

CUSF Executive Committee Minutes

May 7, 2012

In Attendance were: Joyce Shirazi, Jay Zimmerman, Robert Kauffman, Virletta Bryant , Steve Mount, and Irv Goldstein (guest).

CONVENING THE MEETING - 12:30 PM

The ExecCom meeting for May was convened by Joyce Shirazi at 12:30 PM in a conference room at System headquarters in Adelphi, Maryland. All were in attendance.

APPROVAL OF CUSF EXCOM MINUTES

A motion was made to approve the minutes of the April 5, 2012 Executive Committee. The motion passed. The Secretary will place the approved minutes on the website. The Senate Chairs minutes will need to be approved at the next meeting in order that they may be posted.

BUSINESS ITEMS

Elections: The group discussed and analyzed the recent CUSF elections. First, Steve Mount was commended for the excellent job that he did in conducting the elections. This included seeking nominees, formalizing procedures, and conducting the actual elections. Second, everyone noted that the elections went flawlessly and smoothly. Third, the election process eliminated some of the inequities that were present in the previous elections while being consistent with the bylaws. Fourth, the Secretary noted that the minutes of the meeting describe in sufficient detail the process used in the elections in case the ExecCom wants to utilize these procedures again next year. Fifth, Steve Mount discussed and indicated that he would work on ways to streamline and improve the election process for next year.

SENIOR VICE CHANCELLOR'S REPORT - 12:40 PM

Irv Goldstein arrived at the meeting at 12:40 PM and gave his report on academic affairs.

Budget: Irv provided a update on the budget. [Secretary's Note: *See the April 16th General Body Minutes for the current summary of the budget vis-a-vis the legislature.*] This discussion merely added some fine points to that discussion. Irv noted that the Legislature was tentatively planning to reconvene on May 14th to address the budget.

Consulting Requirement: In response to a question, there was an issue raised whether it was appropriate for the University to require faculty to report any and all "consulting" situations where they are receiving compensation or payment (See attachment: *Towson Faculty Consulting Policy*). First, the general consensus was that requiring faculty to report their activities was appropriate. Second, filing and receiving approval of these activities maybe important for maintaining insurance and other coverages.

Third, since the university is the primary employer, it is appropriate for them to monitor possible conflicts of interest. Fourth, the policy statement at the bottom of the Frostburg consulting form was shared. It states “**A conflict of interest arises when the faculty member influences, or is in a position to influence, the institution’s decisions for personal financial gain or benefit. A conflict of commitment situation arises when outside activities substantially interfere with the person’s obligation to students, colleagues, or the institution.**” (*Faculty Handbook, pp. xxviii – xxxii*) Irv noted that this was consistent with BOR policy in describing the intent of the policy. Fifth, no further action was taken or recommended.

Report of Campus Shared Governance: Picking up on the discussion and recommendation made at the Senate Chairs meeting, there was a discussion on developing a system where the Senate Chairs would report to Chancellor on the status of shared governance at their campus [Secretary’s Note: *See also the minutes of the Senate Chair’s Meeting, April 6, 2012, OPEN DISCUSSION section for the initial discussion of this topic.*]. First, there was a discussion regarding what would be appropriate to report and by whom. After discussion, it was concluded that a report on shared governance would be appropriate. Second, it was concluded that ExecCom would develop a resolution on this matter. A tentative draft generated from this discussion is presented below.

Initial Draft of Resolution: In order to further shared governance at individual institutions within the USM, the Council of University System Faculty recommends that the chairperson of the faculty governance body at each institution prepare an annual report on the status of shared governance at their institution. A compiled version of all reports received by the CUSF Executive Committee will be shared prior to the Chancellor’s annual evaluations of USM presidents, with the Chancellor, the CUSF General Body, and the Senate Chairs. [Secretary’s Note: *Although the basic draft was discussed during the meeting, this draft was sent after the conclusion of the meeting.*]

CHANCELLOR’S COUNCIL REPORT

This month, Robert Kauffman attended the Chancellor’s Council on behalf of CUSF. He gave a brief report on the meeting. First, there was a discussion of topics that were covered by Irv including: the budget situation, Meet and Confer, and the COLA (Contingent on proposed budget passing), In addition, the following items were discussed:

Smoking Policy: Utilizing the policies developed by several campuses, System is developing a policy that would unilaterally ban smoking on USM campuses. There was a brief discussion regarding who owned the sidewalks in urban areas and how this would inhibit the intent of the policy. The policy is expected to go the BOR in June, 2012. (See attachment for proposed policy)

Gender Identity: There is a proposal to amend the existing anti-discrimination policy to include gender identity. (See attachment for proposed policy)

Maternal/Paternal Leave: A policy has been developed for faculty. The primary need is for 10 month faculty where there is a real need. There is an issue whether the policy should include staff also. Regardless, the proposed policy will go through the appropriate committees and eventually to the BOR for their action.

AGENDA ITEMS AND BUSINESS

Meetings for 2012-2013: With Jay being the new Chair, there was a discussion regarding the importance of developing a schedule for the upcoming academic year.

Andy Clark: It was briefly discussed that Andy Clark, Director of Legislative Affairs, would be a good speaker at the May CUSF meeting of one of the upcoming meetings.

Academic Freedom: The academic freedom policy is being revised and should be ready for action shortly.

June Meeting: There was a discussion regarding the June meeting. The discussion centered on two issues. The first issue was whether Salisbury University was a good location since it would reduce attendance because of the extra travel time required. Second, there was a discussion regarding the need for the meeting in general. Third, it was noted that attendance would be further reduced since the transition to new CUSF members would not be in attendance until the August meeting. After a discussion it was decided that it might be best to cancel the June meeting unless the General Body concluded otherwise and to have a planning committee of the ExecCom.

New Chair's Workshop: The recent workshop on April 27th at System went smoothly and was successful.

Load Releases: ExecCom members will need to supply their accounting codes to transfer funds from System to the individual campuses.

Regent's Award Committee: Regarding the Regent's Awards Committee, there was a discussion regarding when it should be initiated. It was concluded that although the formal committee doesn't need to be convened until later, it is important for System to disperse the information on the awards now. Joyce volunteered to chair the committee for next year and this was approved by those in attendance. She indicated that she will begin work on the process immediately. She indicated that committee members will be chosen at the September meeting.

ADJOURNMENT - 2:30 PM

With no further business, it was moved, seconded, and passed to adjourn the meeting at 2:30 PM.

Respectfully Submitted,

Robert B. Kauffman

Robert B. Kauffman
Secretary, CUSF

Attachments: Towson Faculty Consulting Policy
Smoking Policy
Gender Identity Policy



University Policies and Procedures

**02-03.10 – POLICY FOR COMPENSATION FOR FACULTY
AND FOR REPORTING OUTSIDE
TEACHING/CONSULTING/EXTERNAL SERVICES**

I. Policy Statement: The University System of Maryland Policy on Compensation for Faculty (Policy II-1.21) seeks to provide salaries for faculty that are adequate to attract and retain individuals with the qualifications and levels of performance necessary for the University to teach and maintain the highest levels of excellence in education.

II. Definitions:

III. Responsible Executive and Office:

Responsible Executive: Provost and Vice President for Academic Affairs

Responsible Office: Office of the Provost

IV. Entities Affected by this Policy: All faculty.

V. Procedures:

A. Compensation

Academic year contracts for faculty members at Towson University (“University”) will normally be offered for a period of ten months. Exceptions, as justified by special assignments or other professional considerations, will be approved by the President or designee. Positions already approved do not need reconsideration.

Implicit in the contractual arrangement between the University and individual faculty members is the fact that a full-time appointment constitutes 100% commitment over the time of the contract duration, unless otherwise specified. Given the two basic durations of faculty contracts at the University, 10-month or 12-month commitments, the following guidelines are presented to explain additional compensation allowed under contract.

1. **Time Commitments for Outside Employment:** Faculty may engage in outside employment including consulting, private

professional practice, or contract work for up to one day per week or its hourly equivalent. Such employment may not interfere with the faculty member's responsibilities on campus and may not include failure to accept an assigned course schedule, absence from individual class sessions, or lack of attention to departmental and institutional responsibilities for shared governance and service. The faculty member bears responsibility for avoiding potential conflicts, disclosing any tensions that inadvertently arise, and discussing appropriate resolutions with the department chairperson or dean. (See University System of Maryland Policy II-3.10, Policy on Professional Commitment of Faculty.)

2. **Professional Services within the Institution:** During an appointment period, full-time faculty members may receive a stipend for consulting, overload teaching, or professional services within a USM constituent institution only with the advance written approval of the president or designee. (See USM Policy II-3.10, Policy on Professional Commitment of Faculty.) With such approval, faculty members teaching eight instructional units during two semester terms may teach up to one additional course as an overload each term; those teaching seven instructional units may teach one additional course per year; and those teaching six instructional units may not teach additional courses for compensation as overloads.
3. **External Teaching:** As indicated in USM Policy II-3.10, Policy on Professional Commitment of Faculty and USM Policy II-3.20, Policy on Teaching Outside the Home Institution by Full-Time Faculty, a full-time faculty member may only teach at another institution for additional compensation with the advance written permission of the president (or designee) of his or her home institution. The faculty member may never teach more than two such courses during a contract year.
4. **Compensation from Grants or Contracts:**

10-Month Faculty: Faculty contracted for the 10 months of the academic year may earn up to 33% of the 10-month salary in additional compensation from grants and/or contracts on an annual, fiscal year basis. The allotment of time for additional work includes the summer months during which the faculty member is not under contractual commitment to the University. Any requests for compensation above 33% must involve buy-out of the academic year salary and require permission of the Provost upon recommendation of the dean.

12-Month Faculty: Faculty contracted for 12 months of the fiscal year may earn up to 10% of the 12-month salary in additional compensation from grants and/or contracts. Any requests for compensation above 10% must involve buy-out of salary and require permission of the Provost upon recommendation of the dean.

5. **Reporting/Approvals:** All faculty will be required to fill out the Towson University “Faculty Offload and Outside Employment” form for the upcoming academic year at the end of each spring semester. A faculty member may not accept any outside employment that has not been approved. The completed, fully executed forms will be retained in the office of the Associate Provost for Academic Resources and Planning.

B. Salary Annualization

The University has initiated the following procedures concerning faculty pay, in compliance with Internal Revenue Service Bulletin 2008-29 (http://www.irs.gov/irb/2008-29_IRB/ar12.html).

All regular faculty members are paid on a 26 period pay basis. All new regular faculty will be entered on the payroll the first day of the pay period closest to August 15th and will receive 26 biweekly payments, September-August.

If a regular faculty member separates (voluntarily or involuntarily) from service prior to the end of the academic year then the faculty member will be paid all earned but unpaid salary in a single lump sum within 30 days of the end of the pay period in which the voluntary or involuntary separation of service occurs.

If the separation is effective at the end of the academic year (with the faculty member not returning the following academic year) then the faculty member will be paid all unpaid salary in a single lump sum within 30 days of the 21st payment, and benefits will be terminated at the end of the 21st pay period.

Federal regulations stipulate that failure to comply with the above practices may result in additional taxes due on the deferred compensation including a 20% additional income tax. Therefore to avoid this tax penalty it is imperative that the faculty member notify the University prior to the receipt of her/his 19th payment of her/his intent to not return for the following academic year.

Related Policies: USM Policy II-1.21
USM Policy II-3.10
USM Policy II-3.20

Approval Date:

Effective Date:

Approved by: President's Council

Maravene Loeschke, President

Date

Approved

TOWSON UNIVERSITY
Faculty Offload and Outside Employment
Academic Year _____

Name _____

Rank _____ Department: _____

All anticipated offload or outside employment should be reported for the upcoming academic year (including summer and minimester). Report offload or outside employment only if you receive monetary compensation in addition to that associated with your full-time faculty contract for the academic year. Do not report uncompensated overload assignments, overload assignments compensated with the base contract (e.g., acting department chairperson) or volunteer work. In cases where workload is undetermined for a semester, please provide best estimate of number of hours per week per term associated with the work. Note that any change during the year to any item reported on this form requires that you submit a new form for your dean's approval before making that change.

Offload and outside employment for which additional compensation is received: (Fill in all appropriate categories. Distinguish between fall and spring semesters where appropriate.)

1. Offload (compensated) teaching at TU and elsewhere.

Do not report TU non-credit instruction (e.g., informal courses). Do not report TU independent studies if it is paid on a per student rather than per-course basis.

Fall semester

Spring semester

Institution _____

Institution _____

Number of courses _____

Number of courses _____

Course credit hours _____

Course credit hours _____

Contact hours per week required _____

Contact hours per week required _____

Duration of courses _____

Duration of courses _____

2. Consulting

Include compensated non-teaching work at TU (e.g., part-time counseling at the Counseling Center) and all compensated consulting for businesses, non-profit organizations, and government agencies.

Business or agency name _____

Nature of work _____

Hours per week _____ Hours per semester _____

3. Other compensated employment, include self-employment.

Include private practice (law, accounting, psychological counseling or therapy, etc.). Include paid freelance activities (law, accounting, psychological counseling or therapy, etc.). Include paid freelance activities (writing, performance, etc.) which exceed an average of four hours per week.

Nature of work _____

Hours per week _____ Hours per semester _____

4. If you do not plan to engage in offload or outside employment during this academic year, check here _____. *(If you subsequently decide to do so, a new form must be completed and submitted for your dean's approval).*

I declare that the above information is an accurate statement for the academic year indicated above. Should I undertake any additional compensated activity or increase the number of hours in any activity reported above during the year, I will submit a new declaration for my dean's approval before making such a change.

Faculty Signature _____ Date _____

Chairperson signature _____ Date _____

Dean's signature (approval) _____ Date _____

Return this form with all signatures to the Office of the Provost, Associate Provost for Resources and Planning.

4/10/12 DRAFT

_____ POLICY ON SMOKING AT USM INSTITUTIONS

(Approved by the Board of Regents on _____)

I. PURPOSE AND SCOPE

- A. Purpose. The University System of Maryland (USM) seeks to promote a healthy, smoke-free environment for students and employees. In recognition of the health risks of tobacco smoke, this policy establishes standards and requirements to provide a smoke-free environment for all USM faculty, staff, students, and visitors.
- B. Scope. This policy applies to all USM students, faculty, staff, contractors and employees of contractors providing services on USM campuses, agents, guests, and visitors.

II. DEFINITIONS

- A. "Institution Property" means any property owned, leased, or otherwise controlled or operated by an institution, including buildings, other structures and grounds.
- B. "Smoking" means carrying or smoking a lighted tobacco product or the burning of any material to be inhaled including, but not limited to, cigarettes, cigars, hookahs, and pipes.

III. PROHIBITIONS ON INSTITUTION PROPERTY

- A. Prohibitions against Smoking.
 - 1. Consistent with Maryland law, smoking is not permitted in any institution building, including academic buildings, residence halls, administrative buildings, other enclosed facilities, except as provided in Section III(A)3, below.
 - 2. Smoking is prohibited on all institution grounds and property, including walkways, parking lots and recreational and athletic areas, except as provided in Section III(A)3, below.
 - 3. Smoking in and on institution property will be permitted only as follows:
 - a. For controlled research, and educational, theatrical or religious ceremonial purposes, with prior approval of the President or the President's designee;
 - b. In limited and specific designated areas on institution grounds, as approved by the President; or
 - c. Subject to any other exception to this policy recommended by the President and approved by the Chancellor.

- B. Prohibitions against Sale. The sale of tobacco and smoking-related products is prohibited on institution property.

IV. SMOKING CESSATION ASSISTANCE

- A. Assistance Programs. Each institution may make available smoking cessation assistance to students, faculty and staff, which may include opportunities to participate in smoking cessation seminars, classes and counseling and the availability of smoking cessation products and materials.
- B. Smoking Cessation Information. The President of each institution shall designate an individual or individuals to answer questions, refer students and employees to on-campus and outside resources, and otherwise provide information about smoking cessation assistance options and opportunities.

V. IMPLEMENTATION PROCESS

- A. Communication. Each institution shall provide initial and ongoing information to communicate the requirements of this policy, including:
 - 1. Dissemination of the key elements of the policy to faculty, staff, students and others on websites and in appropriate written materials; and
 - 2. The placement of exterior and interior notices and signs announcing that smoking is prohibited.
- B. Community Outreach. Each institution will engage in outreach to the community, as appropriate, to facilitate coordination with local government authorities and to assist residents and businesses near the institution in preventing trespass and littering that may result if members of the campus community seek to smoke in nearby off-campus areas.
- C. Consequences. Each institution may establish appropriate consequences, which may include fines or disciplinary measures, for violations of this policy.
- D. Implementation. The provisions of this policy shall be implemented at each institution no later than June 30, 2013.

4/10/12 DRAFT

136.0 VI-1.05 POLICY OF NON-DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION

(Approved by the Board of Regents, July 11, 1997; amended _____)

PURPOSE

This policy affirms that the University System of Maryland's (USM) commitment to the most fundamental principles of academic freedom, equality of opportunity, and human dignity includes the protection of members of the USM community from discrimination based on sexual orientation and gender identity and expression. These principles require that the treatment of students, faculty, and staff of USM institutions, and applicants for admission and employment, be based on individual abilities and qualifications and be free from invidious discrimination.

I. DEFINITIONS

For the purposes of this policy, the following definitions apply:

- A. "Gender identity or Expression" is defined as a person's actual or perceived gender identity, self-image, appearance, behavior, or expression, regardless of whether that identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the person's gender at birth.
- B. "Sexual orientation" is defined as the identification, perception, or status of an individual as to homosexuality, heterosexuality, or bisexuality.

II. PROHIBITION AGAINST DISCRIMINATION BASED UPON SEXUAL ORIENTATION OR GENDER IDENTITY AND EXPRESSION

- A. This policy specifically prohibits discrimination against students, faculty, and staff on the basis of sexual orientation or gender identity and expression in academic admissions, financial aid, educational services, housing, student programs, and activities, recruitment, hiring, employment, appointment, promotion, tenure, demotion, transfer, layoff or termination, rates of pay, selection for training and professional development, and employee services.
- B. The USM reserves the right to comply with conditions on the application of this policy required by the terms of any bona fide employee benefit plan such as a retirement, pension, or insurance plan, and to enforce or comply with any Federal or State law, regulation, or guidelines, including conditions for the receipt of federal funding.

III. IMPLEMENTATION

- A. The protections of this policy shall be included in all appropriate USM and institution equal opportunity statements and related documents.
- B. The USM and each institution shall include the protections of this policy in its procedures to implement and enforce its equal opportunity and non-discrimination policies, including the identification of those officials responsible for receiving, investigating and resolving complaints of discrimination prohibited by this policy.