benefits Committee Agenda Update , <i>by Paul Flexner</i>	4
Board of Regents Faculty Awards <i>by Jay Zimmerman</i>	5
New BOR Faculty Award Category: Effectiveness & Efficiency Innovation	6

**CUSF
2010-2011
EXECUTIVE
COMMITTEE**

- Joyce Shirazi, Chair*
UMUC
- William Stuart, Vice Chair*
UMCP
- Martha Siegel, Secretary*
TU
- Stephanie Gibson, At Large*
UB
- E. William Chapin, At Large*
UMES

**CUSF General Body
2010-2011 MEETINGS**

- MON, SEPT 13, **UB**
- THURS, OCT 14, **UMUC**
- TUES, NOV 16, **UMCP**
- FRI, DEC 10, **UMCES**
- FRI, JAN 21, **USM**
- THURS, FEB 17, **BSU**
- TUES, MAR 15, **CSU**
- MON, APR 18, **UMBC**
- TUES, MAY 10, **UMB**
- WED, JUNE 15, **UMES**

Signing Off , by Bill Stuart | 1

It has been a great pleasure and honor to serve as CUSF Chair this just completed academic year. I have particularly enjoyed the opportunity to work with my colleagues on the Executive Committee; they were a great team, as I'm sure you're all aware. I have been particularly impressed by good will and support for faculty by the University System of Maryland and especially by the Chancellor and his staff and the Board of Regents.

And now, as I prepare to return to serve as a UMCP campus CUSF representative and as Vice Chair of CUSF. Right now I wish to wax a bit personal and give my view on several matters that are near-and-dear to me, ones that I think CUSF, as a whole, might wish to consider in the coming year.

(i) **SHARED GOVERNANCE:** First, as we're all aware, Shared Governance on campuses is mandated by the Board of Regents. Indeed, each and every campus has implemented some form of shared governance for faculty, staff, and students. The problem – one that needs remedying in my view – is that below the highest campus levels, such shared governance is honored, if at all, in the breach or weakly at lower administrative and collegial levels. I suggest that the Board policy be reviewed, indeed expanded, so that shared governance be genuinely and effectively honored everywhere, on each and every campus.

(ii) **FACULTY SENATES/ASSEMBLIES:** A second concern of mine has to do with the nature and variety of forms of representation of faculty on the various campuses. On some campuses faculty have a separate – at least semi-autonomous – faculty union (sometime called “senate”... elsewhere “assembly”). At other campuses we encounter the University Senate form – such as that at UMCP – where all constituencies (faculty, staff, students) are lumped together in a single assembly. However, it seems to me that in the latter case faculty suffer by having its input undifferentiated from that other constituencies, with the result that the faculty voice on such campuses is diluted, indeed, in danger of being swamped by other diluted by being mixed with non-faculty agendas and different interests. I propose that we work for separate exclusively faculty senates/assemblies, even while they may also participate in multi- constituency representative entities.

(iii) **BENEFITS:** A third area of concern has to do with establishing an equivalence of ‘benefits’ structure on all System campuses. Presently, there remains considerable variety in the nature – the quantity and quality – of benefits for faculty at the several campuses. As co-representatives on CUSF we need to continue to pursue equity of benefits – retirement and medical and spousal/familial – across campuses and across various social categories of faculty.

(iv) **DECLINE OF PAY:** A final concern – and an issue that I believe we in CUSF should be particular attentive to – is of even more immediate concern. In particular, as we now face a third year of furloughs, added to additional years of no cost-of-living or merit increases, with the result that we have suffered a significant 10 to 20% loss of real earning power in the past few years. **Thus, we must be increasingly active in lobbying the Legislature – both corporately and by individual representatives and senators.** In this endeavor, I believe we should work closely with the Chancellor and the Board of Regents as they plan for the next fiscal and legislative year.

The Council of University System Faculty (CUSF) Newsletter serves to facilitate communication among the University System of Maryland (USM) faculty and the USM community. The views presented in this newsletter are those of individual authors and do not necessarily represent the views of CUSF.

The History of Shared Governance at UMUC, Part I of III, by Joyce Shirazi | 2

UMUC was an original member of CUSF in 1989. The first CUSF Secretary was Adelaide Lagnese of UMUC. Yet somehow shared governance and UMUC do not seem to be analogous to many. For this reason, I would like to explore the history of shared governance at UMUC in a four part series, from 1994 to today. Why 1994? 'Because this historical perspective is based on CUSF Executive and General Body Meetings Minutes, which have been safely and professionally archived by CUSF Past Chair John Collins at http://www.umbi.umd.edu/~collins/CUSF/John_Collins/home.htm dating back to 1994.

1994-1995 Academic Year

The year began with CUSF discussions about the new faculty situation at UMUC. The faculty titles were officially changed to Academic Administrators. Programs were revised at UMUC and many of the previous faculty members received notices of nonrenewal and one-year notices of termination if not reassigned as administrators. In September, the UMUC President in a special meeting with the USM Chancellor and the CUSF Executive Committee, described the unique situation and history of UMUC and stated that insuring flexibility for the institution was one of major reasons for his actions. At the October CUSF meeting, it was noted that UMUC had always had representation on the CUSF despite the lack of tenure-track faculty and no faculty organization to whom

the faculty representative reported. However, it was observed that CUSF should pay close attention to this issue because the nontraditional aspect of UMUC was offered as a justification for the institution's action, and that UMUC was described as an institution of the future by the Chancellor. A motion was tabled to both disapprove of the UMUC action in terminating full-time faculty and to continue to support UMUC representation on CUSF.

In November, responding to a CUSF request for a task force on the issue of the role of faculty at nontraditional institutions, the Chancellor noted that the idea of a task force on the role of faculty in nontraditional institutions would be equivalent to a counterproposal from USM to addressing the UMUC issue directly. At a later meeting, regarding UMUC representation on CUSF, the Chancellor said that the definition of faculty was set by the Integrated Post-Secondary Education Data System (IPEDS), a national database maintained by the Department of Education, and that UMUC faculty reported as full-time faculty under that system. Article II, Section 1 of the CUSF Constitution says: "Section 1. Membership. The Council will consist of core faculty representatives elected by the faculties of the constituent institutions of the [UMS]. The faculty of each campus will determine the qualifications for, and procedures for selection of, its representatives. Core faculty: All persons holding tenure and tenure track positions who are classified as faculty (regardless of sub-classification: instructional, research and public service) and are so reported to [MHEC] through the Employee Data System." It was suggested at the meeting

that CUSF consider whether it wished to use the IPEDS definition or the "core faculty" definition in Article II, Section 1 of the CUSF Constitution.

At the May CUSF meeting, it was announced that UMUC could send a designee to CUSF meetings since they are open meetings, which was later corrected at the June meeting because CUSF had not voted on a statement regarding UMUC representation, despite the fact that no member of the faculty from UMUC had been in attendance at CUSF meetings since January 1995. The CUSF Chair subsequently presented these resolutions, which failed to be adopted by CUSF:

1. CUSF recognizes the importance of the participation of UMUC, as a member institution of UMS, in deliberations of CUSF.
2. The CUSF Constitution calls for members to be full-time faculty elected by the faculties of their institutions. UMUC, having no full-time faculty, has no mechanism for representation on the CUSF.
3. Until such time as UMUC has full-time faculty, CUSF encourages UMUC to send an observer to CUSF meetings, which are open. CUSF resolves to extend all privileges of membership to such an observer, except that of the vote.

1995-1996 Academic Year

At the first meeting of the year, CUSF members expressed concern that UMUC was receiving funding in the fiscal year budget when they were in violation of MHEC "Minimum Requirements for Degree Granting Institutions," questioning the \$.3 million for faculty

development when UMUC had no full-time faculty. By January, the CUSF Chair reported that the MHEC Educational Policy Committee voted to allow UMUC to count as faculty the 58 classified as administrators in the IPED report to MHEC and who taught six credits per year, and granted the waiver of the requirement that 50% of courses be taught by fulltime faculty. The UMUC request was based on the unique UMUC mission, level of legislative funding and a “wave of the future” model for delivery of educational services. CUSF opposition was registered in the MHEC Faculty Advisory Council, reflected in the FAC opposition to the waiver and sought official UMUC classification as faculty. The argument was that if the individuals are counted as faculty, they should be accorded faculty titles and rights, especially academic freedom. In February, MHEC approved a UMUC request for the waiver.

1996-1997 Academic Year

In the fall, the CUSF Chair noted the termination of a UMUC CUSF member with a possible connection to the individual’s faculty advocacy activities at CUSF, and that the current UMUC contract still identified them as administrators who served at the pleasure of the president, and thus did not meet MHEC requirements for faculty contracts. Concerns were expressed about UMUC faculty who pursued faculty representation in CUSF and other representative faculty bodies were fired, UMUC compliance with the BOR Shared Governance Policy, which raised questions of whether there was a faculty, who were the faculty, and whether there was a faculty-selected body of faculty representatives for

input to UMUC policies. It was noted that, if faculty were defined as individuals with faculty contracts, none of the individuals at UMUC were “faculty” since none of them were operating with contracts by which they were hired for at least one academic year. Instead, the individuals were listed as administrators with contracts stipulating that they served at the pleasure of the president. Later, the following questions were asked regarding UMUC in particular:

- How do we generally define faculty in order to have consistency across UMS and to impact fair treatment of faculty?
- How do we determine membership in CUSF?
- Should we become involved in individual cases of dismissal?
- How does one remove the impression created by the prima facie evidence that participation in CUSF is hazardous to one’s job?

The Chancellor noted that the key is the requirement that the UMUC shared governance plan meet all stipulations of the BOR Shared Governance Policy, including the requirement of meeting CUSF representation qualifications.

In February, regarding SB 749, the CUSF Chair informed the Chancellor that if UMUC was allocated state funds under a capitation formula, that UMUC must operate under the same COMAR regulations as the other higher education institutions in Maryland.

In April, the UMUC President and CUSF Chair discussed UMUC representation on CUSF. The

UMUC President noted that UMUC would not change its structure or behavior in order to obtain CUSF representation, UMUC firmly believed it had a shared governance policy in operation, and that CUSF review power was limited to input, and did not include veto power. At the next CUSF meeting, the CUSF Chair stated that given the CUSF membership limitation to tenure-track faculty who were elected by an institution’s faculty, no faculty at UMUC could qualify and that CUSF was faced with a decision whether to adopt some informal procedure for UMUC input to CUSF deliberations. Strong objections were raised to potentially jeopardizing an individual UMUC faculty member by inviting for CUSF meeting attendance, since the last two UMUC representatives to CUSF had been fired. The CUSF Chair also reported that MHEC FAC had requested that MHEC reopen the questions of the number of fulltime faculty at UMUC, and adherence to the COMAR requirement that 50% of classes be taught by fulltime faculty.

1997-1998 Academic Year

In September, the CUSF Chair sent a letter to the UMUC President requesting to have the regular full-time faculty (those whose major duties are teaching, research and service) elect a person to attend meetings of CUSF and act as liaison between CUSF and the UMUC faculty. In August, the CUSF Chair announced that UMUC would be sending a non-voting representative starting in the fall for the 1998 academic year.

To be continued ... **The History of Shared Governance at UMUC – Part I of III**

**Faculty Collective Bargaining:
Is It a Possibility?** by *Stephanie Gibson* | **3**

Faculty in the University System of Maryland are legally prohibited from seeking collective bargaining. We are one of a very few groups of public employees without the right to consider unionizing.

Governor Glendening extended collective bargaining rights to state employees, all except those in the University system, in 1996. In response to this, in the next session (1997), the legislature passed a bill permitting University system employees – all except faculty – to unionize. In the years since that legislation became law, several constituencies in the USM have sought collective bargaining. But not all eligible groups unionized; some decided they were perfectly satisfied with their situation as it was and did not want collective bargaining.

Throughout the country, faculty are unionized in over 500 schools across the nation. Faculty unions can often enhance shared governance by giving faculty a stronger voice in workplace conditions, salary

issues, and academic freedom. Shared governance bodies continue to oversee their traditional areas: curriculum and academic policy. Unions can often be helpful to administration by giving faculty a stronger, more organized voice with which to address issues where administrators are required by politics and diplomacy to defer to others.

Permitting Maryland faculty the right to collective bargaining would not mean faculty will be required to join unions, it simply means faculty will get to decide for themselves whether or not they want to seek collective bargaining.



Regular CUSF meeting attendee, Vice Chancellor Irv Goldstein having fun during lunch at a monthly CUSF meeting

Faculty Rights & Benefits Committee Agenda Update, by Paul Flexner	4
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University System of Maryland institutions, presumably in an effort to avoid layoffs or program cuts, mandated furloughs again this past academic year and promised similar financial impositions this coming year. Only emergency hires were made in the system during the past two years.

While these pay cuts are not considered permanent, nobody knows how many more balanced state budgets will be achieved by taking a percentage of faculty salaries. Or if they do, they're not saying. We do know that the numbers are still red and will be negative

for at least one more year. **We also learned this past spring that certain USM faculty benefits are considered fair game in the hunt for finding fat to trim in order to balance the annual state budget.** This means that while furloughs may not be permanent, our other benefits - such as spouse and dependent tuition remission - are considered fair game during legislative budget cutting - hunting season. While the minority party proposal never went to vote this year - we don't know what could happen to our salaries or benefits in the future.

Faculty Rights and Benefits **AGENDA ITEMS** include:

Exploring the Right to Collective Bargaining

While the pro's and con's of unions can be debated for years, the simple right for University System Faculty to unionize is not on the table in the State of Maryland. To this end, past and present Board of Regents have negotiated annual USM budgets that have been proportionately favorable. Furthermore plans to keep Maryland universities competitively priced by not raising tuition have been followed for the past half decade. Indeed we are no longer among the nation's most expensive colleges but instead, as far as tuition is concerned, compare favorably with many regional peer institutions.

Vigilance over State Law Makers

Times are currently hard enough so faculty must be vigilant about keeping what we have. When economic times return to normal we can once again request the state make USM benefit packages competitive with our peer institutions. Currently ORP benefits still do not match those of peer institutions.

Long Range Goals

Before 2008, in an effort to make USM benefit packages equal to peer university systems in the Northeast Region, University of Maryland University Presidents and the Chancellor's Office remained committed to seeing ORP benefits improve. Two years ago in 2008 the Chancellor and the USM Presidents were considering, as a legislative priority, an increase in employer ORP (Optional Retirement Plan) contributions from 7.25 percent to

9.25. Beyond the 9.25 percent employer contribution, the total package might include an employee contribution of 5 percent which could be implemented over a three-year period. Obviously it was not a good year for such legislation.

Improved Spousal/Partner Benefits

Particular attention should be paid to understanding that due to the Federal Defense of the Marriage Act (DOMA), USM domestic partner health benefits are not calculated under the same coverage standards as are opposite sex partners' benefits. Same sex domestic partner benefits quite simply require out of pocket expense for family health coverage for the full amount. DOMA is a Federal Act and will undoubtedly be changed someday. In the meantime, this presents a problem for our gay and lesbian colleagues.

Other problems in distributing health benefits to full time non tenure track faculty continue to plague this group of colleagues. As it is, USM is now providing equal health care benefits to our contractual colleagues but the distribution of monetary reimbursement comes only after the fact. Obviously this means that these folks cover expenses and submit forms for reimbursement.

Hopefully the lid will stay on the kettle for one more year. Or at least long enough for a broad economic recovery.

Board of Regents Faculty Awards | 5

by Jay Zimmerman

The Board of Regents of the University System of Maryland presents four awards to faculty employed at one of its schools in each of the categories of Teaching, Scholarship, Public Service and Mentoring. In each category, one of the awards must go to a comprehensive university and one to a research university. In addition, one of these awards may be given to a team of 2 or more faculty members from different USM institutions. Nominations are made by individual institutions and the Council of University System Faculty selects the nominees that are forwarded to the Board of Regents. The achievements of the nominees are only those for a period of three years prior to the award.

In theory, this is what the awards are supposed to be about. In practice, it is virtually impossible to separate the achievements over the last 3 years from the rest of the person's achievements. This is particularly true since the award criterion also say that the achievements should be continuous and must be recognized by the public. It is also true that there are many examples where the boundaries between these four categories are blurry. I have been on many award committees where a particular nominee has been nominated in one category and the committee felt that he/she would have won easily in another category. Finally, a faculty member cannot be judged only on one aspect of his or her duties. If two faculty members have comparable research, then the one who does that research with a heavier teaching load should be the award winner in the research category. Another problem is that "paid consultancies are

excluded from award consideration". We have had faculty whose job is advising, nominated for the mentoring award. In general, we will consider such people only if their performance goes far beyond their job description. These are just some of the problems that award committees have wrestled with in the past.

I believe that a few new awards should be instituted. There should be an award for the best all around faculty member. Currently, we emphasize excellence in one of the three dimensions of faculty workload. This means that the person who balances all aspects of their job magnificently will probably not be rewarded. Finally, there should be some sort of lifetime achievement award. It is really sustained research, teaching and service that we should seek and not just for a few years.



CUSF members Art Popper and Joyce Tenney

2009-2010 Board of Regents Faculty Awards

Public Service

Joseph O. Arumala, UMES
Brenda Bratton Blom, UMB
Michele E. Gilman, UMB
Brian Polkinghorn, SU

Teaching

Megan E. Bradley, FSU
Jill L. Caviglia-Harris, SU
Geoffrey L. Greif, UMB
Kevin Murphy, UMUC

Mentoring

Raymond L. Blakely, UMES
Margo S. Coleman, UMUC
Matthias K. Gobbert, UMBC
Arthur N. Popper, UMCP

Research

Jack Fruchtman, TU
Douglas P. Hamilton, UMCP
Cynthia F. Moss, UMCP
David H. Secor, UMCES

New BOR Faculty Award Category | 6

Effectiveness & Efficiency Innovation

The University System of Maryland Board of Regents' Effectiveness & Efficiency Innovation Award will publicly recognize exemplary ideas that, when implemented, will serve further the University System of Maryland's goal to continually increase the effective and efficient use of its resources.

A new category of Effectiveness & Efficiency will be added to the existing Regents Faculty Awards.

DESCRIPTION:

The awards shall be bestowed in the following two categories:

- * Academic Transformation - Improved learning and a minimum cost savings of \$10,000.
- * Administrative Transformation - Improved effectiveness and efficiency resulting in a minimum cost savings of \$10,000.

One award from either of the above-listed categories may be made for an exemplary initiative that has the potential to be implemented system-wide.

Each recipient will receive a certificate of recognition and a monetary award of \$1,000.

ELIGIBILITY

The nominee must be current USM faculty.

APPLICATION

In addition to the existing application procedures, the applicant will include in their proposal:

1. A brief description of the innovative initiative
2. Potential benefits
3. Magnitude (single/multiple institutions or system-wide)
4. Effectiveness and efficiency to be attained (including estimated cost and/or resource savings)

For further detail on current initiatives, applicants are advised to review the E&E reports available at <http://www.usmd.edu/usm/workgroups/EEWorkGroup/eeproject/index>



Martha Siegel, Executive Committee member and past CUSF Chair

NEWSLETTER EDITOR: Joyce Shirazi

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