AGENDA FOR OPEN SESSION  8:30 a.m.

Call to Order  Regent Rauch

1.  UB President Schmoke Multi-Year Review (information)

2.  Revision to Bylaws of the Board of Regents (action)

3.  Coppin State University Faculty Salary Equity Plan (information)

4.  Convene to Closed Session (action)
TOPIC: UB President Schmoke Multi-Year Review

COMMITTEE: Committee on Governance and Compensation

DATE OF MEETING: February 10, 2020

SUMMARY: The University System of Maryland Chancellor is conducting a multi-year review of University of Baltimore President Kurt Schmoke. A component of the Board of Regents evaluation of University Presidents’ performance, the multi-year review is designed to assess performance over an extended period. The process is guided by Board of Regents Policy VII-5.01, Policy on the Five-Year Review of USM Presidents and assess institutional leadership, progress toward academic excellence, fiscal management, commitment to shared governance, and quality of student services, among other areas.

The review schedule is attached. As part of the evaluation process, the visiting team will meet with university stakeholders on scheduled for February 18-19, 2020. The community will have the opportunity to provide feedback through email. The Board will receive a report of the review at its May 2020 meeting.

ALTERNATIVE(S): This is an information item

FISCAL IMPACT: Information item

CHANCELLOR’S RECOMMENDATION: Information item

COMMITTEE ACTION: DATE: February 10, 2020

BOARD ACTION: DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 410-576-5734
UNIVERSITY OF BALTIMORE PRESIDENT MULTI-YEAR REVIEW

Review Schedule

**February 11, 2020**
Consultants receive the Chancellor’s charge and meet with the USM Vice Chancellors

**February 18 – 19, 2020**
Consultants Visit with University of Baltimore Stakeholders
- President’s Cabinet
- University Deans & Librarian
- Staff Senate Executive Committee
- Student Government Executive Committee
- University Faculty Executive Committee

**March 4, 2020**
Consultant Formal Report Due to the Chancellor

**March 6, 2020**
Chancellor meets with Consultants to discuss the review

**March 9, 2020**
Chancellor shares the report with the President, who is invited to respond in writing

**March 26, 2020**
Chancellor presents the Review Report and President’s Response to the Governance and Compensation Committee

**May 1, 2020**
The Review Report and President’s Response is discussed with the full Board
VII-5.01 – BOARD OF REGENTS POLICY ON THE FIVE-YEAR REVIEW OF USM PRESIDENTS

(Approved by the Board of Regents, April 16, 2004; Amended June 19, 2015; Amended October 9, 2015; Amended April 21, 2017)

I. PURPOSE OF REVIEWS

A. Initial Five-Year Reviews

The normal expectation is that presidents will serve for periods of at least five (5) to six (6) years following their initial appointments. It is appropriate, therefore, to conduct an in-depth review of presidents and the impact of their leadership after a period of roughly five (5) years of service. This will enable the Board of Regents and the Chancellor to assess presidential performances over a more extended period of time than is possible with the ongoing annual performance reviews. The five-year review is expected to highlight major accomplishments, offer constructive suggestions as to areas where improvement in performance could occur, and provide guidance about the continuation of a president’s service.

B. It is also important to occasionally conduct in-depth reviews of presidents who serve extended periods of time in order to insure that their leadership continues to move their institutions forward with vitality and vigor. At the request of the Chancellor and/or the Board of Regents, a President shall be scheduled for an in-depth review at no less than 5-year intervals following the initial 5-year review. When possible and practical, these reviews should be coordinated with the cycle of Middle States Commission on Higher Education (MSCHE) and/or other accrediting body reviews.

II. AREAS FOR REVIEW/ASSESSMENT

Presidential performance will be assessed in a number of areas including:

A. Institutional leadership

1. establishing a vision and mission for the institution

2. developing a strategic plan and direction

3. aligning the vision, mission, and planning with resource allocation;

B. Progress toward academic excellence as measured by student and faculty quality and accomplishments;
C. Soundness of fiscal management;

D. Success in non-state resource development, including external grants and contracts, and private gifts;

E. For those campuses with a major research mission, success of the research enterprise and its impact on economic development;

F. Strength of external relations efforts (including public relations, marketing efforts, and government and private sector relations);

G. Ability to develop strategic partnerships with other System institutions, higher education institutions outside the System, federal laboratories, state and local agencies, and the private sector;

H. Commitment to serving the public good through well articulated state and community outreach and engagement efforts;

I. Quality of student services (if appropriate);

J. Commitment to shared governance;

K. Ability to contribute as a constructive and collaborative member of the USM leadership; and

L. Attention to the development of a high quality administrative and managerial infrastructure and an attractive, well maintained physical plant.

III. REVIEW COMMITTEE

A. The Chancellor shall appoint a review committee and charge it with evaluating the President’s overall performance in the areas mentioned above.

1. The committee will consist of no more than five (5) members, who will be knowledgeable and experienced leaders, such as presidents of institutions with missions similar to that of the president under review.

2. The President may suggest suitable members for the committee and will be asked to review the proposed committee; however, the final selection will be made by the Chancellor.

B. Review Schedule
The deliberations and recommendations of the committee are strictly confidential and will proceed according to the following schedule:

1. A president under review completes a self-assessment, which includes the major accomplishments and the challenges faced during the period under review.

2. The self-assessment is shared with the committee members several weeks in advance of their site visit.

3. Before making a site visit, the committee members review the self-assessment and other key institutional documents, such as Middle States review documents, recent accreditation reports, strategic plans, as well as representative information shared with alumni, donors, and other external groups.

4. At the beginning of the site visit, the committee meets with the Chancellor to receive its formal charge and then with the Vice Chancellors. The Committee visits the campus and meets with the institution’s vice presidents, and the officers of constituent groups such as faculty, staff and student governance bodies, alumni, and affiliated foundation boards (this will differ from institution to institution). These meetings are expected to be strictly confidential and will take place in a conference room setting. The campus visit should be completed in a concentrated time frame of no more than three days.

5. The Committee will also solicit written input from the institution’s community. Anonymous comments will not be accepted.

6. The committee has an exit interview with the Chancellor.

7. The Committee prepares and submits its formal report within two weeks of the exit interview.

8. The Committee shares the report with the President, who is invited to respond in writing.

9. The Chancellor makes the review committee report and the President’s response available to the Committee on Organization & Compensation, discusses the report with the Committee and then the entire Board of Regents. The report remains confidential and becomes part of the president’s personnel file.
10. The Chancellor meets with the President to discuss the review committee’s reports, the Board’s reaction to it, and the steps that need to be taken in a response to the report.
TOPIC: Revisions to Bylaws of the Board of Regents

COMMITTEE: Committee on Governance and Compensation

DATE OF MEETING: February 10, 2020

SUMMARY: The Committee will review the attached minor revisions to the Bylaws of the Board of Regents. The proposed revision reflects the Board’s recognition of the presidents’ statutory authority to manage their institutions, and the Board’s commitment to delegate to each president such authority as is necessary to enable them to manage their institution efficiently and effectively.

ALTERNATIVE(S): The Committee could choose not to review the revisions.

FISCAL IMPACT: No fiscal impact.

CHANCELLOR’S RECOMMENDATION: The Chancellor recommends that the Regents review and discuss the revisions to the Board of Regents Bylaws.

COMMITTEE ACTION: DATE: February 10, 2020

BOARD ACTION: DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 410-576-5734
Proposed Revisions to Board of Regents Bylaws -- Article I

**Section 5. CURRENT LANGUAGE**

Except with respect to changing the name of any institution, establishing any new institution or branch or center or institute, merging, consolidating or closing any institution or center or institute, and selling or exchanging real property, the Board may delegate any part of its authority over the affairs of the constituent institutions and centers to the Chancellor or the Presidents, or to any advisory bodies the Board establishes pursuant to Section 12-201 of the Education Article, Maryland Annotated Code. The Board may modify or rescind any such delegation of authority at any time in whole or in part.

**Section 5. PROPOSED REVISED LANGUAGE**

Except with respect to changing the name of any institution, establishing any new institution or branch or center or institute, merging, consolidating or closing any institution or center or institute, and selling or exchanging real property, the Board may delegate any part of its authority over the affairs of the constituent institutions and centers to the Chancellor or the Presidents, or to any advisory bodies the Board establishes pursuant to [Section 12-201 statute](#) of the Education Article, Maryland Annotated Code. The Board may modify or rescind any such delegation of authority at any time in whole or in part. The Board shall delegate to the president of each constituent institution authority needed to manage the institution to the extent such authority is not granted to the presidents in Maryland Ann. Code, Educ. § 12-109. The Board may modify or rescind at any time, in whole or in part, any delegation of authority not mandated by statute.

**Article X – Board Committees**

**Section 7. Committee on Governance and Compensation CURRENT LANGUAGE**

G. The Committee shall review, monitor, and implement processes and procedures for the Board’s optimal performance. The Committee is also responsible for development and implementing assessment of the Board’s activities.

**Section 7. Committee on Governance and Compensation PROPOSED REVISED LANGUAGE**

G. The Committee shall review, monitor, and implement processes and procedures for the Board’s optimal performance. The Committee is also responsible for development and implementing periodic assessment of the Board’s activities.
BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Coppin State University Faculty Salary Equity Plan

COMMITTEE: Committee on Governance and Compensation

DATE OF MEETING: February 10, 2020

SUMMARY: The attached Coppin State University Faculty Salary Equity Plan is being presented to the Committee as an information item.

ALTERNATIVE(S): The Committee could choose not to discuss the topic.

FISCAL IMPACT: Fiscal impact to CSU is outlined in the plan.

CHANCELLOR’S RECOMMENDATION: The Chancellor recommends that the Committee discuss the CSU Faculty Salary Equity Plan.

COMMITTEE ACTION: 

DATE: February 10, 2020

BOARD ACTION: 

DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 410-576-5734
January 28, 2020

Dr. Jay Perman, Chancellor
University System of Maryland
701 E. Pratt Street
Baltimore, MD 21202

RE: Faculty Salary Equity

Dear Chancellor Perman:

Shortly after I began my tenure as Interim President at Coppin State University, we identified institutional priorities that would guide our decision making and activities during the six months that I expected to serve. One of those priorities was labeled “Faculty Support” and it included development and implementation of (a) faculty salary equity plan, (b) review and revision of the faculty evaluation procedures, (c) revision of the Faculty Appointments, Reappointments, and Tenure Document, and (d) full implementation of the Regents’ Post-Tenure Review Policy. Our intent was to use this priority to begin to address a critical issue for the faculty—faculty salary inequity—and, simultaneously, to make needed improvements in the university’s foundation for making sound faculty personnel decisions.

The attached plan is what has emerged out of the process of pursuing the faculty salary equity item of the “Faculty Support” priority. It was developed by a faculty committee that President Maria Thompson had established two years or so ago and it has been overwhelmingly endorsed by vote of the faculty. The plan is merit-based and Provost Leontye Lewis and I also endorse it.

I am forwarding the plan and implementation timetable to you as information and forwarding to the appropriate committee(s) of the Board of Regents. Please let me know if there are any questions or concerns. Thank you.

Sincerely,

Mickey L. Burnim, Ph.D.
Interim President

cc: Dr. Leontye L. Lewis, Provost and Vice President of Academic Affairs, CSU
Dr. Joanne Boughman, Senior Vice Chancellor for Academic and Student Affairs, USM
Ms. Ellen Herbst, Vice Chancellor for Administration and Finance, USM

attachments
Timeline for Finalizing and Awarding Salary Equity Increases

January 21, 2020  Proposed Faculty Salary Equity (FSE) Plan is presented to Faculty for Feedback

January 24, 2020  Faculty Salary Equity Workgroup will finalize FSE Plan Guidelines and submit to the Provost

Jan/Feb, 2020  Submission of the FSE Plan to USM by President Mickey Burnim

February 3, 2020  Qualified faculty will be notified by letter via postal service and email of the opportunity to submit documents in accordance with the FSE Plan requesting a salary equity adjustment. Qualified faculty are faculty members whose base salary fall below the 50th Percentile (April 12, 2019 Salary Report from Sibson Consulting).

February 10, 2020  Secure two nominees from each College and Faculty Senate to serve on the Faculty Salary Equity Review Committee

Secure two nominees from each College and Faculty Senate to serve on the Appeals Committee

The Provost will confirm membership on both committees based on the nominees’ rank and equitable representation from each college and Faculty Senate.

March 23, 2020  Qualified faculty must submit their Faculty Salary Equity Packets to the Provost’s Office by 5:00 pm

April 8, 2020  Faculty Salary Equity Review Committee completes review of the packets and submits recommendations to Provost

April 10, 2020  Provost communicates the results of the FSERC review with the President

April 13, 2020  Faculty are notified of their salary equity adjustment by letter via postal service and email. Faculty will have 10 working days to appeal decision.

April 27, 2020  The Chair of the Appeals Committee must receive faculty appeal of salary equity adjustment decisions in writing via email and inter-office mail by 5:00 pm

May 8, 2020  Appeals Committee complete reviews of faculty appeals and make recommendations to Provost

May 12, 2020  Provost reviews recommendations of Appeals Committee and make recommendations to President

May 15, 2020  President makes final decision on appeal and communicates with faculty

President submits final spreadsheet reflecting faculty salary increases to the Office of Human Resource

July 1, 2020  Adjusted salary equity increases are reflected in faculty base salary
MEMORANDUM

To: Dr. Leontye Lewis  
Provost and VPAA, Coppin State University

From: Dr. Claudia D. Nelson  
Chair, Faculty Salary Equity Workgroup

Date: December 2, 2019

Re: Faculty Salary Equity Workgroup Recommendations for Coppin State University  
Faculty Salary Equity Adjustment Plan

Background

Board of Regents (BOR) Policy II-1.2.1 states that the University System of Maryland (USM) “shall seek increases in funding to attain and maintain a faculty salary structure for each of its constituent institutions which is merit-based and in which the average faculty salary is at or above the 85th percentile of that institution’s classification group.” Currently, Coppin State University (CSU) weighted percentile for all faculty rank is at the 52nd percentile, which is woefully below the System’s target (see chart below). When the weighted percentile data is disaggregate, 36 tenured and tenure-track faculty salaries (representing approximately one-third of the full-time faculty) are below the Market 50th percentile (Sibson Consulting Study).

<table>
<thead>
<tr>
<th>Companions</th>
<th>Faculty</th>
<th>FY14</th>
<th>FY15</th>
<th>FY16</th>
<th>FY17</th>
<th>FY18</th>
<th>Weighed %ile</th>
<th>FT19 Scenario FT19 Scenario</th>
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<td>CSU</td>
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<td>Rank</td>
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<td>59</td>
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<tr>
<td></td>
<td>Assoc.</td>
<td>54</td>
<td>53</td>
<td>49</td>
<td>50</td>
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<tr>
<td></td>
<td>Prof.</td>
<td>76</td>
<td>78</td>
<td>77</td>
<td>75</td>
<td>78</td>
<td>69</td>
<td></td>
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</tbody>
</table>

Over the past decade, CSU full-time faculty salaries have lagged behind those of peers. In the most recent USM system analysis, CSU salaries lagged behind all other master’s USM institutions ranking except for FY19 average salaries for Assistant Professors which also fall below the 85th percentile:

<table>
<thead>
<tr>
<th>University</th>
<th>University</th>
<th>Estimated Average Salary</th>
<th>Assoc.</th>
<th>Prof.</th>
<th>Assc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baltimore, U. of (data from USMHR reviewed)</td>
<td>MD 161173 MA.12</td>
<td>$115,326</td>
<td>$92,906</td>
<td>$81,107</td>
<td>$85,881</td>
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<td>$79,835</td>
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<tr>
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<td>$76,061</td>
<td>$70,460</td>
<td>$80,683</td>
</tr>
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<td>Salisbury University</td>
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<td>$81,579</td>
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<td>$84,379</td>
</tr>
<tr>
<td>Towson University</td>
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<td>$92,233</td>
<td>$64,907</td>
<td>$72,684</td>
<td>$85,194</td>
</tr>
<tr>
<td>Maryland, U. of, University College (data from USM)</td>
<td>MD 163204 MA.04</td>
<td>$119,572</td>
<td>$101,737</td>
<td>$83,249</td>
<td>$114,033</td>
</tr>
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</table>
In 2011, Sibson Consulting did a comprehensive salary study at Coppin State University entitled, *The Distribution of Competitiveness to Market Median by School*. The study provided a salary comparison across the various schools/departments at Coppin. In 2019, the study was repeated as a result of the University System of Maryland (USM) recognizing that faculty in the system were not earning competitive market rates. The scope of the Sibson Study included analysis of 118 tenured/tenure track and non-tenure track faculty members. As part of the study, Sibson assessed external market competitiveness of CSU faculty based on rank, discipline, contract terms, and tenure status relative to two comparison markets.

Sibson used the Maryland Higher Education Commission’s (MHEC) defined group of ten (10) Performance Peer institutions for CSU against which CSU is assessed for a variety of metrics, including average faculty salary levels, and data on Performance Peers from the IPEDS database, which reports average faculty salaries by rank for each peer institution to determine competitive benchmarking in the market assessment. Using a detailed census file provided by the University, faculty positions were mapped to discipline-specific CIP codes. Sibson then determined market price for faculty pay based on discipline and rank using CUPA-HR’s data on demand. Sibson conducted a market variance analysis to determine market competitiveness of individual salaries to market percentiles by position, department, rank, etc. and provided the University a written summary of the variance analysis also including a cost model. One of the goals of MHEC and USM’s Strategic Plan is to target salary levels to the 85th percentile of CSU’s Performance Peers by 2020.

**DETERMINATION OF ELIGIBILITY FOR FACULTY SALARY EQUITY ADJUSTMENT**

This one-time eligibility consideration for meritorious salary equity increases is based on rank, years in rank and weight for each of the three major categories under review (Teaching/Instructioinal Activities, Research/Scholarship/Professional Growth, and Service to the University, Profession and Community). Faculty will use the *Merit-Based Salary Equity Adjustment Eligibility Checklist* which was created by merging meritorious faculty work/achievements as itemized in both the 2000 *Merit Pay Document* and the 2010 *Appointment, Rank and Tenure Policy* to identify and provide evidence of items they present as meritorious. The checklists are specific to each rank, time in rank, the three weighted categories, and whether or not a faculty member earned tenure or promotion effective 2014 through 2019.

The process begins with Academic Affairs notifying each faculty in writing who falls below the 50th percentile of the gap in their salary (as determined by the Sibson Study) and the potential of their eligibility to receive a merit-based salary equity adjustment to their base salary. Faculty will be provided with the *Merit-Based Salary Equity Adjustment Eligibility Checklist* document associated with their rank, along with instructions.

The timeline for submission of packets should be no less than 45 days from notification of eligibility. Only faculty who have demonstrated meritorious achievement will be eligible for this one-time equity adjustment.
When the eligible faculty member submits his/her packet for review it will be assessed by the Faculty Salary Equity Review Committee (FSERC), comprised of two representatives from each college and the Faculty Senate. The FSERC will be a ten-member committee composed of four (4) tenured full professors, four (4) tenured associated professors and two (2) tenured assistant professors. The provost will confirm membership on the committee based on the nominees’ rank and equitable representation from each college and Faculty Senate. The FSERC will review all applications and allocate points based on documents included in the packets. The Merit-Based Salary Equity Adjustment Calculation Worksheet will be used to determine the percentage amount of the meritorious salary adjustment a faculty member will receive.

*Only faculty who have demonstrated meritorious achievement will be eligible for this one-time equity adjustment. This will be a permanent adjustment made to the base salaries of eligible faculty.*

**APPEALS PROCESS**

Where there are discrepancies in the calculation/assessment, the Appeals Committee (AC) will re-evaluate all documents and make a recommendation to the provost who in turn will review all documents and make a recommendation to the president on the salary equity adjustment. The AC will be comprised of one representative from each college and the Faculty Senate. The AC will be a five-member committee composed of two (2) tenured full professors, two (2) tenured associated professors and one (1) tenured assistant professor. The provost will confirm membership on the committee based on the nominees’ rank and equitable representation from each college and Faculty Senate. The members of the AC will be different from the FSERC. Members of the AC cannot be members of the FSERC. If needed, one or more alternate members may be nominated to ensure that there is no conflict of interest. The AC operates only if and when a faculty member files a written appeal of a merit-based increase decision with the Chair of the Appeals Committee within ten (10) business days of receipt of decision letter.

After its review, the Appeals Committee will make a recommendation to the provost who in turn will review all documents and make a recommendation to the president. The President’s decision is final.
### FSEW Proposal for Salary Equity Adjustment Increases Pegged to Current Base Salaries (1-17-2020)

<table>
<thead>
<tr>
<th>FACULTY MEMBER By Department and Rank</th>
<th>CURRENT BASE SALARY</th>
<th>3 PERCENT INCREASE</th>
<th>6 PERCENT INCREASE</th>
<th>10 PERCENT INCREASE</th>
<th>PROMOTION BONUS</th>
<th>MAXIMUM Amount of Increase to Close Gap to Market 50th (Sibson)</th>
<th>SAVINGS Difference between the 10% Increase and the Maximum Amount to Close Gap to Mkt 50th</th>
</tr>
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<tbody>
<tr>
<td>Ten. Assoc. Accounting &amp; Mgmt Info Systems</td>
<td>$67,189</td>
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<td>$4,031</td>
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<td>FACULTY MEMBER</td>
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<td>6 PERCENT INCREASE</td>
<td>10 PERCENT INCREASE</td>
<td>PROMOTION BONUS</td>
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<td>FACULTY MEMBER</td>
<td>CURRENT BASE SALARY</td>
<td>3 PERCENT INCREASE</td>
<td>6 PERCENT INCREASE</td>
<td>10 PERCENT INCREASE</td>
<td>PROMOTION BONUS</td>
<td>MAXIMUM Amount of Increase to Close Gap to Market 50th (Sibson)</td>
<td>SAVINGS Difference between the 10% Increase and the Maximum Amount to Close Gap to Mkt 50th</td>
</tr>
<tr>
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### FSEW Proposal for Salary Equity Adjustment Increases Pegged to Current Base Salaries (1-17-2020)

<table>
<thead>
<tr>
<th>Faculty Member By Department and Rank</th>
<th>CURRENT BASE SALARY</th>
<th>3 PERCENT INCREASE</th>
<th>6 PERCENT INCREASE</th>
<th>10 PERCENT INCREASE</th>
<th>PROMOTION BONUS</th>
<th>MAXIMUM Amount of Increase to Close Gap to Market 50th (Sibson)</th>
<th>SAVINGS Difference between the 10% Increase and the Maximum Amount to Close Gap to Mkt 50th</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ten. Prof. (effective 2014-2019)</td>
<td>$69,338</td>
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</tbody>
</table>
## FSEW Proposal for Salary Equity Adjustment Increases Pegged to Current Base Salaries (1-17-2020)

<table>
<thead>
<tr>
<th>Faculty Member</th>
<th>CURRENT BASE SALARY</th>
<th>50-69,999 Points Earned</th>
<th>70-79,999 Points Earned</th>
<th>80 or More Points Earned</th>
<th>PROMOTION BONUS</th>
<th>SAVINGS Difference between the 10% Increase and the Maximum Amount to Close Gap to Market 50th (Sibson)</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$2,555,829</td>
<td>$76,675</td>
<td>$153,350</td>
<td>$255,583</td>
<td>$38,000</td>
<td>$404,194</td>
<td>$44,051</td>
</tr>
</tbody>
</table>

### Maximum Merit Dollars

- N/A
- $76,675
- $153,350
- $255,583

### Less Diff. Btw %Max and 50th Gap

- N/A
- $643
- $12,139

### Total Merit Awarded

- N/A
- $76,032
- $141,211

### Total Bonus

- N/A
- $38,000
- $38,000

### Total Merit plus Bonus

- N/A
- $114,032
- $179,211

### Administrative Equity Adjustments

### Total Allocations for Salary Adjustments (Merit+Bonus+Admin. Equity Adj.)

- $2,555,829
- $2,631,860
- $2,697,039

### Total Faculty Salaries

- $2,767,360
SUMMARY: The Open Meetings Act permits public bodies to close their meetings to the public in special circumstances outlined in §3-305 of the Act and to carry out administrative functions exempted by §3-103 of the Act. The Board of Regents will now vote to reconvene in closed session. As required by law, the vote on the closing of the session will be recorded. A written statement of the reason(s) for closing the meeting, including a citation of the authority under §3-305 and a listing of the topics to be discussed, is available for public review.

It is possible that an issue could arise during a closed session that the Board determines should be discussed in open session or added to the closed session agenda for discussion. In that event, the Board would reconvene in open session to discuss the open session topic or to vote to reconvene in closed session to discuss the additional closed session topic.

ALTERNATIVE(S): No alternative is suggested.

FISCAL IMPACT: There is no fiscal impact

CHANCELLOR’S RECOMMENDATION: The Chancellor recommends that the Committee vote to reconvene in closed session.
STATEMENT REGARDING CLOSING A MEETING
OF THE USM BOARD OF REGENTS
GOVERNANCE AND COMPENSATION COMMITTEE

Date: February 10, 2020
Time: Approximately 9:30 a.m.
Location: Board Room
Saratoga Building
UMB

STATUTORY AUTHORITY TO CLOSE A SESSION

Md. Code, General Provisions Article §3-305(b):

(1) To discuss:

[X] (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or

[X] (ii) Any other personnel matter that affects one or more specific individuals.

(2) [X] To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.

(3) [ ] To consider the acquisition of real property for a public purpose and matters directly related thereto.

(4) [ ] To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

(5) [ ] To consider the investment of public funds.

(6) [ ] To consider the marketing of public securities.

(7) [ ] To consult with counsel to obtain legal advice on a legal matter.

(8) [ ] To consult with staff, consultants, or other individuals about pending or potential litigation.

(9) [X] To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
(10) [ ] To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:

(i) the deployment of fire and police services and staff; and

(ii) the development and implementation of emergency plans.

(11) [ ] To prepare, administer or grade a scholastic, licensing, or qualifying examination.

(12) [ ] To conduct or discuss an investigative proceeding on actual or possible criminal conduct.

(13) [ ] To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

(14) [ ] Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

(15) [ ] To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to:

(i) security assessments or deployments relating to information resources technology;

(ii) network security information, including information that is:

1. related to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a governmental entity;

2. collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity; or

3. related to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity; or

(iii) deployments or implementation of security personnel, critical infrastructure, or security devices.

Md. Code, General Provisions Article §3-103(a)(1)(i):

[X] Administrative Matters

TOPICS TO BE DISCUSSED:
1. Mid-Negotiation Briefing re Police MOU between Coppin State University and the Fraternal Order of Police.
2. Update on status of collective bargaining at USM institutions.
3. Information update regarding personnel contracts at UMCP and UMES subject to review under BOR VII-10.0 Policy on Board of Regents Review of Certain Contracts and Employment Agreements.
4. Recognition of an employee’s service to the USM.

REASON FOR CLOSING:

1. To maintain confidentiality regarding collective bargaining negotiations (§3-305(b)(9));
2. To maintain confidentiality of discussion regarding specific employment agreements (§3-305(b)(1)(i) and (ii)); and
3. To handle an administrative and personnel-related matter regarding recognition of a former USM employee. (§3-103(a)(1)(i), §3-305(b)(1) and (2)).