



BOARD OF REGENTS
University of Maryland Global Campus
College Park Marriott Hotel and Conference Center
General Vessey Ballroom

September 10, 2021

AGENDA FOR PUBLIC SESSION **8:30 A.M.**

Call to Order Chair Gooden

Recognition of Board of Regents Staff Awards Recipients Chair Gooden

1. Exceptional Contribution: Julianna Brush, UMCES
2. Exceptional Contribution: Victor Fulda, UMBC
3. Outstanding Service: Donna Hammer, UMCP
4. Extraordinary Public Service: Patricia Watson, TU
5. Effectiveness and Efficiency: Julie Leary, TU
6. Effectiveness and Efficiency: Crystal Kelly, SU
7. Inclusion, Multiculturalism and Social Justice: Amanda Preperato, UMCP

Welcome from the University of Maryland Global Campus President Gregory Fowler

Educational Forum: HBCUs: Now and on the Horizon Dr. Leonard Haynes

Chancellor's Report Chancellor Perman

I. Report of Councils

- | | |
|--|---------------|
| a. Council of University System Faculty | Dr. Brunn |
| b. Council of University System Staff | Dr. Shishineh |
| c. Council of University System Presidents | Dr. Breaux |
| d. University System of Maryland Student Council | Ms. Harper |

PUBLIC COMMENT

2. Consent Agenda Chair Gooden

- a. Committee of the Whole
 - i. Approval of meeting minutes from June 17, 2021, Public and Closed Sessions (action)
 - ii. Resolution on Defense Security Service (action)
- b. Committee on Finance
 - i. Bowie State University: Three Voluntary Separation Incentive Plans for Certain Employees (action)

- ii. [University System of Maryland: Legislative Debt Cap \(information\)](#)
 - c. Committee on Advancement
 - i. [Approval of meeting minutes from August 24, 2021, Public and Closed Sessions \(action\)](#)
3. Review of Items Removed from Consent Agenda
4. Committee Reports
- a. Committee on Finance Regent Attman
 - i. [Towson University: Project Authorization for Institute for Well-Being \(action\)](#)
 - b. Committee on Governance and Compensation Regent Rauch
 - i. [Revisions to the Board of Regents Bylaws \(action\)](#)
 - c. Committee of the Whole Chair Gooden
 - i. [Update on UMBC President Search](#) Regent Gourdine
 - ii. [University of Baltimore Task Force Report](#) President Schmoke
5. [Reconvene to Closed Session \(action\)](#) Chair Gooden

PLEASE NOTE: Attendees must wear masks during the meeting to comply with [Prince George's County's mask mandate](#) requiring masks be worn in all indoor public venues.



Leonard Haynes, PhD

Senior VP and Special Advisor for HBCU Initiatives, Strategic Education, Inc.

A former senior director with the Department of Education, and former executive director of the White House Initiative on Historically Black Colleges and Universities as well as an HBCU president, Dr. Haynes brings a combination of policy and practical experience that will strengthen Strategic Education's support of HBCUs and the students they serve. Widely recognized for his work in education, he has also counseled numerous organizations, such as the Ford Foundation and the Merck Corporation. He earned his BA from Southern University, an MS from Carnegie Mellon University, his PhD from Ohio State University. He is also the recipient of 14 honorary degrees, the 2018 White House Initiative on HBCUs Distinguished Service Award now known as the Leonard L. Haynes III Distinguished Service Award, and the Servant Leader Award from the United Methodist Church for his work on behalf of HBCUs.



Report to the USM Board of Regents

Chancellor Jay A. Perman

September 10, 2021

Thank you, Chair Gooden. It's wonderful to see all of you back together again. And it's gratifying to know that—because of the hard work of the entire USM community—reunions like this one are taking place on our campuses across Maryland.

Let me also thank Dr. Haynes for his presentation. It's clear that the national spotlight is shining brightly right now on this country's HBCUs. It's our job to make sure that this isn't just a "moment," but rather the beginning of a deliberate and sustained commitment to these institutions and to the students they serve. It's a commitment the USM firmly embraces.

I thank President Greg Fowler and the University of Maryland Global Campus (UMGC) for hosting the first Board of Regents meeting of the new academic year. As President Fowler noted in his presentation, impressive things are happening at UMGC. From the new five-year contract with the U.S. Department of Defense to provide education to our troops on military installations overseas, to the new degree program in Data Science coming online next spring, UMGC continues to fulfill its mission at home and abroad. I'm also especially pleased that *Diverse: Issues in Higher Education*—the foremost source on diversity in American higher education—has ranked UMGC #1 in conferring master's degrees to minority students in information technology. I think that's worth a round of applause.

I also congratulate our Staff Award recipients. These women and men embody the excellence and dedication found throughout the University System, and they're deserving of our praise all year long.

In addition, I congratulate the USM's 2021–22 Elkins Professors:

- Dr. Paz Galupo, professor of Psychology at Towson University (TU), whose work examines the legal and cultural factors that influence the health care experiences of transgender and nonbinary Marylanders, and that lead to health disparities for these populations.
- Dr. Radi Masri with the School of Dentistry at the University of Maryland, Baltimore (UMB), whose research explores the barriers that prevent adults of color from improving their oral health and seeks to expand their access to advanced dental care.

- Dr. Heather Congdon, co-director of UMB's Center for Interprofessional Education, who will collaborate with the Kirwan Center on a digital badging initiative aimed at strengthening Maryland's health care workforce.
- Dr. Lora Harris with the University of Maryland Center for Environmental Science's (UMCES) Chesapeake Biological Laboratory, who will be working with multiple institutions to engage underrepresented students in the environmental and ocean sciences.
- And Dr. Don DeVoe, with the Department of Mechanical Engineering at the University of Maryland, College Park (UMCP), who's in year 2 of his award to involve graduate, undergraduate, and high school students in groundbreaking cancer research.

I thank our outgoing Elkins Professors from Bowie State University (BSU), Coppin State University (CSU), and the University of Baltimore (UB).

I join Chair Gooden in welcoming our new regents. I thank all of you for your willingness to serve, especially in challenging times. Of course, it's often the case that as we welcome new colleagues, we say goodbye to others. This summer, Vice Chancellor for Economic Development Tom Sadowski left the USM to become executive director of the Maryland Economic Development Corporation. Tom was with the USM for five years, and our success in company creation, business partnerships, and startup investment is a credit to Tom's leadership.

And then, just last month, University of Maryland, Baltimore County (UMBC) President Freeman Hrabowski announced his intention to retire following this academic year. I could talk until Freeman's *actual* day of retirement, and barely scratch the surface of what he's accomplished. When *Time* magazine names you one of America's top 10 college presidents and one of the 100 most influential people in the world, it's a pretty good indication that you've achieved great things.

But as we all know, Freeman takes the most pride not in his own accomplishments, but rather in those of his students and his institution. So permit me to share a few of them:

- UMBC is a mainstay in national higher education rankings—most innovative, best teaching, up-and-coming, best value. You name it, UMBC is recognized for it.
- Over the past 30 years, UMBC's six-year degree completion rate has doubled, and the gap in completion rates between white and Black students has disappeared.
- UMBC is the #1 baccalaureate institution for African American undergraduates who go on to earn MD/PhDs.
- UMBC graduates more Black students who go on to earn doctorates in the natural sciences and engineering than any other U.S. college.
- More than 1,400 Meyerhoff Scholars have earned their undergraduate degrees, 800 of those have earned advanced degrees, and 300 more are currently completing graduate programs at top institutions across the country.

Over the next year, we'll have plenty of opportunities to honor Freeman. And I know Freeman will turn that spotlight right back onto his university, his students, and their accomplishments.

While summer is traditionally a down time in higher education, you'd never know it looking at everything that's happened since our last board meeting in June. While working hard to prepare their campuses for the safe return of students, our universities also delivered on their broader education, research, and service missions.

GROWTH IN ACADEMIC PROGRAMS AND CAMPUS FACILITIES

Over the summer months, we've witnessed impressive physical and academic growth on our campuses. The ribbon was cut on Bowie's \$42 million Entrepreneurship Living Learning Community, creating an environment where innovation and collaboration can thrive, where student startups can be supported, and where an entrepreneurial mindset can be nurtured across the campus.

At Towson, not long after the new Science Complex opened, ground was broken on the six-story, \$175 million College of Health Professions building. The new facility—in the heart of campus—will consolidate under one roof the school's health programs, including audiology, nursing, speech-language pathology, occupational therapy, and health sciences. The building is slated to open in summer 2024.

Just last month, UMCP broke ground on its new \$116 million chemistry building. Scheduled to open in late 2023, the building will include 34 research labs, two core research facilities, and more than 30,000 square feet of workspace and collaborative space. Also at UMCP, the Research Instrumentation Fund, created to replace or upgrade research equipment, is investing more than \$10 million in equipment that will drive discovery and innovation in quantum technology, neuroscience, energy storage, and other areas.

Next month, I'll join a host of VIPs for the grand opening of the SMART Building at the USM at Southern Maryland (USMSM). As USMSM executive director Eileen Abel told the St. Mary's County commissioners when she briefed them last month, the SMART building isn't just a bricks-and-mortar facility; it's a way to fundamentally rethink education for the entire Southern Maryland region.

Our universities also celebrated new programs and initiatives. The University of Maryland Eastern Shore (UMES) and Frostburg State University (FSU) unveiled a partnership that offers an accelerated track to a doctorate in pharmacy. Students participating in the cooperative program can reduce time to pharmacy degree completion by up to two years. At the Annapolis Cybersecurity Summit in July, Gov. Larry Hogan announced the launch of the Maryland Institute for Innovative Computing at UMBC, which will address challenges related to computing and analytics, with an emphasis on cybersecurity, artificial intelligence, and data science. And

underscoring its leadership in the virtual space, the USM's Kirwan Center for Academic Innovation recently hit 1 million cumulative enrollments on the edX platform.

GRANTS, PARTNERSHIPS, and ECONOMIC IMPACT

Our universities have also received impressive grants, forged new partnerships, and strengthened the USM's economic impact.

Last month, the NSF announced that it's establishing five I-Corps Hubs, each funded at \$15 million over five years. These hubs will help scale up the National Innovation Network and provide experiential entrepreneurship training to academic researchers across all fields of science and engineering. The Mid-Atlantic I-Corps Hub will be led by UMCP. Also at UMCP, Stephanie Lansing in the Department of Environmental Science and Technology has been awarded \$6 million from the U.S. Department of Energy to establish a consortium of scientists and industry partners to develop sustainable products—like biofuels from food waste. And just this week, UMCP announced a \$20 million partnership with quantum computing startup IonQ to create the National Quantum Lab at Maryland—or Q-Lab—to facilitate research and innovation in this emerging field.

Earlier this summer, UMBC joined the University Innovation Alliance, a select consortium of public research universities committed to boosting student success by sharing and scaling approaches that work, especially among students from vulnerable groups. UMBC and North Carolina A&T became the first two universities selected to join the network since its founding in 2014.

At UMES, Victoria Volkis, professor of chemistry and director of UMES's Master of Science Program, has received \$1 million from the U.S. Navy to address biofilm formation, which causes millions of dollars in damage to naval ships and platforms each year. She'll be working with several minority students majoring in the natural sciences. Also at UMES, a \$500,000 federal historic preservation grant will help fund a \$1.5 million renovation of the iconic Trigg Hall. And earlier this week, UMES and NASA signed the Space Act Agreement, designed to build a pipeline of diverse STEM talent working at NASA's Wallops Flight Facility in Virginia and to carry out a range of R&D projects at Wallops, including those in suborbital and aeronautical science.

Earlier this summer, Montgomery County, Montgomery College, and the USM came together at the Universities at Shady Grove (USG) to sign an MOU creating the Montgomery/Maryland Life Sciences Education and Innovation Partnership. The agreement facilitates research collaboration between the academic partners and industry leaders, and gives students across Maryland opportunities to gain work experience and conduct translational research with Montgomery County science and technology companies.

Coppin will receive \$300,000 over the next three years from the PNC Foundation as part of the bank's effort to help end systemic racism. The funding will support several existing community

service programs at CSU's College of Business—programs that focus on small business development and fostering entrepreneurial activity in underserved communities—as well as a new program, Partners in Education, which offers direct services to preK–12 students in West Baltimore public schools.

In June, Salisbury University (SU) announced the William Church and John Washburn Endowment for Equity, Justice, and Inclusion. The planned endowment—expected to top \$1 million—will support its namesakes' dedication to the LGBTQIA+ community by providing funding for campus programming that addresses issues faced by its members.

And over the summer, the Maryland Momentum Fund made three investments: 1) A second investment in Veralox Therapeutics, a biotech company launched by UMB alumnus Jeffrey Strovel that's developing small-molecule therapeutics to treat the underlying causes of diseases that have significant unmet medical needs; 2) a new investment in Liatrix Inc., a startup cofounded by College Park adjunct professor Arthur Yang that's developing advanced thermal insulation materials; and 3) an investment in AquaLith, cofounded by a College Park professor Chunsheng Wang, that's developing a cheaper, safer, higher density lithium ion battery. With the fund's continued success, it's no wonder that Claire Broido Johnson, MMF managing director, had a piece in the *Baltimore Business Journal* on how to strengthen Maryland's startup ecosystem.

INDIVIDUAL EXCELLENCE

As is our tradition, the USM's students, faculty, and staff have been singled out for their excellence.

President Biden has nominated Laurie Locascio, vice president for research at UMCP and UMB, to lead the National Institute of Standards and Technology. Also at UMB, Sarah Dababnah, an associate professor in the School of Social Work, has earned a Fulbright U.S. Scholar Award and will be traveling to Egypt to continue her studies. Plus, UMB's clinical partner, the Greenebaum Comprehensive Cancer Center at the University of Maryland Medical Center has once again received the highest designation from the National Cancer Institute, placing it in the top echelon of cancer centers nationwide.

Salisbury also celebrated Fulbright recognition: Dr. Andrew Martino, dean of SU's Glenda Chatham and Robert G. Clarke Honors College, was selected for the Fulbright International Education Administrators Program.

Last month, Gov. Hogan appointed three UB School of Law graduates to judgeships across the state. Incredibly, more than one-third of the state's judges are UB Law alumni.

Three UMCES graduate students have been named finalists for the prestigious John A. Knauss Marine Policy Fellowship program sponsored by Sea Grant and NOAA.

The Washington Post featured an extensive (and glowing) profile of UMCP president Darryll Pines reflecting on his first year in office—his successes as well as the challenges that remain.

The Daily Record's list of 2021 Influential Marylanders features BSU President Aminta Breaux and TU President Kim Schatzel.

And UMES President Heidi Anderson was invited to testify before a congressional committee earlier this summer, where she stressed the importance of a federal commitment to long-term investments in HBCUs, especially historically Black *land-grant* institutions.

OUTREACH AND COMMUNITY SERVICE

Finally, USM institutions distinguished themselves through outreach and community service.

USG welcomed Montgomery County's public summer school students to its Biomedical Sciences and Engineering Building for a STEM summer program. Thousands of elementary and middle schoolers took part in the program intended to jumpstart post-pandemic learning.

UB hosted a free COVID vaccination clinic for city residents.

SU leadership and local VIPs celebrated the opening of Salisbury's brand-new Newton Community Center. The university played an important role in the center's development, helped with the initial operation, and will continue to be a partner moving forward. In addition, we're all thrilled that SU's Sea Gull Century bike ride is returning as an in-person event on Saturday, Oct. 9.

Likewise, the Spirit Run at the University System of Maryland, Hagerstown (USMH) is returning as an in-person event this weekend. But participants can still complete a 5K, 10K, or half marathon virtually throughout the race weekend—which, honestly, sounds a lot easier. All proceeds benefit the USMH Scholarship Fund. Speaking of which, this summer, USMH announced the 22 students from its partner institutions who have been awarded scholarships for the 2021–22 school year. We congratulate them all.

Erin Moran has begun her service as the inaugural executive director of the Dr. Nancy Grasmick Leadership Institute at Towson University. The institute supports the recruitment and development of visionary leaders, and should be a key asset to the state and the region, always hungry for leadership talent.

Both Bowie and Coppin have committed to using federal CARES Act funds to relieve students of millions of dollars in outstanding tuition and mandatory fee debt. Bowie will provide \$3 million in relief, and Coppin has committed to clear \$1 million in student balances. Also at Coppin, the new Freddie Gray Student Success Scholarship—supported by McDonalds—will provide access and opportunity to graduates of Carver Vocational-Technical High School.

Once again, the USM was well represented among the 2021–22 class of Newman Civic Fellows, which recognizes and supports community-committed students. This year’s honorees are Delanie Blubaugh from Frostburg, Daniel Khoshkepazi from UB, Ayotomiwa Fashola from UMES, and Faith Davis from UMBC.

AN IN-PERSON EXPERIENCE THIS FALL

I can’t end my report without expressing how happy we are to have welcomed students back to campus—back to *actual* campuses—this fall.

We’re grateful to have a high vaccination compliance rate across the System, with most of our universities recording rates between 94 and 98 percent. The universities are all working toward 100 percent compliance, meaning every individual—student, faculty member, staff member—is either vaccinated or has an authorized exemption from the mandate. Many institutions have on-campus vaccination clinics, and all are hosting vaccination days, bringing in personnel and mobile units to provide easy access to the vaccine doses.

I’d like to give College Park as an example. The university’s compliance rate is 97.7 percent. What that means is that, among students, fewer than 300 are out of compliance. That’s fewer than 300 students out of nearly 40,000. And a good portion of those are international students who are being vaccinated once they arrive on campus. That’s incredible.

For unvaccinated populations—including those with authorized waivers—all campuses are conducting testing at least weekly, and many require daily symptom monitoring. Of course, all universities are testing anyone who’s symptomatic and anyone who’s captured in contact tracing.

We can see that vaccination is paying off. We have very low positivity rates across the System—under 1 percent, far lower than county and state averages.

Essentially, we’re doing what the pandemic playbook tells us to do: Ensure you have a highly vaccinated population. Verify vaccination status. Require rapid and frequent testing for the unvaccinated. Improve indoor air quality. Use masking when needed. I should add that masking is, indeed, needed right now. All institutions are following CDC guidelines, which means universal masking indoors—in classrooms, labs, and study spaces, and at indoor events.

The truth is, we hoped we’d be in a better situation this fall than we were *last* fall. But the Delta variant puts *all* of us at risk—even on a highly vaccinated campus. So our COVID Workgroup of university experts will remain active all year long and continue to provide System leadership with the best evidence-informed advice. We’ll continue meeting regularly with the university presidents and regional center directors and their teams to share challenges and approaches. And we’ll continue to follow public health guidelines.

We all know we have to *work* together to *be* together. And I can tell you that our students want to be exactly where they are—on campus and in classrooms.

Madame Chair, this concludes my report. Thank you.

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COUNCIL of UNIVERSITY SYSTEM FACULTY

Regent's Report September 10, 2021

CUSF will have its first meeting on September 21, 2021.

We will begin our year virtually and move to three hybrid sessions beginning in January, of 2022

Work Topics Include the Following:

Ed Policy Committee

Academic Integrity Subcommittee- The USM Workgroup has been selected and will begin at the end of September to develop a new academic integrity policy. The Ed Policy subcommittee work will focus on bring a culture of academic integrity to campus. CUSF will be working in conjunction with the USMSC to identify issues and begin discussions on ways to approach and promote a successful culture on campus for academic integrity.

IPE and Civic Engagement Subcommittee- is set to begin work with Dr. Nancy Shapiro on their Interprofessional and civic engagement across curriculum project. They will be preparing a white paper on the status of USM civic outreach and how it interfaces with interprofessional education. The purpose is to share strategies and ideas among the institutional schools that will encourage growth of both civic engagement across curriculum as we as among fields of academic study.

Faculty Affairs Committee

Technology Subcommittee- The subcommittee plans to write a white paper with recommendations for actions based on their research and memo findings summarized in the June 17, 2021 Regents Report. The committee will also begin to look at the intellectual property issues as they relate to online teaching and faculty work product.

Structural Inequalities subcommittee- The subcommittee will begin to develop their plan for topics to explore for the year with a focus on curriculum revision and faculty inclusion.

COVID 19 Subcommittee- will examine the best practices learned from covid to present to CUSF and Faculty Senate Chairs to encourage shared discussions and positive future initiatives.

Legislative Affairs Committee- will begin its review of education issues and report to CUSF for possible action steps.

Executive Committee- is going to prepare for each meeting this year short fifteen-minute reflections on topics related to the future of education. This is to encourage brainstorming on action items to pursue possibly this year but ultimately for the next year. They would include ideas like the

future of the baccalaureate degree, how to harness the internet as a useful educational tool, employer training or academic exploration, social media influence on student learning etc.

We hope to hit the ground running in the fall with a formal orientation meeting and committee selection process.

Respectfully submitted,

Dr. Elizabeth Brunn

CUSF Chair

COUNCIL OF UNIVERSITY SYSTEM STAFF



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Council of University System Staff (CUSS) Report Board of Regents Meeting September 10, 2021

The first CUSS meeting of the current academic year was held virtually on Tuesday, August 17th. To welcome new members to the Council, a new member orientation was held online before the start of the full Council meeting. At the August meeting, the Executive Committee officially started their one-year terms and two Member-At-Large positions were elected to finalize the Executive Committee roster for 2021-2022 with 5 returning members and 2 new members.

2021-2022 CUSS Executive Committee

- Chair: **Dr. Laila Shishineh** – University of Maryland, Baltimore County
- Vice Chair: **Dr. Kalia Patricio** – University of Maryland, College Park
- Co-Secretary: **Carol Green-Willis** – Towson University
- Co-Secretary: **Susan Holt** – University of Maryland, Baltimore
- Ex-Officio Past Chair: **Lisa Gray** – Salisbury University
- Member-At-Large: **John Thompson** – University of Maryland Global Campus
- Member-At-Large: **Vonzella McQueen** – Bowie State University

CUSS was excited to be greeted at our August meeting, virtually, by President Wight, as this meeting would have been held at Salisbury if it was in person. CUSS looks forward to continuing to hear from leadership at each campus as part of our fall virtual meetings. The Council is piloting a new format for standing committees this upcoming year, which will consist of the following: Awards & Outreach, Executive, Legislative Affairs & Policy, and Staff Resources & Special Projects. One member of the Executive Committee and one standing member of each committee will serve as Co-Chairs for the academic year. We hope to finalize these leadership roles at our September meeting on Tuesday, September 14th.

While we are still waiting to solidify representatives and alternates from a few campuses, CUSS currently has a very robust roster of staff from the 12 institutions this year plus one representative and one alternate from the Universities at Shady Grove. There are currently 53 members serving on the Council. Ideally by our September meeting we will have our roster finalized and our action plan and priorities for the academic year set for each committee. Our 2021-2022 meeting schedule can be found at the end of this report. The meeting schedule includes a location for each meeting, but CUSS intends to continue to meet virtually for the foreseeable future. Lastly, the Communications & Marketing Committee was able to publish the Summer 2021 edition of our CUSS Newsletter. A copy of this edition is attached to this report.

I am greatly looking forward to my final year serving as the Chair of the Council. We have a wonderful group of staff serving on CUSS this year. Please do not hesitate to contact me directly (lailams@umbc.edu) with concerns, questions, and/or suggestions.

Respectfully submitted,

Dr. Laila M. Shishineh
Chair – Council of University System Staff

Attachments: Summer 2021 CUSS Newsletter

CUSS 2021-2022 Meeting Schedule:

2021-2022	Location	Notes
Tuesday, August 17, 2021	Salisbury University	New Member Orientation
Tuesday, September 14, 2021	University of Baltimore	
Tuesday, October 19, 2021	Frostburg State University	
Wednesday, November 17, 2021	Virtual Meeting	USM Joint Councils Annual Meeting
Tuesday, December 7, 2021	USM Office	Advocacy Day Prep USM Staff
Tuesday, January 18, 2022	University of Maryland Global Campus	
Date TBD (Week of February 14)	Annapolis	USM Joint Councils Advocacy Day
Tuesday, March 15, 2022	University of Maryland Baltimore County	
Tuesday, April 19, 2022	Towson University	
Tuesday, May 10, 2022	Coppin State University	Nominations
Tuesday, June 21, 2022	Bowie State University	Nominations / Elections
Tuesday, July 19, 2022	University of Maryland Center for Environmental Science	Certificates
Off Rotation for Current AY	University of Maryland Baltimore	University of Maryland Eastern Shore
	University of Maryland College Park	

Council of University System Staff

Quarterly Newsletter / Summer 2021 Edition



Bowie State University (BSU)

14000 Jericho Park Road
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Frostburg State University (FSU)

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Salisbury University (SU)

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Website: <http://bit.ly/1yc1prc>
Facebook: @CussMaryland
Twitter: @CUSS_USM

Update from the Chair

As we get ready to start another academic year, I want to share some updates on behalf of the Council of University System Staff (CUSS). There is much to be excited about as we face the start of the fall semester, but we are still facing ambiguity and uncertainty as well. I want to remind staff across all our University System of Maryland (USM) institutions that the representatives and alternates who sit on CUSS are here for support. Please do not hesitate to reach out to the members representing your campus with questions, concerns, and/or thoughts on how we can best support staff during yet another challenging transition.

Now for a few updates from CUSS! We recently wrapped up the 2020-2021 academic year in July 2021, and I want to take a moment to thank each one of our Council members for their hard work and dedication. We spent the entire year meeting virtually, but regardless, we had a very productive year and a truly amazing group to work with for my second year as the Chair of the Council. I am happy to share that we have elected our Executive Committee for the 2021-2022 academic year and several members of our leadership team will be returning to the Council.

Members of the Executive Committee include:

- Chair: Laila M. Shishineh (UMBC)
- Vice-Chair: Kalia Patricio (UMCP)
- Past-Chair: Lisa Gray (Salisbury)
- Co-Secretaries: Carol Green-Willis (Towson) & Susan Holt (UMB)
- Members-At-Large: Vonzella McQueen (BSU) & John Thompson (UMGC)

We had made some changes to our standing committees for the upcoming cycle and we look forward to continuing our work through the following groups: Awards & Outreach Committee, Legislative Affairs & Policy Committee, and Staff Resources & Special Projects Committee. During our September meeting we will select Chairs for these committees and determine goals and priorities to focus on throughout the year. We look forward to sharing these goals, and our new Council Action Plan, once they are developed.

Lastly, please stay connected to the Council! Staff can learn more about the Council on our website at <https://www.usmd.edu/usm/workgroups/SystemStaff/index.html>, and follow us on Facebook if you have not already done so.

I am greatly looking forward to another year of working with the Council and doing the best we can to support staff across the USM. Thank you in advance to all our Council representatives and alternates for their service to CUSS this year, and good luck to all staff for a successful, safe, and healthy start to the fall semester!

Sincerely,

Dr. Laila M. Shishineh
Council of University System Staff

CUSS SPOTLIGHT: BOARD OF REGENTS STAFF AWARDS

The Board of Regents met in closed session on Thursday June 17, 2021 via Zoom. During that meeting, they officially approved the nominations of the Council of University System Staff (CUSS) for the Regents Staff Awards to be awarded during the September 10, 2021, board meeting. Congratulations to all of the Board of Regent Award recipients.

Exceptional Contribution to the Institution and/or Unit to Which a Person Belongs

Julianna Brush, Exempt Staff – University of Maryland Center for Environmental Sciences
Victor Fulda, Non-Exempt Staff – University of Maryland, Baltimore County

Outstanding Service to Students in an Academic or Residential Environment

Donna Hammer, Exempt Staff – University of Maryland College Park

Extraordinary Public Service to the University or the Greater Community

Patricia Watson, Exempt Staff – Towson University

Effectiveness and Efficiency

Julie Leary, Exempt Staff – Towson University
Crystal Kelly, Exempt Staff – Salisbury University

Inclusion, Multiculturalism and Social Justice

Amanda Preperato, Exempt Staff – University of Maryland College Park

USM INSTITUTIONAL UPDATES

Bowie State University



Two Bowie State University faculty members authored new books published in July, providing fresh perspectives on the Black experience, from enslaved women's quest for freedom during the Revolutionary War, to the struggle to survive the disparate challenges of virtual learning environments during the COVID-19 pandemic. The book *Running from Bondage* by Dr. Karen Cook Bell, Associate Professor for the Department of History and Government, explores the history of enslaved women — a story that hasn't always been widely shared historically. The book is available on Amazon, Barnes and Noble, Cambridge University Press, and in independent stores across the U.S. Dr. Kimetta Hairston, Associate Professor, Department of Teaching, Learning and Professional Development, delves into the virtual learning experience in higher education in her book titled *The Black Experience and Navigating Higher Education Through a Virtual World*, by Dr. Kimetta Hairston, Dr. Wendy Edmunds and Dr.

Shanetia Clark, can be purchased exclusively at IGI Global. The e-book is currently available. The hardcopy and the soft copy will be available for order. shortly

Coppin State University



Coppin State bowler Kaylah Castillo was selected to participate in Orlando Health's Observership over the summer. During this 10-week period, Castillo shadowed several doctors, including cardiologists and a vascular surgeon, and was able to witness a large variety of cath lab cardiac procedures performed by Dr. Suraj Kurup and others. Castillo was also able to be in the operating room observing a variety of procedures. "Observing the procedures was very interesting, but I feel that I learned the most during patient interaction in clinic," said Castillo. "I was able to witness how to properly interact with patients in multiple conditions and learned

how to communicate appropriately despite the situation. My time with Dr. Kurup was well spent because he took the time to explain the patient's condition and plan of care to me in a way that I can understand."



Coppin State women's tennis player Christy Turner was one of 86 students across the Nation to be recognized as an HBCU Scholar. It was announced by the U.S. Department of Education on Tuesday morning as part of the White House Initiative on Historically Black Colleges and Universities. The program recognizes students for their accomplishments in academics, leadership, civic engagement and more. The scholars were selected from an applicant pool who submitted completed applications that included a transcript, resume, essay, and letter of recommendation.

Applications also required the signature of their university president, adding a level of prestige to this application process.

Frostburg State University

FSU continues to work with other institutions to strengthen our academic offerings for students. Building on our strong partnership with Allegany College of Maryland and Garrett College, we entered into an enhanced transfer agreement to provide students transferring from the region's two community colleges to FSU a greater opportunity to succeed. The agreement also enhances the reverse transfer process for FSU students who previously attended but did not graduate from ACM or GC, allowing for completing of an associate degree. FSU has also formed a new academic partnership with the University of Maryland Eastern Shore to offer students an accelerated track to becoming pharmacists in six years. The cooperative undergraduate/professional program agreement will allow students to complete their pharmacy degree seamlessly with the reduction of instruction time by as many as two years and consequently save students the comparable cost of extra tuition. Chemistry majors at FSU who meet the requirements may gain preferential admission to UMES' professional degree program after just three years of undergraduate study.

Salisbury University

SU's Staff Senate hosted its first in-person event on August 4th. Our Annual Employee Appreciation Day was held on Wednesday, August 4th in the SU Commons. There was a daytime event as well as an evening event for employees that work a later shift. The event was well attended and everyone enjoyed seeing each other. The SU Dining Services team did an outstanding job providing a delicious meal in a safe manner. Employees of the month for both FY20 and FY21 were recognized and Employees of the Year were announced: FY20 was Carl Dise, Supervisor of Mail & Distribution, and FY21 was Tiffany Arrington, Program Manager, Student Affairs.

Towson University



TU welcomes the new Director of the Center for Student Diversity, Phillips Thomas Hornbuckle. After a law degree, Phillips Thomas Hornbuckle found a passion for higher education. A second-generation University of

Alabama alumna, who earned her bachelor's degree and her Juris Doctor from the school, Phillips began working in higher education after she graduated law school. For the past six years, she worked in a multicultural affairs office for York College of Pennsylvania, a private college in Pennsylvania. When the opportunity to return to a public institution came, she jumped full force at the chance. Phillips says, "One of my goals is to make sure students understand that I intend to care consistently and deeply about them as people, as students, and as members of the Towson University community." Read more at <https://www.towson.edu/news/2021>



Six Towson University College of Education alumni receive awards for teaching, leadership. Three of the Maryland Teacher of the Year Award finalists are Tigers: Jing Dai '11, Alexis Eaton '09 and Lauren Greer '10. The Washington Post named Patrick Bathras '93 and Beth Morton '14 among its 12 Principal of the Year finalists, and St. Mary's County recognized Laurel Dietz '10 for excellence in educational leadership. The 24 teacher finalists—one for each local school system—were recognized by the Maryland State Superintendent of Schools Karen B. Salmon in June. "Too often our teachers are unsung heroes, but our Teacher of the Year program provides an opportunity to celebrate their meaningful work and commitment," said Maryland Gov. Larry Hogan in a press release. Learn more about the recipients and teacher commitment at <https://www.towson.edu/>

University of Baltimore



Many Benefits to Expanding Access to Higher Education in Prison. Prof. Andrea Cantora, Associate Professor in the School of Criminal Justice, published an article in The Conversation, about the University's successful Second Chance College Program. On July 30, the U.S. Department of Education announced an expansion of the Second Chance Pell Experimental Sites, of which UBalt is a part. "As someone who studies correctional education and prisoner reentry, I see this expanded access

to higher education in prison as something that will bring many benefits to not only the incarcerated individuals who get an education but to society as well," she writes.



Under the guidance of Tiffany S. Parkman, lecturer in the School of Health and Human Services, a group of students organized a free COVID-19 vaccine clinic, conducted on campus by the University of Maryland Medical Center. The students -- Giuliana Valencia-Banks, Kathryn Foulke, Jack Greenberg, Shatia Johnson, Lateirra Carter, Nikki Garnes, Elaine McLeish, Loren Nelson, Monell Hunt, and Yelango Jamabo -- are from the HSER 470 Senior Seminar, where they are required to complete a shared project that focuses on meeting a community need. <http://www.ubalt.edu/news/>

University of Maryland, Baltimore (UMB)

The University of Maryland Marlene and Stewart Greenebaum Comprehensive Cancer Center has earned renewal of its National Cancer Institute (NCI) designation as a Comprehensive Cancer Center for another five years. The prestigious distinction recognizes the cancer center's high caliber of scientific leadership and robust programs in basic, clinical, and population science research, placing it in the top echelon of cancer centers nationwide. The cancer center — a joint entity of the University of Maryland Medical Center and the University of Maryland School of Medicine — has been approved to receive a support grant of nearly \$13 million from NCI over the next five years, a 14 percent increase over the previous five-year grant award. UMGCCC was named an NCI-designated cancer center in 2008, and it was elevated in 2016 to Comprehensive Cancer Center status, — NCI's highest designation. www.umaryland.edu/news

University of Maryland, Baltimore County (UMBC)

On August 9th, UMBC's Professional Staff Senate (PSS) welcomed staff back to campus by providing a campus information table and helping existing staff get re-acquainted with each other and assisting new staff in navigating the campus. Virtual and live tours of the campus (including the newly renovated Retriever Activities Center, a.k.a. the RAC) are being promoted and eagerly attended by new and current staff members alike at UMBC. The PSS also hosted a Staff Cookout on Friday, August

13th, with BBQ and raffled prizes for those who attended. UMBC's Fall Opening Meeting took place on August 26th and included the annual State of the University Address and remarks from campus leaders.



From *The Retriever* – President Dr. Freeman Hrabowski announced that he will retire after the Spring 2022 semester, making the class of 2025 the last to be welcomed to the UMBC campus by his famous line: “Watch your thoughts, for they become your words. Watch your words, for they become your actions. Watch your actions, for they become your habits. Watch your habits, for they become your character. Watch your character, for it will become your destiny.” Hrabowski is one of the nation’s longest-serving university presidents. He began his tenure at UMBC as Vice Provost in 1987 and became the University’s president in 1992. As he brings his time at UMBC to a close, Hrabowski leaves behind a legacy. “UMBC will always be a part of me. It has helped to define who I am,” said Hrabowski. “Wherever I am, I will be talking about the wonderful place that is UMBC.” <https://retriever.umbc.edu/2021/08/>

University of Maryland Center for Environmental Science (UMCES)

Juliana Brush was selected for the Board of Regents Staff Award in the category of Exceptional Contribution to the Institution. UMCES Staff Council is planning a Staff Appreciation Day in September. There are plans developing for the UMCES President to visit each UMCES campus in September for a back to campus celebration and town hall. Dr. David Nelson has become the Director of the Appalachian Laboratory.

University of Maryland College Park (UMCP)

A UMD College of Education researcher, Dr. Michelle Espino, is studying the lack of representation of Latinx administrators at research universities with the hope of increasing diversity at those levels. According to a 2017 survey, most research university presidents are first provosts. But to do that, a faculty member must be fully tenured and if you look at those

numbers, there is again an issue of diversity. So the pipeline of diverse applicants is problematic from the start. Dr. Espino believes, "Now more than ever we need to have diverse leadership that has a variety of experiences and knowledge to be able to support the students we are attracting to our institutions." Dr. Espino's research will focus on opportunity structures, organizational environments, and individual experience tied with Latinx pathways to leadership. Currently there are only four percent Latinx presidents out of 1,500 higher education institutions in the U.S. Dr. Espino will look at the numbers of Latinx faculty on each campus and how they move positions, especially to the role of the top administration in a university or system. Ultimately this research could help universities come up with strategies to help with this issue.

University of Maryland Eastern Shore (UMES)

The University of Maryland Eastern Shore and Frostburg State University have formed a new academic partnership offering Frostburg students an accelerated track to becoming pharmacists in six years. The cooperative undergraduate/ professional program agreement will enable Frostburg students to earn a pharmacy degree at UMES by reducing instruction time by up to two years, which in turn will reduce what they spend on tuition. Undergraduates majoring in chemistry who meet the requirements and have strong academic credentials may gain preferential admission to UMES' professional degree program after three years of undergraduate study. Perdue Foundation awards \$50,000 to UMES - Perdue Farms, through its Franklin P. and Arthur W. Perdue Foundation, has awarded a \$50,000 grant to the University of Maryland Eastern Shore (UMES) to provide support for student scholarships. “These scholarships would support students studying agriculture, business, construction management technology, hospitality and tourism, engineering, and more,” said David Balcom, UMES' vice president for university relations. “Perdue scholars will pursue their degrees in their chosen field, and many will also help to advance research in areas such as food science and technology innovation.” University of Maryland Eastern Shore - Perdue Scholarships will be awarded to students of outstanding character with a grade point average of 2.5 or higher and will help students complete their degrees, minimize student debt, and advance their careers.

University of Maryland Global Campus (UMGC)



We are pleased to announce that, following a nationwide search, Chuck Trierweiler has accepted our offer to join UMGC as chief marketing officer and senior vice president, admissions, effective August 2. This role will be critical as we focus on strengthening our student experience and will shape how we engage with prospective learners all the way to graduation. Chuck comes to UMGC with more than 30 years of marketing experience in higher education, technology, and consumer goods, and a record of driving growth across multiple industries. Most recently, he served as global head of product marketing and vice president for ibml—a market-leading technology company focused on information capture and intelligent, high-speed scanning—and prior to that as chief marketing officer and executive vice president of the Education Corporation of America, a 40,000-student, 71-campus college system. Earlier in his career, he held leadership roles in marketing with Capella University; with the \$8 billion grocery retail division of SuperValu Inc.; with multiple subsidiaries of the Alberto Culver Company in Illinois and Stockholm, Sweden; and with the Cadillac Car Motor Division of General Motors in Detroit, Michigan. A graduate of Michigan State University with an MBA from the University of Michigan, Chuck has won multiple advertising awards, including three ADDYs; the Cannes Advertising Awards, Bronze Lion; and second prize in Sweden’s Advertising Effectiveness competition. At UMGC, he will serve on Executive Committee, develop a comprehensive global marketing and admissions plan that aligns with UMGC’s overall strategy, and lead a new unit—Marketing and Admissions—comprising our current marketing and admissions teams. UMGC swept the international 2021 Hermes Creative Awards for creative communication, winning platinum, gold, and honorable mention for work the Institutional Advancement team did to reconfigure events from in-person to online to accommodate COVID-19 restrictions. <https://globalmedia.umgc.edu/2021/05/27/>



2020 – 2021 CUSS REPRESENTATIVES

Bowie State University (BSU)

Robert Alicea
Trish Johnson
LaVel Jones
Vonzella McQueen

Coppin State University (CSU)

Sandra Battle
Sheila Chase
Yvonne Oliver

Frostburg State University (FSU)

Heather Killen
Amy Nightengale
Rubin Stevenson
Sara Wilhelm

Salisbury University (SU)

Vanessa Collins
Paul Gasior
Lisa Gray
Jessica Scott

Towson University (TU)

LaVern Chapman
Deniz Erman
Kelly Ward
Carol Green-Willis

University of Baltimore (UB)

Tony DuLaney
Megan Manley
Christine Marconi
Suzanne Tabor

University of Maryland, Baltimore (UMB)

Ayamba Ayuk-Brown
Colette Beaulieu
Sharese Essien
Susan Holt
Lei Zhang

University of Maryland, Baltimore County (UMBC)

Sheryl Gibbs
Kevin Joseph
Thomas Penniston
Laila Shishineh, Chair
Dawn Stoute
Michael Walsh

University of Maryland, Center for Environmental Sciences (UMCES)

April Lewis
Michelle Prentice
Rhonda Schwinabart
Lori Stepp

University of Maryland, College Park (UMCP)

Meredith Carpenter
Elizabeth Hinson
Dolores Jackson
Jerry Lewis
Kalia Patricio
Sister Maureen Schrimpe

University of Maryland Eastern Shore (UMES)

Chenita Reddick

University of Maryland Global Campus (UMGC)

Melanie Barner
Antoinne Beidleman
Kathleen Hebbel
Francesca Kerby
Linda Kuligowski
Karolina Nash

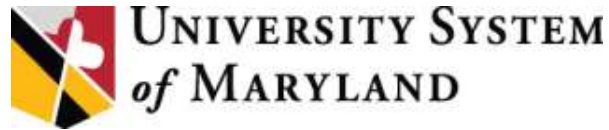
University System of Maryland Office (USMO)

Chevonie Oyegoke

For a full listing of all minutes regarding the USM Council of University System Staff (CUSS), institution photographs, and other pertinent information, visit <http://www.usmd.edu/usm/workgroups/SystemStaff/>.

The Council of University System Staff (CUSS) was established in 1992 by request of the Board of Regents to advise on matters relating to the development and maintenance of a new USM Pay Program for Staff employees. CUSS is comprised of System-wide Staff employees with representatives from each of its 12 institutions and the System office.





COUNCIL OF UNIVERSITY SYSTEM PRESIDENTS
September 10, 2021

The Council of University System Presidents (CUSP) continues to convene bi-weekly and on the first Monday of the month to address issues related to the COVID-19 pandemic in addition to other systemwide matters. Since its June report to the Board, CUSP met on the following dates: July 14, July 28, August 2, August 11, and August 25. The report below highlights the content of our CUSP meetings, bi-weekly meetings on COVID-19, and Chancellor's Council meetings.

These meetings continued to focus heavily on COVID-19 and associated procedures and protocols. The Chancellor and the presidents continued discussions about preparations to return to campus in the fall. These discussions included updated mask guidance and the COVID-19 dashboards.

Additional topics discussed at CUSP and Chancellor's Council meetings included revisions to the Board of Regents bylaws, a discussion of student debt, and the USM's FY 23 budget request.

Date: September 1, 2021

Meeting: September 2021 Board of Regents

Organization: University System of Maryland Student Council

Representation: **Yvonne Harper**, University of Baltimore

Master of Public Administration Candidate

President of the University System of Maryland Student Council

Good morning,

Members of the Board of Regents, my name is Yvonne Harper. I am a Master of Public Administration candidate, with a focus in public policy attending the University of Baltimore. It is my pleasure to serve the University System of Maryland Student Council for the 2021-2022 term as President. If I may take a moment to also introduce the Vice President of *Undergraduate* Affairs, Arsalan Siddiqui from the University of Maryland, College Park and Vice President of *Graduate* Affairs Stephen Jenkins from the University of Baltimore. Our term started July 1, 2021, and we are prepared and ready to represent all students across the 12 institutions.

Throughout my time at the University of Baltimore, I was honored to have served on boards such as Strategic Planning and Budgeting committee, Student Success committee and Student Fees committee. Also, serving as an Orientation Leader for incoming students, a Campus Pantry Ambassador, and a Student Events Board Membership Coordinator. I have served on the University System of Maryland Student Council (USMSC) throughout the past three years as the student representative for the University of Baltimore, where I also served as the 2019-2020 Student Government Association President. During my time with the USMSC I also served as the chair of the Urban Public Safety committee and a member of the Diversity and Inclusion committee. Later, being elected as co-director of the Government Relations committee.

Please Note, Vice President of Undergraduate Affairs, Arsalan Siddiqui from the University of Maryland, College Park was my co-director of the Government Relations committee for the USMSC 2020-2021 term. Arsalan and I were very successful with meeting with legislators and leaders of the USM, to ensure the student voice were being heard throughout Annapolis as well as advocating for the USM. Creating pathways for our current and future students is extremely important to the USMSC and because of this civic engagement is a primary agenda item for this term. As well as Co-vid 19, mental health, and Student fees. As we prepare for our first meeting that is schedule this Sunday, September 12, 2021 we are collecting data from the Universities representatives to create a vision that represents all 12 institutions.

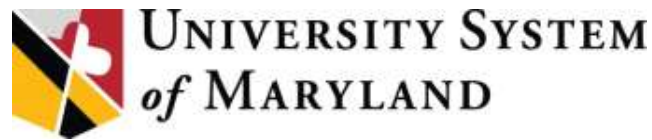
I do invite everyone to a USMSC meeting, the meetings are held one Sunday of each month. Each meeting will start at 11am. The meetings will be virtual for the fall semester; until there is better understanding of the “new” Delta variant, to ensure the safety of our students. The dates of those meetings are listed below:

- Sunday, September 19, 2021
- Sunday, October 10, 2021
- Sunday, November 14, 2021
- Sunday, December 5, 2021
- Sunday, February 13, 2022
- Sunday, March 13, 2022
- Sunday, April 10, 2022
- Sunday, May 15, 2022

Thank you for your time. Have a wonderful day.

Sincerely,
Yvonne Harper
University System of Maryland Student Council President





University System of Maryland Board of Regents
Via Zoom
June 17, 2021 Public Minutes

Call to Order. Chair Linda Gooden called the meeting of the University System of Maryland Board of Regents to order at 8:35 a.m. on Thursday June 17, 2021, virtually via Zoom. Those in attendance were: Chair Gooden; Regents Attman, Fish, Gonella, Gossett, Gourdine, Holzapfel, Johnson, Neall, Pope, Rauch, Sansom, Wallace, and Wood; Presidents Anderson, Breaux, Fowler, Goodwin, Hrabowski, Jarrell, Jenkins, Nowaczyk, Pines, Schatzel, Schmoke, and Wight; Chancellor Perman, Vice Chancellors Boughman, Herbst, Hogan, McDonough, Raley, and Sadowski; Ms. Mulqueen, Ms. Wilkerson, and AAGs Bainbridge and Langrill.

Chair Gooden began thanking faculty, staff, and students across the USM for their hard work during the pandemic. She recognized the Regents that have either already left the Board or will be leaving the Board this month: Sam Malhotra, Meredith Mears, Nate Sansom, Aaliyah Edwards, Barry Gossett, and Kelly Schulz. She also welcomed new Student Regents, Ada Beams and Ayoyola Oludayo, as well as Regent Signe Pringle, who will be filling Regent Schulz's ex officio role. She noted that in-person meetings will resume in the Fall.

Chair Gooden also took time to acknowledge why the Board is meeting on Thursday June 17th instead of Friday the 18th. The Chancellor and USM Presidents established Juneteenth as a USM holiday. Because it falls on a Saturday this year, it is being observed on Friday June 18th.

Educational Forum: *International Students.* Senior Vice Chancellor Boughman introduced the panel, which included Dr. Ross Lewin, Associate Vice President for International Affairs at University of Maryland, College Park; Gail Gibbs, Director of the Office of International Students and Scholars at Towson University; Dr. Brian Stiegler, faculty member in the Janet Dudley-Eshbach Center for International Education; and Cedric Nwafor, an alumnus of University of Maryland, College Park from Cameroon. The panel discussed the importance of international education across the system, noting that globalization/global learning is no longer a luxury, but a necessity. They discussed the economic gain from international students and provided some examples of the work of international students.

Chancellor's Report. Chancellor Perman began his report by noting the Juneteenth holiday. He then said that we have much to celebrate at the end of this academic year, including that nearly three-fourths of Marylanders are vaccinated, and positivity rates are under 1%. He cautioned, however, that the COVID crisis is not quite over, and we need to stay vigilant. He reported that the universities are planning to return to as close to normal as possible and that he and CUSP are still discussing COVID protocols.

Chancellor Perman then moved on to reflect on the past year. We welcomed the following new leaders over the year:

- Dr. Darryll Pines – President of University of Maryland, College Park
- Dr. Bruce Jarrell – President of University of Maryland Baltimore
- Dr. Gregory Fowler – President of University of Maryland Global Campus
- Dr. Anne Khademian – Executive Director of the Universities at Shady Grove
- Dr. Eileen Abel – Executive Director of University System of Maryland at Southern Maryland

He noted that all USM institutions have been engaged in the fight against COVID through early graduation for nursing students, research, and donations to help students with distance learning. Our universities also continue to be recognized for academic excellence, leadership honors, and being top Fulbright producers.

Chancellor Perman highlighted the growth in our academic programs and campus facilities over the year. He also made note of several generous gifts to our institutions over the year including those from MacKenzie Scott and Steve Bisciotti (in honor of Ozzie Newsom), specifically aimed at our HBCUs. Several institutions also received sizeable research grants and scholarship funding.

He provided an update on outreach and community service milestones across the system. He also affirmed the USM's commitment to racial and social justice and highlighted some of the many things our universities are doing to address these critical issues.

Chancellor Perman shared details of the several campus visits he conducted since last fall and presented a slideshow with photos from the visits. He ended his report highlighting the Class of 2021 with a slideshow and thanking them for their perseverance over the past year plus.

I. Council Reports

- a. Council of University System Staff (CUSS). Dr. Shishineh presented the report. She provided an update on the Board of Regents Staff Awards. A report about the shared governance survey was included with her CUSS report. She noted that the Council would be completing their year-end reports and holding elections in July. Finally, Dr. Shishineh provided an update on the return-to-work survey, saying that they're in the process of creating individual reports for each school.
- b. Council of University System Presidents (CUSP). President Breaux presented the report stating that CUSP continues to convene bi-weekly to address issues related to the COVID-19 pandemic, in addition to other systemwide matters. Meetings continued to focus heavily on COVID-19, including the Chancellor's announcement that vaccinations will be mandatory for students, faculty, and staff returning to campus in the fall. CUSP also discussed many other topics including the capital budget request, collective bargaining, USM dashboard indicators, and more. The presidents provided feedback on the strategic planning process and received an

update on the Enrollment Work Group. Congressman Sarbanes joined a CUSP meeting to discuss the For the People Act.

- c. University System of Maryland Student Council (USMSC). Ms. Rappeport presented the USMSC report. She started by shouting out the new USMSC President, Yvonne Harper. The Council continued its work with civic education, with representatives attending a session presented by Dr. Shapiro with Congressman Sarbanes regarding the For the People Act. USMSC listened to student feedback regarding COVID-19 planning and shared with advisors and the Chancellor's Office. Ms. Rappeport closed by thanking everyone for their support throughout the last year.
- d. Council of University System Faculty (CUSF). Dr. Brunn presented the report and began with an update on the Council's work regarding academic integrity. She noted that CUSF has brought the process as far as it can and has now turned the work over to the USM with the goal of revising the existing policy. CUSF will pursue a parallel path working on implementation. Dr. Brunn provided an update on the technology questionnaire/memo discussed at the last Board of Regents meeting.

CUSF held a town hall regarding structural inequities on May 12, 2021, entitled "From Obstacles to Solutions: Experiences in Structural Inequalities, A Solutions Oriented Approach". It addressed faculty and student diversity, as well USM initiatives, White House initiatives, and diversity in the curriculum.

Dr. Brunn ended by noting that in the coming year, the Education Policy Committee will work with Dr. Nancy Shapiro on how to encourage civic engagement across the curriculum.

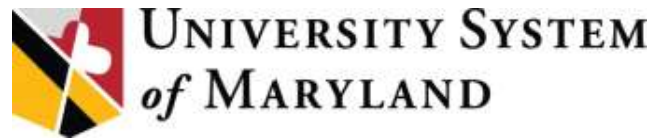
2. Consent Agenda. The Consent Agenda was presented to the regents by Chair Gooden. She asked if there were any items on the agenda that should be removed for further discussion. There were no requests to remove any items. Chair Gooden moved and Regent Attman seconded the motion to accept the consent agenda. The motion was unanimously approved. The items included were:
 - a. Committee of the Whole
 - i. Approval of meeting minutes from April 16, 2021 Public and Closed Sessions (action)
 - ii. Approval of meeting minutes from April 23, 2021 and May 5, 2021 Special BOR Meetings for Public Session (action)
 - b. Committee on Education Policy and Student Life
 - i. Approval of meeting minutes from May 4, 2021 Public Session (action)
 - ii. New Academic Program Proposals (action)
 1. Coppin State University: Bachelor of Science in Data Science
 2. Coppin State University: Master of Science in Health Information Management

3. University of Maryland, Baltimore: Doctor of Philosophy in Palliative Care
4. University of Maryland, College Park: Bachelor of Science in Social Data Science
5. University of Maryland, College Park: Bachelor of Science in Fermentation Science
- iii. 2021 Cultural Diversity Reports (action)
 1. Bowie State University
 2. Coppin State University
 3. Frostburg State University
 4. Salisbury University
 5. Towson University
 6. University of Baltimore
 7. University of Maryland, Baltimore
 8. University of Maryland, Baltimore County
 9. University of Maryland, College Park
 10. University of Maryland Center for Environmental Science
 11. University of Maryland Eastern Shore
 12. University of Maryland Global Campus
- iv. University of Maryland Eastern Shore Request to Use Standardized Tests as an Optional Criterion for Admission (action)
- v. Discussion: Test-Optional in the Time of COVID (information)
- vi. 2020-2021 EPSL Agenda Brainstorming (information)
- c. Committee on Advancement
 - i. Approval of meeting minutes from May 12, 2021 Public Session (action)
 - ii. Towson University: Rename Paca House and Carroll Hall (action)
- d. Committee on Governance and Compensation
 - i. Approval of meeting minutes from May 13, 2021 and June 10, 2021 Public and Closed Sessions (action)
 - ii. USM at Southern Maryland Board of Advisors Bylaws (action)
 - iii. Universities at Shady Grove Board of Advisors Bylaws (action)
- e. Committee on Audit
 - i. Approval of meeting minutes from June 4, 2021 Public and Closed Sessions (action)
- f. Committee on Finance
 - i. Approval of meeting minutes from June 10, 2021 Public and Closed Sessions (action)
 - ii. University System of Maryland: FY 2022 Operating Budget (action)
 - iii. FY 2022 System Funded Construction Program Request (action)
 - iv. University System of Maryland: 43rd Bond Resolution—Auxiliary Facility and Tuition Revenue Bonds (action)

- v. University System of Maryland: Official Intent Resolution on Reimbursement of System Cash Balances Spent on Revenue Bond-Authorized Projects (action)
 - vi. Bowie State University: Facilities Master Plan Update (action)
 - vii. University System of Maryland: Correction to Fiscal Year 2022 Schedule of Self-Support Charges and Fees (action)
 - viii. Proposed Amendments to USM Policy VII-8.05—Policy on Professional Conduct of Nonexempt and Exempt Staff Employees (action)
 - ix. Proposed FY 2022 Contract between the University of Maryland, Baltimore and the University of Maryland Medical System Corporation (action)
 - x. Approval of Fund Sources for UMCP Discovery Fund and UMB Baltimore Fund under USM Policy VIII-14.00—Policy on Investments and Loans to Maryland-based Businesses that are Affiliated with USM Institutions (action)
 - xi. University of Maryland Global Campus: Lease Renewal for Dorsey Station Location (action)
 - xii. University of Maryland Global Campus: Facilities and Equipment Maintenance Contract-Option Renewal (action)
 - xiii. Frostburg State University: Creation of University-Affiliated Business Entity (non-profit) and Approval of FSU President and Vice President’s Participation (action)
 - xiv. Proposed Amendments to USM Policy V-2.10—Policy on Reports of Intercollegiate Athletics (action)
- g. Committee on Economic Development and Technology Commercialization
 - i. Approval of meeting minutes from June 10, 2021 Public Session (action)
 - ii. Approval of Fund Sources for UMCP Discovery Fund and UMB Baltimore Fund under USM Policy VIII-14.00—Policy on Investments and Loans to Maryland-based Businesses that are Affiliated with USM Institutions (action)
3. Review of Items Removed from Consent Agenda
4. Committee Reports
- a. Committee of the Whole
 - i. Amendment to USM Policy on Student Classification for Admission and Tuition Purposes (VIII-2.70). Senior Vice Chancellor Boughman presented the proposed amendments to the policy to ensure that it is in compliance with The Veterans Healthcare and Benefits Improvement Act of 2020. Regent Fish moved and Regent Attman seconded approval of the amendments to the policy. The motion was unanimously approved.
 - ii. Proposed Dates for 2022-2023 Full Board Meetings. Regent Rauch moved and Regent Pope seconded approval of the proposed dates for the 2022-2023 full board meetings. The motion was unanimously approved.
 - iii. Resolutions of Appreciation. Regent Johnson moved and Regent Rauch seconded approval of resolutions of appreciation for the following. The motion was unanimously approved.

1. Regent Aaliyah Edwards
 2. Regent Barry Gossett
 3. Regent Sam Malhotra
 4. Regent Meredith Mears
 5. Regent Nathaniel Sansom
- iv. 2021-2022 Committee Assignments. Chair Gooden shared the committee assignments for 2021-2022.
 - v. Election of BOR Vice Chair. Regent Neall indicated that he would like to serve as Vice Chair of the Board of Regents until the next elections. Regent Gooden moved that Regent Neall be elected, Regent Johnson seconded. The motion was unanimously approved.
 - vi. University of Baltimore Taskforce – Implementation Update. President Schmoke provided an update and will have a more in-depth presentation in September.
 - vii. USM Marketing and Branding Taskforce Report. Regent Gonella provided an update on the USM Marketing and Branding Taskforce Report.
- b. Committee on Audit Update. Regent Fish provided an update on the Committee on Audit’s activities over the past year. These included reviewing FY 21 objectives, reviewing proposed revisions to the Policy on Affiliated Foundations, reviewing audit reports, and hearing from an engagement partner about a scope of services.
5. Reconvene to Closed Session Reconvene to Closed Session. Chair Gooden read the “convene to close” statement citing the topics for the closed session and the relevant statutory authority for closing the meeting under 3-305(b) and 3-103(a)(1)(i). (Moved by Regent Johnson, seconded by Regent Pope; unanimously approved.)

Meeting adjourned at 11:11 a.m.



University System of Maryland Board of Regents
Via Zoom
June 17, 2021

Closed Session Minutes

Call to Order. Chair Linda Gooden called the meeting of the University System of Maryland Board of Regents to order in closed session at 11:30 a.m. on Thursday June 17, 2021 virtually via Zoom. Those in attendance included Chair Gooden; Regents Attman, Fish, Gonella, Gossett, Gourdine, Holzapfel, Johnson, Neall, Pope, Rauch, Sansom, Wallace, and Wood; Chancellor Perman, Vice Chancellors Boughman, Herbst, Hogan, McDonough, Raley, and Sadowski; Ms. Mulqueen, Ms. Wilkerson, and AAGs Bainbridge and Langrill. Presidents Jarrell and Anderson were present for a portion of the meeting.

1. Meeting with the Presidents

As part of their performance reviews, the Board met individually with Presidents Jarrell and Anderson. (§3-305(b)(1))

2. Consent Agenda

Chair Gooden asked if there were items the Regents wished to remove from the consent agenda. Seeing none, the Regents voted to approve the consent agenda (moved by Regent Attman; seconded by Regent Gossett; unanimously approved) which included the items below.

a. Committee on Finance

- i. University of Maryland, College Park: Lease of Maryland-National Capital Park and Planning Commission Property for Track and Field Relocation (§3-305(b)(3))
- ii. University System of Maryland Consortium: Enterprise Resource Planning (ERP) Replacement through ERP Platform Subscription and Implementation (§3-305(b)(14))
- iii. University System of Maryland: Palo Alto Enterprise License Agreement and Enterprise Support Agreement for USM Institutions (§3-305(b)(14))
- iv. FY 2023 Capital Budget Request; and FY 2023-2027 Five-Year Capital Improvement Program (§3-305(b)(13))

b. Committee of the Whole

- i. Board of Regents Staff Awards (§ 3-305(b)(1) and (2))

3. Consideration of a Conflict of Interest

The Regents voted to approve, contingent upon the Maryland Ethics Commission review of the two noncompensated UMGC representatives (Moved by Regent Gossett; seconded by Regent Johnson; unanimously approved). (§3-305(b)(1)(ii))

4. Format of Committee Meetings

The Regents discussed the format of committee meetings for the next Board year. (§3-103(a)(1)(i)).

5. Ratification of the University of Maryland, Baltimore MOU with the Fraternal Order of Police for Sworn Police Officers

The Regents voted to ratify the University of Maryland, Baltimore's Memorandum of Understanding with the Fraternal Order of Police for sworn police officers (Moved by Regent Attman; seconded by Regent Gossett; unanimously approved). (§3-305(b)(9))

6. Ratification of Bowie State University MOU with the Maryland Classified Employees Association for Sworn Police Officers

The Regents voted to ratify Bowie State University's Memorandum of Understanding with the Maryland Classified Employee Association for sworn police officers (Moved by Regent Gossett; seconded by Regent Pope; unanimously approved). (§3-305(b)(9))

7. Review of Individuals' Board Memberships

The Regents discussed an individual's board memberships. (§3-305(b)(1))

8. Annual Review of USM Presidents

The Regents discussed the annual performance reviews of the USM Presidents. (§3-305(b)(1))

9. Annual Review of the Chancellor's Direct Reports

The Regents discussed the annual performance reviews of the Chancellor's direct reports. (§3-305(b)(1))

10. Executive Compensation

The Regents discussed the Chancellor's and presidents' compensation. (§3-305(b)(1))

11. Annual Review of the USM Chancellor

The Regents discussed the annual performance review of the USM Chancellor. (§3-305(b)(1))

The meeting adjourned at 1:38 p.m.



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Board Resolution on Defense Security Service

COMMITTEE: Committee of the Whole

DATE OF COMMITTEE MEETING: September 10, 2021

SUMMARY: Institutions of the USM enter into agreements with the United States Department of Defense (DOD), which involve classified work. While the Chancellor and BOR Chair are required to meet the personnel clearance requirements, DOD regulations permit exclusions for the members of the Board of Regents. The Defense Security Service (DSS) requires the attached resolution to be approved annually to provide the exemption for BOR members from obtaining a security clearance.

ALTERNATIVES(S): The Board can decide that each board member needs to receive a security clearance, which would take approximately 6-9 months. In that case, it is recommended that this resolution be approved for the interim so that the processing of current contracts can proceed. The Board could decide not to contract with DOD for matters that could involve classified material.

FISCAL IMPACT: Negligible

CHANCELLOR'S RECOMMENDATION: The Chancellor recommends that the Board support this resolution.

COMMITTEE RECOMMENDATION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Denise Wilkerson, (301) 445-1906 or (410) 576-5734 or dwilkerson@usmd.edu



**RESOLUTION OF THE BOARD OF REGENTS OF
THE UNIVERSITY SYSTEM OF MARYLAND**

I, **Michelle Gourdine**, do hereby certify that I am the Secretary of the Board of Regents of the University System of Maryland, an instrumentality of the State of Maryland and a public corporation, and that the following is a true and correct copy of a resolution adopted by the University System of Maryland Board of Regents at a meeting held at the University of Maryland Global Campus on September 10, 2021 at which time a quorum was present. This resolution replaces the one dated September 18, 2020 and all prior resolutions.

WHEREAS, the Board of Regents, a body having twenty-one members, is the governing body of the University System of Maryland ("USM") and the Chancellor is the Chief Executive Officer of USM and the Chief of Staff for the Board of Regents; and

WHEREAS, institutions of the USM seek to enter into agreements with the United States Department of Defense ("DOD") which involve classified work; and

WHEREAS, current DOD Regulations require that the Chancellor and USM Facility Security Officer meet the personnel clearance requirements for the System's facility clearance; and

WHEREAS, said DOD Regulations permit the exclusions from the personnel clearance requirements of members of the Board of Regents, provided that this action is taken in accordance with law and recorded in the Board's minutes; and

WHEREAS, the Board of Regents is authorized to delegate aspects of its authority to the Chancellor,

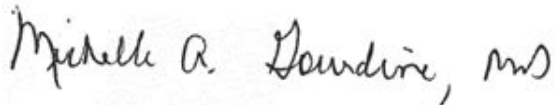
NOW, THEREFORE BE IT RESOLVED that the Chancellor and the USM Facility Security Officer at the present time do possess, or will be processed for, the required security clearance; and

BE IT RESOLVED FURTHER that in the future, when any individual enters upon the duties of Chancellor or USM Facility Security Officer, such individual shall immediately make application for the required security clearance; and

BE IT RESOLVED FURTHER that the following members of the Board of Regents shall not require, shall not have, and can be effectively excluded from access to CLASSIFIED information in the possession of the USM.

<u>NAME</u>	<u>TITLE</u>
Gary Attman	Regent
Joe Bartenfelder	Regent
Ada Beams	Student Regent
Hugh Breslin	Regent
Ellen Fish	Regent
Gary Gill	Regent
Geoff Gonella	Regent
Linda Gooden	Regent
Michelle Gourdine	Regent
Robert Hur	Regent
D'Ana Johnson	Regent
Isiah Leggett	Regent
Robert Neall	Regent
Ayotola Oludayo	Student Regent
Douglas J.J. Peters	Regent
Louis Pope	Regent
Signe Pringle	Regent
Robert Rauch	Regent
Andrew Smarick	Regent
Robert Wallace	Regent
William Wood	Regent

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the University System of Maryland this day of September 10, 2021.



Michelle Gourdine, M.D.
Secretary
Board of Regents of the
University System of Maryland



TOPIC: Bowie State University: Three Voluntary Separation Incentive Plans for Certain Employees

COMMITTEE: Finance

DATE OF COMMITTEE MEETING: September 2, 2021

SUMMARY: Bowie State University seeks Board approval of three proposed employee Voluntary Separation Incentive Plans:

- Voluntary Separation Incentive Program for Faculty
- Voluntary Separation Incentive Program for Exempt Employees Who Are Not Eligible for Exempt Bargaining Unit
- Voluntary Separation Incentive Program for Nonexempt Employees Who Are Not Eligible for Nonexempt Bargaining Unit

The goal of the plans is to provide Bowie State University flexibility to hire faculty and staff to assist in addressing mission critical needs with continued focus on the University's vision.

An incentive payment of \$1,000 for each year of State Service, up to a maximum of \$40,000, will be paid to each employee who separates from employment under one of the three proposed plans. The employee must separate by December 31, 2021.

Under each of the three plans:

- the University reserves the right to limit: (1) the total number of applications approved and (2) the number of applications approved in a particular department, work unit or job category;
- eligible employees must apply to be considered for participation between September 13 and October 29, 2021; and
- employees will be notified by November 15, 2021, if they have been approved.

Eighty-six (86) faculty are eligible to apply; forty-four (44) exempt, non-bargaining unit employees are eligible to apply; and nine (9) nonexempt, non-bargaining unit employees are eligible to apply.

The attached copies of the plans provide additional details. These plans have been approved by the Attorney General's Office for legal sufficiency.

ALTERNATIVE(S): The Committee could recommend that the Board of Regents not approve the three Voluntary Separation Incentive Plans as presented or recommend alternatives.

FISCAL IMPACT: The anticipated cost associated with the voluntary incentive separation programs will depend on employee participation levels, associated salaries, and years of service. The University will cover the incentive payouts, which are expected to be in the range of a total of \$300,000 to \$350,000, assuming a participation rate of 15%.

CHANCELLOR'S RECOMMENDATION: That the Finance Committee recommend that the Board of Regents approve the three Voluntary Separation Incentive Plans for Bowie State University as presented.

COMMITTEE RECOMMENDATION: RECOMMEND APPROVAL

DATE: 9/2/21

BOARD ACTION:

DATE:

SUBMITTED BY: Ellen Herbst (301) 445-1923

Bowie State University
Voluntary Separation Incentive Program Summary
for
Faculty Employees

Purpose:

The Bowie State University (University or Bowie) Voluntary Separation Incentive Program for Faculty Employees (VSIP) is an offer to provide a financial incentive for certain eligible University employees to separate from employment with the University. Participation in the VSIP will require eligible employees to separate from employment with the University on or before December 31, 2021 in exchange for an incentive payment of up to \$40,000 (forty thousand dollars), based upon years of State Service.

Participation in the VSIP is voluntary. Eligible employees who are interested MUST apply by Friday, October 29, 2021 to be considered for participation in the VSIP.

Eligibility Requirements:

The VSIP is available to University faculty employees who meet the VSIP eligibility requirements. Members of the University President's Cabinet are excluded from participation due to conflict of interest. If you have questions regarding your eligibility, please contact Carrie Davis at cbdavis@bowiestate.edu.

This VSIP is available to faculty employees who:

- 1) Have a minimum of 30 years of State Service (as defined in this document) as of September 30, 2021 including at least 5 years of service with Bowie State University as described under State Service;
Or
- 2) Are at least 50 years old on or before September 30, 2021 and who have age plus years of State Service (as defined in this document) of at least 70 as of that date with at least 5 years of service at Bowie State University;
Or
- 3) Are eligible for retirement on or before September 30, 2021 and have at least 10 years of State Service (as defined in this document) as of that date with at least 5 years of service at Bowie State University.

An employee who has received a notice of termination, layoff or charges for removal prior to September 30, 2021 shall not be eligible, nor shall an employee who on or before September 30, 2021 has entered into a written agreement to separate from employment with the University.

State Service: For purposes of determining eligibility to participate in the VSIP, "State Service" is defined differently than for purposes such as retirement or retiree health benefits. The following rules will be used to compute State Service to determine eligibility for the VSIP:

1. A year of full-time employment as a non-contractual, regular employee (participating in either the State of Maryland Employees or Teachers Pension or Retirement System or the Optional Retirement Plan) as an employee of:
 - a. The University
 - b. Any other State of Maryland public higher education institution or entity; or
 - c. Any other agency or entity of the State of Maryland.

Note that employment by any public community college (other than Baltimore City Community College) or regional community college, or any kindergarten-Grade 12 school system will not count as State Service for purposes of this VSIP.

2. An employee will be credited with one year of State Service for each full year of full-time eligible employment. For employees who are on a 12 month schedule, this means 12 months of full time employment, with partial years counting proportionate to time worked. For faculty whose regular employment is at least 9 months but less than 12 months in an academic year, fulfillment of the entire academic year commitment will count as a year of service, and employment for less than the full commitment will be prorated in relation to the full commitment, e.g., working 5 months of a 10 month commitment will count as .5 or ½ year of State Service.
3. For all employees, employment on a less than full time basis will be counted proportionate to the percentage of full-time employment (e.g., employment at 75% time for one year will equal 0.75 (3/4) of a year of State Service.
4. State Service includes paid leave time. State Service does not include a period of unpaid leave, except for leave designated as Family Medical Leave or Military Administrative Leave (or comparable category of military leave).

For purposes of the VSIP, a year of "service at Bowie State University" is State Service described in 1.a of this section, calculated by the same rules as the State Service section with respect to partial years, part-time employment, leave, etc.

How to apply for the VSIP. The VSIP will be entered into by (1) on or before October 29, 2021 at 11:59 p.m. Eastern Daylight Time, the employee voluntarily completing and electronically signing and submitting to the Office of Human Resources VSIP Portal (**Link will be included in the material distributed to employees**), *the Bowie State University Voluntary Separation Incentive Program for Faculty Employees Application, Agreement & Release and Waiver of Employment Rights* (the Application, Agreement & Release) (a required written receipt will be sent automatically from the Portal), and (2) the approval of the Application, Agreement & Release by the University President. Only the President has the authority to approve an application. Once the President approves an application, the employee has seven (7) days to revoke their application.

No other method or form of application will be accepted. No applications for the VSIP will be accepted after 11:59 p.m. on Friday, October 29, 2021. The employee is responsible for ensuring that they receive a written receipt acknowledging that the completed Application, Agreement & Release has been submitted to the portal. Individual employees who are eligible and wish to participate in the VSIP must follow the VSIP application process. **Additionally, if a participating employee chooses to retire, that employee must also follow the normal retirement application process, which is separate from the VSIP.** The Office of Human Resources can assist with the retirement process for a VSIP participating employee who chooses to retire.

Timeline for the Program:

VSIP Period: The VSIP period (window) is September 13, 2021 through December 31, 2021

Application Period: A defined application period will be open to the eligible employees beginning September 13, 2021 and ending October 29, 2021. To apply for the VSIP, an eligible employee must: (1) complete the Bowie State University Voluntary Separation Incentive Program for Faculty Employees Application, Agreement & Release and Waiver of Employment Rights (the Application, Agreement & Release); and (2) submit the completed, signed and witnessed Application, Agreement & Release no later than 11:59 p.m. Eastern Daylight Time on October 29, 2021 to Office of Human Resources VSIP Portal (a written receipt will be sent automatically from the Portal).

Approval: On or before Monday, November 15, 2021, the University will advise the employee by written or electronic communication whether the President has approved the employee's Application, Agreement & Release for voluntary separation. Only the President of the University has the authority to approve an application on behalf of the University. The University retains the right to limit 1) the total number of applications approved; and 2) the number of applications approved in a particular department, work unit or job category. In that event, the University will make the determination on which applications it will accept based upon the order in which applications were received by the University, as well as the needs of the University.

Revocation Period: **An employee who has applied to participate in the VSIP may revoke his/her Application and Agreement at any time through the end of seven (7) calendar days following the date the employee receives notice that the President has approved the employee's participation (Revocation Period).** An employee can revoke their Application, Agreement & Release in writing by notifying Sheila Hobson in the Office of Human Resources, (Room 100, Robinson Hall, Bowie State University) or by email to shobson@bowiestate.edu through the end of the Revocation Period. **If the employee does not revoke, the employee's Application, Agreement & Release will be final and enforceable and the employee will be separated from employment as of December 31, 2021.**

Separation Date: An employee who has been approved for participation in the VSIP and who does not revoke their Application, Agreement & Release prior to the end of the Revocation Period will be separated from employment with the University as of 11:59 p.m. on December 31, 2021. If the

employee chooses, the employee may submit to the University a separate letter of resignation or intention to retire, but the letter is not required and will not change the terms and conditions of the employee's participation in the VSIP. With the written approval of the President, an employee may separate from employment with the University between September 13, 2021 and December 31, 2021 and participate in the VSIP, provided that the employee meets the eligibility criteria prior to the date of separation from employment and has followed the directions contained above in **How to Apply for the VSIP**.

VSIP Incentive Severance Payment:

The University agrees to make an incentive payment on behalf of each employee who has been approved for participation in the VSIP (Incentive Payment) and who separates from employment with the University on December 31, 2021 equal to \$1,000 (one thousand dollars) for each year of State Service, up to a maximum amount of \$40,000 (forty thousand dollars).

The Incentive Payment will be made no later than 45 (forty-five) days after the employee's separation from employment and will be subject to any required tax withholdings or other mandatory withholdings or offsets.

An employee who participates in the VSIP will not be eligible for reemployment with the University without the prior written approval of the University President, and subject to any other limits imposed by law such as a minimum period of separation from employment for employees who have retired from the University.

An employee who participates in the VSIP:

- May retain their University email account for six (6) months
- May be eligible for retiree health benefits (if the employee chooses to retire AND is eligible to participate in retiree health benefits and/or subsidy, to the extent permitted by State law)
- May be eligible for retiree tuition remission benefits, if permitted by USM policy

General. The agreement to participate in the Bowie State University Voluntary Separation Program for Faculty Employees is binding upon: (1) the submission of the Application, Agreement & Release by the participating employee, (2) the approval of the Application, Agreement & Release by Bowie's President, and (3) the expiration of Revocation Period without the employee's revocation. **Each employee should consult his or her attorney and financial advisor regarding possible participation in the VSIP.**

Please see Attachment A for a list of all positions within the employment category eligible for participation in this VSIP, a list of all positions and whether or not eligible, and the age bands for the positions.

Should you have any questions about the VSIP, including the calculation of your State Service as defined for purposes of the Program, please contact Carrie Davis at cbdavis@bowiestate.edu or by telephone at (301)860-3499 as soon as possible to schedule an appointment.

BOWIE STATE UNIVERSITY
APPLICATION, AGREEMENT & RELEASE and WAIVER OF EMPLOYMENT RIGHTS

Faculty Voluntary Separation Incentive Plan (VSIP)

Employee Name:

Employee Position Title:

University Department/Division:

Service with a State of Maryland entity or agency other than Bowie State University will be used to determine your eligibility to participate in the Voluntary Separation Incentive Plan. Please see "State Service" for determining your eligibility to participate in the VSIP. Do you believe you have State Service (as described in the summary of the Voluntary Separation Incentive Plan) with any institution or entity of the State of Maryland other than Bowie State University?

Yes

No

If the answer is yes, please list where you were employed, in the position(s) and approximate dates of employment:

By my signature on this Application, Agreement & Release and Waiver of Employment Rights ("Application, Agreement & Release"), I authorize Bowie State University (the University) to obtain any employment, pension and retirement records necessary to verify my State Service (as defined in this document).

My signature below indicates that I acknowledge and agree that:

- (i) I have carefully read and fully understand the Bowie State University (the University) Voluntary Separation Incentive Plan Summary and this Application, Agreement & Release in their entirety;
- (ii) I have been advised to consult an attorney before signing this Application and have had sufficient opportunity to do so;
- (iii) No other promises or inducements have been made to induce me to enter into the Voluntary Incentive Separation Plan;

- (iv) This Application, Agreement & Release, including the terms of the Voluntary Separation Incentive Plan Summary, is the entire agreement regarding the terms of my separation from employment with Bowie State University; and
- (v) No other promises or agreements shall be binding unless reduced to writing and signed by the parties.

By signing this Application, Agreement & Release, I acknowledge and agree that I have knowingly and voluntarily applied to participate in the Voluntary Separation Incentive Plan. I acknowledge that I have had at least forty-five (45) calendar days to review the materials related to the Voluntary Separation Incentive Plan, and that if I submit this Application, Agreement & Release prior to the end of that 45 day period, I do so voluntarily and knowing that I am free to take the entire 45 day period for review prior to submitting this Application, Agreement & Release. I further understand that, upon notice to me that the University President has approved my Application, Agreement & Release, I have seven (7) calendar days during which I can revoke my Application, Agreement & Release. If I do not revoke and communicate my revocation of this executed Application, Agreement & Release by the end of the seventh (7th) day following the University's communication of the President's acceptance of my Application, Agreement & Release, this executed Application, Agreement & Release will become irrevocable and binding upon both myself and the University and my employment with the University will end at 11:59 p.m. on December 31, 2021 unless the President agrees to an earlier end to my employment.

Upon acceptance by the University, and expiration of the revocation period described in the previous paragraph of this Application, Agreement & Release, this Application, Agreement & Release will serve as my separation agreement with the University. I may submit a formal resignation (effective as of December 31, 2021) for my Human Resources records, but this Application, Agreement & Release will be the binding legal document whether or not I submit a formal resignation letter. No additional notice or letter to the University is necessary to give legal effect to my binding agreement to separate from employment with the University. **I understand that this Application, Agreement & Release does not replace actions necessary on my part to file for retirement or pension benefits, or retiree health benefits, should I choose to retire.**

To participate in the Voluntary Incentive Separation Plan, I understand that I must:

1. Sign this Application Agreement & Release in the presence of a witness of legal age;
2. Have a witness sign the Application, Agreement & Release as witness to my signature; and
3. Submit the voluntary completed and executed Application, Agreement & Release to the Office of Human Resources, VSIP Portal on before October 29, 2021 and receive a written receipt for such submission. Only the President has the authority to approve an application. Once the President approves an application, the employee has seven (7) days to revoke their application.

The President of the University will decide whether to approve my participation in the Voluntary Separation Incentive Plan. No one other than the President has the authority to approve my participation. If the President approves my Application, Agreement & Release, the University will notify me by November 15, 2021.

Once I receive notice that the President has approved my Application, Agreement & Release, I then have seven (7) calendar days to revoke my Application, Agreement & Release and provide written notification to the University. Revocation must be made in writing notifying Sheila Hobson in the Office of Human Resources Room 100 Robinson Hall or by email shobson@bowiestate.edu through the end of the Revocation Period. If I revoke this Application, Agreement & Release, I cannot participate in the Voluntary Separation Incentive Plan. If I do not timely revoke this Application, Agreement & Release, and communicate such revocation to the University:

1) my employment with the University will terminate effective 11:59 p.m. on December 31, 2021; and 2) The Incentive Payment will be made no later than forty-five (45) days after the employee's separation from employment, subject to any required tax withholdings or other mandatory withholdings or offsets.

I understand that, by participating in the Voluntary Separation Incentive Plan, I will not be eligible for reemployment or employment with the University except as approved by the President.

Participation in the Voluntary Separation Incentive Plan and receipt of the Incentive Payment are conditioned by my acceptance and fulfillment of the following conditions as well as acceptance of the terms above:

1. To participate in this program, I must file my completed Application, Agreement & Release to the Office of Human Resources Portal by October 29, 2021 and receive an automatic written receipt that I have submitted this in a complete and timely manner.
2. I will remain a University employee through December 31, 2021 and my salary and compensation, as well as other terms and conditions of employment, will continue in effect through the date, unless earlier terminated. Until I separate from employment with the University, my employment, including my salary and compensation, will be subject to all laws and policies that are generally applicable to other University employees in my employment category. These matters (e.g. furloughs/salary reductions) may affect my actual compensation. Additionally, through December 31, 2021, I will continue to be subject to all applicable policies which could result in my discipline or termination earlier than December 31, 2021. If I am terminated pursuant to University policy or an applicable collective bargaining agreement, I will not be eligible to participate in the Voluntary Separation Incentive Plan, and the Application, Agreement & Release will be null and void.
3. The Application, Agreement & Release shall serve as my resignation from employment with the University, effective December 31, 2021. **If I want to retire following my separation from employment I will need to execute any documents needed to effectuate my retirement, including enrolling in retiree health benefits for which I wish to enroll and for which I am eligible. Regardless of whether I choose to retire, and whether I take any additional actions to formally resign my position, my employment will terminate on December 31, 2021, and I will be removed from payroll as of that date.**
4. If I choose to resign my University employment earlier than described in paragraph 2, I will relinquish the incentive contribution described above unless the President of the University approves such earlier separation date. If the President approves an earlier separation, all references to December 31, 2021 will be replaced by the date on which I separate from employment. This also means that I must have met the eligibility before my separation from employment with the University, and that my BSU service will be calculated as of the date of my separation from service.
5. If, prior to December 31, 2021, my University employment is terminated pursuant to BSU and University policies and procedures and/or provisions of any applicable collective bargaining agreement, I will relinquish all rights to the Incentive Payment described above.
6. I cannot be reemployed by Bowie State University except with the prior written approval of the President.

7. In addition, State law requires that any other employment I may accept or consulting work I may undertake subsequent to separating from employment with the University, must be consistent with the Maryland Public Ethics Law, the Public Private Partnership Act, and related University policies. If I have questions about the applicability of conflict of interest rules to my situation, I can contact the Maryland Ethics Commission at (410) 260-7770 or visit their website at <https://ethics.maryland.gov/>.
8. **General Release and Forbearance Agreement.** I release and discharge the University, and its officers, employees, and agents, the Bowie State University and its Board of Regents, officials, employees and agents, the State of Maryland and its officials, employees and agents (the "Released Parties") from all claims, rights, charges and/or causes of action ("claims") which I had, now have or hereafter may have based on any act of omission which occurred through the date I sign this Application, Agreement & Release. This release covers all claims arising out of or related to my employment with the University, the termination of my employment, and/or any other relationship of any kind between myself and a Released Party, including, but not limited to, claims under the Age Discrimination in Employment Act of 1967, as amended ("ADEA"), all other employment and employment discrimination laws, tort claims, contract claims, and claims under federal, state, and local law and Bowie State University policies and procedures. I am not, however, waiving claims to benefits due to me subsequent separation from employment, including vested pension and retirement rights, payment for accrued and unused annual leave and holiday as of December 31, 2021 (subject to limitations on payment set by policy of the University System of Maryland Board of Regents), and payment of the Incentive Payment described in this Application, Agreement & Release. I acknowledge that this general Release is knowing and voluntary. Nothing in this release will change or modify the retirement or pension benefits to which I may be entitled under Maryland statutory law, nor to any retiree health benefit coverage or subsidy to which I may be entitled under Maryland statutory law.

I confirm that the Incentive Payment to be provided under this Application, Agreement & Release is in addition to any compensation to which I am already entitled. I voluntarily agree to accept the Incentive Payment in full accord and satisfaction of all claims. This General Release is agreed to without reliance upon any statement or representation not contained in this Application, Agreement & Release.

I agree that I will not file or maintain any suit (or seek or accept any compensation, benefit, or other remedy of any kind in any non-judicial forum or in any court) arising out of or related to the matters released. Nothing in this Application, Agreement & Release shall be construed to prevent me from filing or participating in a charge of discrimination filed with, or investigation by, the Equal Employment Opportunity Commission or any other governmental agency. However, by signing this Agreement, I waive the right to recover any monetary damages, individual relief, or attorneys' fees from the University or any Released Party in any claim, charge, or lawsuit filed by myself or any other person or entity.

9. I acknowledge that I have been advised to consult with an attorney to consider the Bowie State University Voluntary Separation Incentive Plan materials, including this Application, Agreement & Release. I have a period of at 45 calendar days to consider the Voluntary Separation Incentive Plan offer and to determine whether I wanted to participate in the Voluntary Separation Incentive Plan by executing this Application, Agreement & Release. If I execute this Application, Agreement & Release before the end of the 45 calendar day period, I have knowingly and voluntarily waived the 45 review period.

- 10. I may revoke this Application, Agreement & Release within seven (7) calendar days following my receipt of written or electronic communication that the President of the University has approved and executed my Application, Agreement & Release. If I choose to revoke, I will do so by notifying in writing Sheila Hobson in the Office of Human Resources Room 100 Robinson Hall or by email to shobson@bowiestate.edu through the end of the seven (7) day revocation period. I understand that if I do not revoke within the seven (7) calendar day period, this Application, Agreement & Release will be final and binding.
- 11. The waivers and the contractual agreements made in this Application, Agreement & Release are binding upon me and my heirs and assigns. The commitments of the University are binding upon the University and its successors and assigns. The University's commitments are subject to State law and the terms of State and University employee benefit plans, as well as federal law. Taxation issues will be handled by the University in accordance with applicable law.

I have considered the Bowie State University Voluntary Separation Incentive Plan materials and this Application, Agreement & Release fully, and to the extent that I feel appropriate, I have consulted with my legal, financial, tax and personal advisers.

I understand that I may contact Carrie Davis in the Office of Human Resources, email cbdavis@bowiestate.edu, with questions about the Plan, including questions about my State Service. My attorney may address questions directly to Elena Langrill at elangrill@oag.state.md.us in the Maryland Office of the Attorney General.

Employee's Signature

Date

Employee's Printed Name

Signature of Employee's Witness

Date

Printed Name of Employee's Witness

APPROVED FOR PARTICIPATION IN THE BOWIE STATE UNIVERSITY VOLUNTARY INCENTIVE SEPARTION PLAN:

Dr. Aminta Breaux
President, Bowie State University

Date

Bowie State University
Voluntary Separation Incentive Program Summary
for
Exempt Employees Who are Not Eligible for the Exempt Bargaining Unit

Purpose:

The Bowie State University (University or Bowie) Voluntary Separation Incentive Program for Exempt Employees who are Not Eligible for the Exempt Bargaining Unit (VSIP) is an offer to provide a financial incentive for certain eligible University employees to separate from employment with the University. Participation in the VSIP will require eligible employees to separate from employment with the University on or before December 31, 2021 in exchange for an incentive payment of up to \$40,000 (forty thousand dollars), based upon years of State Service. **Participation in the VSIP is voluntary. Eligible employees who are interested MUST apply by Friday, October 29, 2021 to be considered for participation in the VSIP.**

Eligibility Requirements:

The VSIP is available to University exempt employees who are not eligible to be members of the exempt bargaining unit and who meet the VSIP eligibility requirements. Members of the University President's Cabinet are excluded from participation due to conflict of interest. If you have questions regarding your eligibility, please contact Carrie Davis at cbdavis@bowiestate.edu.

This VSIP is available to exempt employees who are not eligible to be members of the exempt bargaining unit and who:

- 1) Have a minimum of 30 years of State Service (as defined in this document) as of September 30, 2021 including at least 5 years of service with Bowie State University as described under State Service;
Or
- 2) Are at least 50 years old on or before September 30, 2021 and who have age plus years of State Service (as defined in this document) totaling at least 70 points as of that date with at least 5 years of service at Bowie State University;
Or
- 3) Are eligible for retirement on or before September 30, 2021 and have at least 10 years of State Service (as defined in this document) as of that date with at least 5 years of service at Bowie State University.

An employee who has received a notice of termination, layoff or charges for removal prior to September 30, 2021 shall not be eligible, nor shall an employee who on or before September 30, 2021 has entered into a written agreement to separate from employment with the University.

State Service: For purposes of determining eligibility to participate in the VSIP, "State Service" is defined differently than for purposes such as retirement or retiree health benefits. The following rules will be used to compute State Service to determine eligibility for the VSIP:

1. A year of full-time employment as a non-contractual, regular employee (participating in either the State of Maryland Employees or Teachers Pension or Retirement System or the Optional Retirement Plan) as an employee of:
 - a. The University
 - b. Any other State of Maryland public higher education institution or entity; or
 - c. Any other agency or entity of the State of Maryland.

Note that employment by any public community college (other than Baltimore City Community College) or regional community college, or any kindergarten-Grade 12 school system will not count as State Service for purposes of this VSIP.

2. An employee will be credited with one year of State Service for each full year of full-time eligible employment. For employees who are on a 12 month schedule, this means 12 months of full time employment, with partial years counting proportionate to time worked. For faculty whose regular employment is at least 9 months but less than 12 months in an academic year, fulfillment of the entire academic year commitment will count as a year of service, and employment for less than the full commitment will be prorated in relation to the full commitment, e.g., working 5 months of a 10 month commitment will count as .5 or ½ year of State Service.
3. For all employees, employment on a less than full time basis will be counted proportionate to the percentage of full-time employment (e.g, employment at 75% time for one year will equal 0.75 (3/4) of a year of State Service.
4. State Service includes paid leave time. State Service does not include a period of unpaid leave, except for leave designated as Family Medical Leave or Military Administrative Leave (or comparable category of military leave).

For purposes of the VSIP, a year of "service at Bowie State University" is State Service described in 1.a of this section, calculated by the same rules as the State Service section with respect to partial years, part-time employment, leave, etc.

How to apply for the VSIP. The VSIP will be entered into by (1) on or before October 29, 2021 at 11:59 p.m. Eastern Daylight Time, the employee voluntarily completing and electronically signing and submitting to the Office of Human Resources VSIP Portal (**Link will be included in the material distributed to employees**), *the Bowie State University Voluntary Separation Incentive Program for Exempt Employees Who Are Not Eligible for the Exempt Bargaining Unit Application, Agreement & Release and Waiver of Employment Rights* (the Application, Agreement & Release) (a required written receipt will be sent automatically from the Portal), and (2) the approval of the Application, Agreement & Release by the

University President. Only the President has the authority to approve an application. Once the President approves an application, the employee has seven (7) days to revoke their application.

No other method or form of application will be accepted. No applications for the VSIP will be accepted after 11:59 p.m. on Friday, October 29, 2021. The employee is responsible for ensuring that they receive a written receipt acknowledging that the completed Application, Agreement & Release has been submitted to the portal. Individual employees who are eligible and wish to participate in the VSIP must follow the VSIP application process. **Additionally, if a participating employee chooses to retire, that employee must also follow the normal retirement application process, which is separate from the VSIP.** The Office of Human Resources can assist with the retirement process for a VSIP participating employee who chooses to retire.

Timeline for the Program:

VSIP Period: The VSIP period (window) is **September 13, 2021 through December 31, 2021**

Application Period: A defined application period will be open to the eligible employees beginning September 13, 2021 and ending October 29, 2021. To apply for the VSIP, an eligible employee must: (1) complete the Bowie State University Voluntary Separation Incentive Program for Exempt Employees Who Are Not Eligible for the Exempt Bargaining Unit Application, Agreement & Release and Waiver of Employment Rights (the Application, Agreement & Release); and (2) submit the completed, signed and witnessed Application, Agreement & Release no later than 11:59 p.m. Eastern Daylight Time on October 29, 2021 to Office of Human Resources VSIP Portal (a written receipt will be sent automatically from the Portal).

Approval: On or before Monday, November 15, 2021, the University will advise the employee by written or electronic communication whether the President has approved the employee's Application, Agreement & Release for voluntary separation. Only the President of the University has the authority to approve an application on behalf of the University. The University retains the right to limit 1) the total number of applications approved; and 2) the number of applications approved in a particular department, work unit or job category. In that event, the University will make the determination on which applications it will accept based upon the order in which applications were received by the University, as well as the needs of the University.

Revocation Period: An employee who has applied to participate in the VSIP may revoke his/her Application and Agreement at any time through the end of seven (7) calendar days following the date the employee receives notice that the President has approved the employee's participation (Revocation Period). An employee can revoke their Application, Agreement & Release in writing by notifying Sheila Hobson in the Office of Human Resources, (Room 100, Robinson Hall, Bowie State University) or by email to shobson@bowiestate.edu through the end of the Revocation Period. **If the employee does not revoke, the employee's Application, Agreement & Release will be final and enforceable and the employee will be separated from employment as of December 31, 2021.**

Separation Date: An employee who has been approved for participation in the VSIP and who does not revoke their Application, Agreement & Release prior to the end of the Revocation Period will be separated from employment with the University as of 11:59 p.m. on December 31, 2021. If the employee chooses, the employee may submit to the University a separate letter of resignation or intention to retire, but the letter is not required and will not change the terms and conditions of the employee's participation in the VSIP. With the written approval of the President, an employee may separate from employment with the University between September 13, 2021 and December 31, 2021 and participate in the VSIP, provided that the employee meets the eligibility criteria prior to the date of separation from employment and has followed the directions contained above in **How to Apply for the VSIP**.

VSIP Incentive Severance Payment:

The University agrees to make an incentive payment on behalf of each employee who has been approved for participation in the VSIP (Incentive Payment) and who separates from employment with the University on December 31, 2021 equal to \$1,000 (one thousand dollars) for each year of State Service, up to a maximum amount of \$40,000 (forty thousand dollars).

The Incentive Payment will be made no later than 45 (forty-five) days after the employee's separation from employment and will be subject to any required tax withholdings or other mandatory withholdings or offsets.

An employee who participates in the VSIP will not be eligible for reemployment with the University without the prior written approval of the University President, and subject to any other limits imposed by law such as a minimum period of separation from employment for employees who have retired from the University.

An employee who participates in the VSIP:

- May retain their University email account for six (6) months
- May be eligible for retiree health benefits (if the employee chooses to retire AND is eligible to participate in retiree health benefits and/or subsidy, to the extent permitted by State law)
- May be eligible for retiree tuition remission benefits, if permitted by USM policy

General. The agreement to participate in the Bowie State University Voluntary Separation Program for Exempt Employees Who Are Not Eligible for the Exempt Bargaining Unit is binding upon: (1) the submission of the Application, Agreement & Release by the participating employee, (2) the approval of the Application, Agreement & Release by Bowie's President, and (3) the expiration of Revocation Period without the employee's revocation. **Each employee should consult his or her attorney and financial advisor regarding possible participation in the VSIP.**

Please see Attachment A for a list of all positions within the employment category eligible for participation in this VSIP, a list of all positions and whether or not eligible, and the age bands for the positions

Should you have any questions about the VSIP, including the calculation of your State Service as defined for purposes of the Program, please contact Carrie Davis at cbdavis@bowiestate.edu or by telephone at (301)860-3499 as soon as possible to schedule an appointment.

BOWIE STATE UNIVERSITY
APPLICATION, AGREEMENT & RELEASE and WAIVER OF EMPLOYMENT RIGHTS
Exempt Employees Who are Not Eligible for the Exempt Bargaining Unit
Voluntary Incentive Separation Plan (VSIP)

Employee Name:

Employee Position Title:

University Department/Division:

Service with a State of Maryland entity or agency other than Bowie State University will be used to determine your eligibility to participate in the Voluntary Separation Incentive Plan. Please see "State Service" for determining your eligibility to participate in the VSIP. Do you believe you have State Service (as described in the summary of the Voluntary Separation Incentive Plan) with any institution or entity of the State of Maryland other than Bowie State University?

Yes

No

If the answer is yes, please list where you were employed, in the position(s) and approximate dates of employment:

By my signature on this Application, Agreement & Release and Waiver of Employment Rights ("Application, Agreement & Release"), I authorize Bowie State University (the University) to obtain any employment, pension and retirement records necessary to verify my State Service (as defined in this document).

My signature below indicates that I acknowledge and agree that:

- (i) I have carefully read and fully understand the Bowie State University (the University) Voluntary Separation Incentive Plan Summary and this Application, Agreement & Release in their entirety;
- (ii) I have been advised to consult an attorney before signing this Application and have had sufficient opportunity to do so;
- (iii) No other promises or inducements have been made to induce me to enter into the Voluntary Incentive Separation Plan;

- (iv) This Application, Agreement & Release, including the terms of the Voluntary Separation Incentive Plan Summary, is the entire agreement regarding the terms of my separation from employment with Bowie State University; and
- (v) No other promises or agreements shall be binding unless reduced to writing and signed by the parties.

By signing this Application, Agreement & Release, I acknowledge and agree that I have knowingly and voluntarily applied to participate in the Voluntary Separation Incentive Plan. I acknowledge that I have had at least forty-five (45) calendar days to review the materials related to the Voluntary Separation Incentive Plan, and that if I submit this Application, Agreement & Release prior to the end of that 45 day period, I do so voluntarily and knowing that I am free to take the entire 45 day period for review prior to submitting this Application, Agreement & Release. I further understand that, upon notice to me that the University President has approved my Application, Agreement & Release, I have seven (7) calendar days during which I can revoke my Application, Agreement & Release. If I do not revoke and communicate my revocation of this executed Application, Agreement & Release by the end of the seventh (7th) day following the University's communication of the President's acceptance of my Application, Agreement & Release, this executed Application, Agreement & Release will become irrevocable and binding upon both myself and the University and my employment with the University will end at 11:59 p.m. on December 31, 2021 unless the President agrees to an earlier end to my employment.

Upon acceptance by the University, and expiration of the revocation period described in the previous paragraph of this Application, Agreement & Release, this Application, Agreement & Release will serve as my separation agreement with the University. I may submit a formal resignation (effective as of December 31, 2021) for my Human Resources records, but this Application, Agreement & Release will be the binding legal document whether or not I submit a formal resignation letter. No additional notice or letter to the University is necessary to give legal effect to my binding agreement to separate from employment with the University. **I understand that this Application, Agreement & Release does not replace actions necessary on my part to file for retirement or pension benefits, or retiree health benefits, should I choose to retire.**

To participate in the Voluntary Incentive Separation Plan, I understand that I must:

1. Sign this Application Agreement & Release in the presence of a witness of legal age;
 2. Have a witness sign the Application, Agreement & Release as witness to my signature; and
 3. Submit the voluntary completed and executed Application, Agreement & Release to the Office of Human Resources, VSIP Portal on before October 29, 2021 and receive a written receipt for such submission.
- Only the President has the authority to approve an application. Once the President approves an application, the employee has seven (7) days to revoke their application.

The President of the University will decide whether to approve my participation in the Voluntary Separation Incentive Plan. No one other than the President has the authority to approve my participation. If the President approves my Application, Agreement & Release, the University will notify me by November 15, 2021.

Once I receive notice that the President has approved my Application, Agreement & Release, I then have seven (7) calendar days to revoke my Application, Agreement & Release and provide written notification to the University. Revocation must be made in writing notifying Sheila Hobson in the Office of Human Resources Room 100 Robinson Hall or by email shobson@bowiestate.edu through the end of the Revocation Period. If I revoke this Application, Agreement & Release, I cannot participate in the Voluntary Separation Incentive Plan. If I do not timely revoke this Application, Agreement & Release, and communicate such revocation to the University:

1) my employment with the University will terminate effective 11:59 p.m. on December 31, 2021; and 2) The Incentive Payment will be made no later than forty-five (45) days after the employee's separation from employment, subject to any required tax withholdings or other mandatory withholdings or offsets.

I understand that, by participating in the Voluntary Separation Incentive Plan, I will not be eligible for reemployment or employment with the University except as approved by the President.

Participation in the Voluntary Separation Incentive Plan and receipt of the Incentive Payment are conditioned by my acceptance and fulfillment of the following conditions as well as acceptance of the terms above:

1. To participate in this program, I must file my completed Application, Agreement & Release to the Office of Human Resources Portal by October 29, 2021 and receive an automatic written receipt that I have submitted this in a complete and timely manner.
2. I will remain a University employee through December 31, 2021 and my salary and compensation, as well as other terms and conditions of employment, will continue in effect through the date, unless earlier terminated. Until I separate from employment with the University, my employment, including my salary and compensation, will be subject to all laws and policies that are generally applicable to other University employees in my employment category. These matters (e.g. furloughs/salary reductions) may affect my actual compensation. Additionally, through December 31, 2021, I will continue to be subject to all applicable policies which could result in my discipline or termination earlier than December 31, 2021. If I am terminated pursuant to University policy or an applicable collective bargaining agreement, I will not be eligible to participate in the Voluntary Separation Incentive Plan, and the Application, Agreement & Release will be null and void.
3. The Application, Agreement & Release shall serve as my resignation from employment with the University, effective December 31, 2021. **If I want to retire following my separation from employment I will need to execute any documents needed to effectuate my retirement**, including enrolling in retiree health benefits for which I wish to enroll and for which I am **eligible**. **Regardless of whether I choose to retire, and whether I take any additional actions to formally resign my position, my employment will terminate on December 31, 2021, and I will be removed from payroll as of that date.**
4. If I choose to resign my University employment earlier than described in paragraph 2, I will relinquish the incentive contribution described above unless the President of the University approves such earlier separation date. If the President approves an earlier separation, all references to December 31, 2021 will be replaced by the date on which I separate from employment. This also means that I must have met the eligibility before my separation from employment with the University, and that my BSU service will be calculated as of the date of my separation from service.
5. If, prior to December 31, 2021, my University employment is terminated pursuant to BSU and University policies and procedures and/or provisions of any applicable collective bargaining agreement, I will relinquish all rights to the Incentive Payment described above.
6. I cannot be reemployed by Bowie State University except with the prior written approval of the President.

7. In addition, State law requires that any other employment I may accept or consulting work I may undertake subsequent to separating from employment with the University, must be consistent with the Maryland Public Ethics Law, the Public Private Partnership Act, and related University policies. If I have questions about the applicability of conflict of interest rules to my situation, I can contact the Maryland Ethics Commission at (410) 260-7770 or visit their website at <https://ethics.maryland.gov/>.
8. **General Release and Forbearance Agreement.** I release and discharge the University, and its officers, employees, and agents, the Bowie State University and its Board of Regents, officials, employees and agents, the State of Maryland and its officials, employees and agents (the "Released Parties") from all claims, rights, charges and/or causes of action ("claims") which I had, now have or hereafter may have based on any act of omission which occurred through the date I sign this Application, Agreement & Release. This release covers all claims arising out of or related to my employment with the University, the termination of my employment, and/or any other relationship of any kind between myself and a Released Party, including, but not limited to, claims under the Age Discrimination in Employment Act of 1967, as amended ("ADEA"), all other employment and employment discrimination laws, tort claims, contract claims, and claims under federal, state, and local law and Bowie State University policies and procedures. I am not, however, waiving claims to benefits due to me subsequent separation from employment, including vested pension and retirement rights, payment for accrued and unused annual leave and holiday as of December 31, 2021 (subject to limitations on payment set by policy of the University System of Maryland Board of Regents), and payment of the Incentive Payment described in this Application, Agreement & Release. I acknowledge that this general Release is knowing and voluntary. Nothing in this release will change or modify the retirement or pension benefits to which I may be entitled under Maryland statutory law, nor to any retiree health benefit coverage or subsidy to which I may be entitled under Maryland statutory law.

I confirm that the Incentive Payment to be provided under this Application, Agreement & Release is in addition to any compensation to which I am already entitled. I voluntarily agree to accept the Incentive Payment in full accord and satisfaction of all claims. This General Release is agreed to without reliance upon any statement or representation not contained in this Application, Agreement & Release.

I agree that I will not file or maintain any suit (or seek or accept any compensation, benefit, or other remedy of any kind in any non-judicial forum or in any court) arising out of or related to the matters released. Nothing in this Application, Agreement & Release shall be construed to prevent me from filing or participating in a charge of discrimination filed with, or investigation by, the Equal Employment Opportunity Commission or any other governmental agency. However, by signing this Agreement, I waive the right to recover any monetary damages, individual relief, or attorneys' fees from the University or any Released Party in any claim, charge, or lawsuit filed by myself or any other person or entity.

9. I acknowledge that I have been advised to consult with an attorney to consider the Bowie State University Voluntary Separation Incentive Plan materials, including this Application, Agreement & Release. I have a period of at 45 calendar days to consider the Voluntary Separation Incentive Plan offer and to determine whether I wanted to participate in the Voluntary Separation Incentive Plan by executing this Application, Agreement & Release. If I execute this Application, Agreement & Release before the end of the 45 calendar day period, I have knowingly and voluntarily waived the 45 review period.

- 10. I may revoke this Application, Agreement & Release within seven (7) calendar days following my receipt of written or electronic communication that the President of the University has approved and executed my Application, Agreement & Release. If I choose to revoke, I will do so by notifying in writing Sheila Hobson in the Office of Human Resources Room 100 Robinson Hall or by email to shobson@bowiestate.edu through the end of the seven (7) day revocation period. I understand that if I do not revoke within the seven (7) calendar day period, this Application, Agreement & Release will be final and binding.
- 11. The waivers and the contractual agreements made in this Application, Agreement & Release are binding upon me and my heirs and assigns. The commitments of the University are binding upon the University and its successors and assigns. The University's commitments are subject to State law and the terms of State and University employee benefit plans, as well as federal law. Taxation issues will be handled by the University in accordance with applicable law.

I have considered the Bowie State University Voluntary Separation Incentive Plan materials and this Application, Agreement & Release fully, and to the extent that I feel appropriate, I have consulted with my legal, financial, tax and personal advisers.

I understand that I may contact Carrie Davis in the Office of Human Resources, email cbdavis@bowiestate.edu, with questions about the Plan, including questions about my State Service. My attorney may address questions directly to Elena Langrill at elangrill@oag.state.md.us in the Maryland Office of the Attorney General.

Employee's Signature

Date

Employee's Printed Name

Signature of Employee's Witness

Date

Printed Name of Employee's Witness

APPROVED FOR PARTICIPATION IN THE BOWIE STATE UNIVERSITY VOLUNTARY INCENTIVE SEPARTION PLAN:

Dr. Aminta Breaux
President, Bowie State University

Date

Bowie State University
Voluntary Separation Incentive Program Summary
for
Nonexempt Employees Who are Not Eligible for the Nonexempt Bargaining Unit

Purpose:

The Bowie State University (University or Bowie) Voluntary Separation Incentive Program for Nonexempt Employees Who are Not Eligible for the Nonexempt Bargaining Unit (VSIP) is an offer to provide a financial incentive for certain eligible University employees to separate from employment with the University. Participation in the VSIP will require eligible employees to separate from employment with the University on or before December 31, 2021 in exchange for an incentive payment of up to \$40,000 (forty thousand dollars), based upon years of State Service. **Participation in the VSIP is voluntary. Eligible employees who are interested MUST apply by Friday, October 29, 2021 to be considered for participation in the VSIP.**

Eligibility Requirements:

The VSIP is available to University nonexempt employees who are not eligible to be members of the nonexempt bargaining unit and who meet the VSIP eligibility requirements. Members of the University President's Cabinet are excluded from participation due to conflict of interest. If you have questions regarding your eligibility, please contact Carrie Davis at cbdavis@bowiestate.edu.

This VSIP is available to nonexempt employees who are not eligible to be members of the nonexempt bargaining unit and who:

- 1) Have a minimum of 30 years of State Service (as defined in this document) as of September 30, 2021 including at least 5 years of service with Bowie State University as described under State Service;
Or
- 2) Are at least 50 years old on or before September 30, 2021 and who have age plus years of State Service (as defined in this document) of at least 70 points as of that date with at least 5 years of service at Bowie State University;
Or
- 3) Are eligible for retirement on or before September 30, 2021 and have at least 10 years of State Service (as defined in this document) as of that date with at least 5 years of service at Bowie State University.

An employee who has received a notice of termination, layoff or charges for removal prior to September 30, 2021 shall not be eligible, nor shall an employee who on or before September 30, 2021 has entered into a written agreement to separate from employment with the University.

State Service: For purposes of determining eligibility to participate in the VSIP, "State Service " is defined differently than for purposes such as retirement or retiree health benefits. The following rules will be used to compute State Service to determine eligibility for the VSIP:

1. A year of full-time employment as a non-contractual, regular employee (participating in either the State of Maryland Employees or Teachers Pension or Retirement System or the Optional Retirement Plan) as an employee of:
 - a. The University
 - b. Any other State of Maryland public higher education institution or entity; or
 - c. Any other agency or entity of the State of Maryland.

Note that employment by any public community college (other than Baltimore City Community College) or regional community college, or any kindergarten-Grade 12 school system will not count as State Service for purposes of this VSIP.

2. An employee will be credited with one year of State Service for each full year of full-time eligible employment. For employees who are on a 12 month schedule, this means 12 months of full time employment, with partial years counting proportionate to time worked. For faculty whose regular employment is at least 9 months but less than 12 months in an academic year, fulfillment of the entire academic year commitment will count as a year of service, and employment for less than the full commitment will be prorated in relation to the full commitment, e.g., working 5 months of a 10 month commitment will count as .5 or ½ year of State Service.
3. For all employees, employment on a less than full time basis will be counted proportionate to the percentage of full-time employment (e.g, employment at 75% time for one year will equal 0.75 (3/4) of a year of State Service.
4. State Service includes paid leave time. State Service does not include a period of unpaid leave, except for leave designated as Family Medical Leave or Military Administrative Leave (or comparable category of military leave).

For purposes of the VSIP, a year of "service at Bowie State University" is State Service described in 1.a of this section, calculated by the same rules as the State Service section with respect to partial years, part-time employment, leave, etc..

How to apply for the VSIP. The VSIP will be entered into by (1) on or before October 29, 2021 at 11:59 p.m. Eastern Daylight Time, the employee voluntarily completing and electronically signing and submitting to the Office of Human Resources VSIP Portal (**Link will be included in the material distributed to employees**), *the Bowie State University Voluntary Separation Incentive Program for Nonexempt Employees Who Are Not Eligible for the Nonexempt Bargaining Unit Application, Agreement & Release and Waiver of Employment Rights* (the Application, Agreement & Release) (a required written receipt will be sent automatically from the Portal), and (2) the approval of the Application, Agreement & Release by the

University President. Only the President has the authority to approve an application. Once the President approves an application, the employee has seven (7) days to revoke their application.

No other method or form of application will be accepted. No applications for the VSIP will be accepted after 11:59 p.m. on Friday, October 29, 2021. The employee is responsible for ensuring that they receive a written receipt acknowledging that the completed Application, Agreement & Release has been submitted to the portal. Individual employees who are eligible and wish to participate in the VSIP must follow the VSIP application process. **Additionally, if a participating employee chooses to retire, that employee must also follow the normal retirement application process, which is separate from the VSIP.** The Office of Human Resources can assist with the retirement process for a VSIP participating employee who chooses to retire.

Timeline for the Program:

VSIP Period: The VSIP period (window) is September 13, 2021 through December 31, 2021

Application Period: A defined application period will be open to the eligible employees beginning September 13, 2021 and ending October 29, 2021. To apply for the VSIP, an eligible employee must: (1) complete the Bowie State University Voluntary Separation Incentive Program for Nonexempt Employees Who Are Not Eligible for the Nonexempt Bargaining Unit Application, Agreement & Release and Waiver of Employment Rights (the Application, Agreement & Release); and (2) submit the completed, signed and witnessed Application, Agreement & Release no later than 11:59 p.m. Eastern Daylight Time on October 29, 2021 to Office of Human Resources VSIP Portal (a written receipt will be sent automatically from the Portal).

Approval: On or before Monday, November 15, 2021, the University will advise the employee by written or electronic communication whether the President has approved the employee's Application, Agreement & Release for voluntary separation. Only the President of the University has the authority to approve an application on behalf of the University. The University retains the right to limit 1) the total number of applications approved; and 2) the number of applications approved in a particular department, work unit or job category. In that event, the University will make the determination on which applications it will accept based upon the order in which applications were received by the University, as well as the needs of the University.

Revocation Period: An employee who has applied to participate in the VSIP may revoke his/her Application and Agreement at any time through the end of seven (7) calendar days following the date the employee receives notice that the President has approved the employee's participation (Revocation Period). An employee can revoke their Application, Agreement & Release in writing by notifying Sheila Hobson in the Office of Human Resources, (Room 100, Robinson Hall, Bowie State University) or by email to shobson@bowiestate.edu through the end of the Revocation Period. **If the employee does not revoke, the employee's Application, Agreement & Release will be final and enforceable and the employee will be separated from employment as of December 31, 2021.**

Separation Date: An employee who has been approved for participation in the VSIP and who does not revoke their Application, Agreement & Release prior to the end of the Revocation Period will be separated from employment with the University as of 11:59 p.m. on December 31, 2021. If the employee chooses, the employee may submit to the University a separate letter of resignation or intention to retire, but the letter is not required and will not change the terms and conditions of the employee's participation in the VSIP. With the written approval of the President, an employee may separate from employment with the University between September 13, 2021 and December 31, 2021 and participate in the VSIP, provided that the employee meets the eligibility criteria prior to the date of separation from employment and has followed the directions contained above in **How to Apply for the VSIP**.

VSIP Incentive Severance Payment:

The University agrees to make an incentive payment on behalf of each employee who has been approved for participation in the VSIP (Incentive Payment) and who separates from employment with the University on December 31, 2021 equal to \$1,000 (one thousand dollars) for each year of State Service, up to a maximum amount of \$40,000 (forty thousand dollars).

The Incentive Payment will be made no later than 45 (forty-five) days after the employee's separation from employment and will be subject to any required tax withholdings or other mandatory withholdings or offsets.

An employee who participates in the VSIP will not be eligible for reemployment with the University without the prior written approval of the University President, and subject to any other limits imposed by law such as a minimum period of separation from employment for employees who have retired from the University.

An employee who participates in the VSIP:

- May be eligible for retiree health benefits (if the employee chooses to retire AND is eligible to participate in retiree health benefits and/or subsidy, to the extent permitted by State law)
- May be eligible for retiree tuition remission benefits, if permitted by USM policy

General. The agreement to participate in the Bowie State University Voluntary Separation Program for Nonexempt Employees Who Are Not Eligible for the Nonexempt Bargaining Unit is binding upon: (1) the submission of the Application, Agreement & Release by the participating employee, (2) the approval of the Application, Agreement & Release by Bowie's President, and (3) the expiration of Revocation Period without the employee's revocation. **Each employee should consult his or her attorney and financial advisor regarding possible participation in the VSIP.**

Please see Attachment A for a list of all positions within the employment category eligible for participation in this VSIP, a list of all positions and whether or not eligible, and the age bands for the positions.

Should you have any questions about the VSIP, including the calculation of your State Service as defined for purposes of the Program, please contact Carrie Davis at cbdavis@bowiestate.edu or by telephone at (301)860-3499 as soon as possible to schedule an appointment.

BOWIE STATE UNIVERSITY
APPLICATION, AGREEMENT & RELEASE and WAIVER OF EMPLOYMENT RIGHTS
NonExempt Employees Who are Not Eligible for the Nonexempt Bargaining Unit
Voluntary Incentive Separation Plan (VSIP)

Employee Name:

Employee Position Title:

University Department/Division:

Service with a State of Maryland entity or agency other than Bowie State University will be used to determine your eligibility to participate in the Voluntary Separation Incentive Plan. Please see "State Service" for determining your eligibility to participate in the VSIP. Do you believe you have State Service (as described in the summary of the Voluntary Separation Incentive Plan) with any institution or entity of the State of Maryland other than Bowie State University?

Yes

No

If the answer is yes, please list where you were employed, in the position(s) and approximate dates of employment:

By my signature on this Application, Agreement & Release and Waiver of Employment Rights ("Application, Agreement & Release"), I authorize Bowie State University (the University) to obtain any employment, pension and retirement records necessary to verify my State Service (as defined in this document).

My signature below indicates that I acknowledge and agree that:

- (i) I have carefully read and fully understand the Bowie State University (the University) Voluntary Separation Incentive Plan Summary and this Application, Agreement & Release in their entirety;
- (ii) I have been advised to consult an attorney before signing this Application and have had sufficient opportunity to do so;
- (iii) No other promises or inducements have been made to induce me to enter into the Voluntary Incentive Separation Plan;

- (iv) This Application, Agreement & Release, including the terms of the Voluntary Separation Incentive Plan Summary, is the entire agreement regarding the terms of my separation from employment with Bowie State University; and
- (v) No other promises or agreements shall be binding unless reduced to writing and signed by the parties.

By signing this Application, Agreement & Release, I acknowledge and agree that I have knowingly and voluntarily applied to participate in the Voluntary Separation Incentive Plan. I acknowledge that I have had at least forty-five (45) calendar days to review the materials related to the Voluntary Separation Incentive Plan, and that if I submit this Application, Agreement & Release prior to the end of that 45 day period, I do so voluntarily and knowing that I am free to take the entire 45 day period for review prior to submitting this Application, Agreement & Release. I further understand that, upon notice to me that the University President has approved my Application, Agreement & Release, I have seven (7) calendar days during which I can revoke my Application, Agreement & Release. If I do not revoke and communicate my revocation of this executed Application, Agreement & Release by the end of the seventh (7th) day following the University's communication of the President's acceptance of my Application, Agreement & Release, this executed Application, Agreement & Release will become irrevocable and binding upon both myself and the University and my employment with the University will end at 11:59 p.m. on December 31, 2021 unless the President agrees to an earlier end to my employment.

Upon acceptance by the University, and expiration of the revocation period described in the previous paragraph of this Application, Agreement & Release, this Application, Agreement & Release will serve as my separation agreement with the University. I may submit a formal resignation (effective as of December 31, 2021) for my Human Resources records, but this Application, Agreement & Release will be the binding legal document whether or not I submit a formal resignation letter. No additional notice or letter to the University is necessary to give legal effect to my binding agreement to separate from employment with the University. **I understand that this Application, Agreement & Release does not replace actions necessary on my part to file for retirement or pension benefits, or retiree health benefits, should I choose to retire.**

To participate in the Voluntary Incentive Separation Plan, I understand that I must:

1. Sign this Application Agreement & Release in the presence of a witness of legal age;
2. Have a witness sign the Application, Agreement & Release as witness to my signature; and
3. Submit the voluntary completed and executed Application, Agreement & Release to the Office of Human Resources, VSIP Portal on before October 29, 2021 and receive a written receipt for such submission. Only the President has the authority to approve an application. Once the President approves an application, the employee has seven (7) days to revoke their application.

The President of the University will decide whether to approve my participation in the Voluntary Separation Incentive Plan. No one other than the President has the authority to approve my participation. If the President approves my Application, Agreement & Release, the University will notify me by November 15, 2021.

Once I receive notice that the President has approved my Application, Agreement & Release, I then have seven (7) calendar days to revoke my Application, Agreement & Release and provide written notification to the University. Revocation must be made in writing notifying Sheila Hobson in the Office of Human Resources Room 100 Robinson Hall or by email shobson@bowiestate.edu through the end of the Revocation Period. If I revoke this Application, Agreement & Release, I cannot participate in the Voluntary Separation Incentive Plan. If I do not timely revoke this Application, Agreement & Release, and communicate such revocation to the University:

1) my employment with the University will terminate effective 11:59 p.m. on December 31, 2021; and 2) The Incentive Payment will be made no later than forty-five (45) days after the employee's separation from employment, subject to any required tax withholdings or other mandatory withholdings or offsets.

I understand that, by participating in the Voluntary Separation Incentive Plan, I will not be eligible for reemployment or employment with the University except as approved by the President.

Participation in the Voluntary Separation Incentive Plan and receipt of the Incentive Payment are conditioned by my acceptance and fulfillment of the following conditions as well as acceptance of the terms above:

1. To participate in this program, I must file my completed Application, Agreement & Release to the Office of Human Resources Portal by October 29, 2021 and receive an automatic written receipt that I have submitted this in a complete and timely manner.
2. I will remain a University employee through December 31, 2021 and my salary and compensation, as well as other terms and conditions of employment, will continue in effect through the date, unless earlier terminated. Until I separate from employment with the University, my employment, including my salary and compensation, will be subject to all laws and policies that are generally applicable to other University employees in my employment category. These matters (e.g. furloughs/salary reductions) may affect my actual compensation. Additionally, through December 31, 2021, I will continue to be subject to all applicable policies which could result in my discipline or termination earlier than December 31, 2021. If I am terminated pursuant to University policy or an applicable collective bargaining agreement, I will not be eligible to participate in the Voluntary Separation Incentive Plan, and the Application, Agreement & Release will be null and void.
3. The Application, Agreement & Release shall serve as my resignation from employment with the University, effective December 31, 2021. **If I want to retire following my separation from employment I will need to execute any documents needed to effectuate my retirement**, including enrolling in retiree health benefits for which I wish to enroll and for which I am **eligible**. **Regardless of whether I choose to retire, and whether I take any additional actions to formally resign my position, my employment will terminate on December 31, 2021, and I will be removed from payroll as of that date.**
4. If I choose to resign my University employment earlier than described in paragraph 2, I will relinquish the incentive contribution described above unless the President of the University approves such earlier separation date. If the President approves an earlier separation, all references to December 31, 2021 will be replaced by the date on which I separate from employment. This also means that I must have met the eligibility before my separation from employment with the University, and that my BSU service will be calculated as of the date of my separation from service.
5. If, prior to December 31, 2021, my University employment is terminated pursuant to BSU and University policies and procedures and/or provisions of any applicable collective bargaining agreement, I will relinquish all rights to the Incentive Payment described above.
6. I cannot be reemployed by Bowie State University except with the prior written approval of the President.

7. In addition, State law requires that any other employment I may accept or consulting work I may undertake subsequent to separating from employment with the University, must be consistent with the Maryland Public Ethics Law, the Public Private Partnership Act, and related University policies. If I have questions about the applicability of conflict of interest rules to my situation, I can contact the Maryland Ethics Commission at (410) 260-7770 or visit their website at <https://ethics.maryland.gov/>.
8. **General Release and Forbearance Agreement.** I release and discharge the University, and its officers, employees, and agents, the Bowie State University and its Board of Regents, officials, employees and agents, the State of Maryland and its officials, employees and agents (the "Released Parties") from all claims, rights, charges and/or causes of action ("claims") which I had, now have or hereafter may have based on any act of omission which occurred through the date I sign this Application, Agreement & Release. This release covers all claims arising out of or related to my employment with the University, the termination of my employment, and/or any other relationship of any kind between myself and a Released Party, including, but not limited to, claims under the Age Discrimination in Employment Act of 1967, as amended ("ADEA"), all other employment and employment discrimination laws, tort claims, contract claims, and claims under federal, state, and local law and Bowie State University policies and procedures. I am not, however, waiving claims to benefits due to me subsequent separation from employment, including vested pension and retirement rights, payment for accrued and unused annual leave and holiday as of December 31, 2021 (subject to limitations on payment set by policy of the University System of Maryland Board of Regents), and payment of the Incentive Payment described in this Application, Agreement & Release. I acknowledge that this general Release is knowing and voluntary. Nothing in this release will change or modify the retirement or pension benefits to which I may be entitled under Maryland statutory law, nor to any retiree health benefit coverage or subsidy to which I may be entitled under Maryland statutory law.

I confirm that the Incentive Payment to be provided under this Application, Agreement & Release is in addition to any compensation to which I am already entitled. I voluntarily agree to accept the Incentive Payment in full accord and satisfaction of all claims. This General Release is agreed to without reliance upon any statement or representation not contained in this Application, Agreement & Release.

I agree that I will not file or maintain any suit (or seek or accept any compensation, benefit, or other remedy of any kind in any non-judicial forum or in any court) arising out of or related to the matters released. Nothing in this Application, Agreement & Release shall be construed to prevent me from filing or participating in a charge of discrimination filed with, or investigation by, the Equal Employment Opportunity Commission or any other governmental agency. However, by signing this Agreement, I waive the right to recover any monetary damages, individual relief, or attorneys' fees from the University or any Released Party in any claim, charge, or lawsuit filed by myself or any other person or entity.

9. I acknowledge that I have been advised to consult with an attorney to consider the Bowie State University Voluntary Separation Incentive Plan materials, including this Application, Agreement & Release. I have a period of at 45 calendar days to consider the Voluntary Separation Incentive Plan offer and to determine whether I wanted to participate in the Voluntary Separation Incentive Plan by executing this Application, Agreement & Release. If I execute this Application, Agreement & Release before the end of the 45 calendar day period, I have knowingly and voluntarily waived the 45 review period.

- 10. I may revoke this Application, Agreement & Release within seven (7) calendar days following my receipt of written or electronic communication that the President of the University has approved and executed my Application, Agreement & Release. If I choose to revoke, I will do so by notifying in writing Sheila Hobson in the Office of Human Resources Room 100 Robinson Hall or by email to shobson@bowiestate.edu through the end of the seven (7) day revocation period. I understand that if I do not revoke within the seven (7) calendar day period, this Application, Agreement & Release will be final and binding.
- 11. The waivers and the contractual agreements made in this Application, Agreement & Release are binding upon me and my heirs and assigns. The commitments of the University are binding upon the University and its successors and assigns. The University's commitments are subject to State law and the terms of State and University employee benefit plans, as well as federal law. Taxation issues will be handled by the University in accordance with applicable law.

I have considered the Bowie State University Voluntary Separation Incentive Plan materials and this Application, Agreement & Release fully, and to the extent that I feel appropriate, I have consulted with my legal, financial, tax and personal advisers.

I understand that I may contact Carrie Davis in the Office of Human Resources, email cbdavis@bowiestate.edu, with questions about the Plan, including questions about my State Service. My attorney may address questions directly to Elena Langrill at elangrill@oag.state.md.us in the Maryland Office of the Attorney General.

Employee's Signature	Date
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Employee's Printed Name	
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Signature of Employee's Witness	Date
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Printed Name of Employee's Witness

APPROVED FOR PARTICIPATION IN THE BOWIE STATE UNIVERSITY VOLUNTARY INCENTIVE SEPARTION PLAN:

Dr. Aminta Breaux President, Bowie State University	Date
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BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: University System of Maryland: Legislative Debt Cap

COMMITTEE: Finance

DATE OF COMMITTEE MEETING: September 2, 2021

SUMMARY: The University System of Maryland issues its own debt under the legislative authority granted by the Education Article, Title 19. The provisions of the legislative authority include a cap or limit on the aggregate amounts of debt that can be outstanding at any time, of \$1,400,000,000. In the upcoming legislative session, the USM will seek to increase its debt cap.

By December 31, 2021, it is expected that the par amount of debt outstanding subject to the cap will be approximately \$1,200,000,000—meaning that there is expected to be \$200,000,000 in borrowing capacity as the System proceeds to its next bond issuance, currently anticipated to use from \$120-150 million of that remaining capacity.

The debt ceiling was last increased during the 2011 General Assembly session.

The amount of debt outstanding subject to the legislative debt cap increases annually as a result of the issuance of new debt exceeding principal paid annually. Currently that increase is approximately \$25 million per year on a normal planning basis. *The recent experience of the pandemic and the financial implications that have arisen associated with changes in operations and capabilities have highlighted the risks associated with having a limited ability to enter into new borrowing or financing arrangements.*

As of June 30, 2021, the Board of Regents had approved a total of \$311,000,000 of capital project authorizations that have not yet been spent. As of the same date, the System had remaining \$90,000,000 of bond proceeds from the last revenue bond issuance in February 2021. The spending needs associated with revenue bond authorized projects will be met through future “new money” (as distinguished from refinancings) bond issues over the coming years, as capital project spending requirements dictate.

One complicating consideration is that accounting rules continue to change, and governmental entities including the USM are expected to adopt GASB Statement 87 Accounting for Leases, for the year ended June 30, 2022. This accounting standard will require that all leases be reflected as liabilities on the face of the balance sheet. Prior to GASB Statement 87, only leases considered “capital” leases were reported as liabilities. Capital leases are within the definition of financings that are subject to the debt cap, meaning that the statute will also need to be reconsidered to determine whether the broader balance sheet treatment of all leases should be considered against the debt cap, or not.

The Board of Regents controls access to borrowing and financing through its annual approval of the capital budget, as well as off-cycle financing requests. The issuance of revenue bonds is done to satisfy the spending and liquidity needs associated projects approved through the capital budget process. The Chancellor executes the bond order necessary to issue any new revenue bond debt.

The System intends to introduce legislation next session to increase the legislative debt cap from \$1.4 billion to \$1.6 billion. This will provide financial flexibility to consider financing avenues to address financial needs and challenges going forward if another crisis or needs arises.

ALTERNATIVE(S): This item is presented for information purposes.

FISCAL IMPACT: This item is presented for information purposes.

CHANCELLOR'S RECOMMENDATION: This item is presented for information purposes.

COMMITTEE RECOMMENDATION: ITEM ACCEPTED FOR INFORMATION

DATE: 9/2/21

BOARD ACTION:

DATE:

SUBMITTED BY: Ellen Herbst (301) 445-1923



**USM BOARD OF REGENTS
SPECIAL MEETING OF THE
ADVANCEMENT COMMITTEE
Via video conference and conference call
August 24, 2021**

DRAFT Minutes of the Public Session

A special meeting of the Board of Regents Committee on Advancement was held via video conference and teleconference on August 24, 2021, at 9:00 am. In attendance were Regents Gary Gill, Linda Gooden, Geoff Gonella, Louis Pope, D’Ana Johnson, Doug Peters, Hugh Breslin and Elena Langrill from the Office of the Attorney General. From the USM office: Chief of Staff Denise Wilkerson; Vice Chancellor Leonard Raley; Vice Chancellor Tim McDonough, Associate Vice Chancellor Marianne Horrigan; Mike Lurie, Media Relations and Web Manager; and Gina Hossick, Executive Assistant to Leonard Raley. From the University of Maryland, College Park: Brodie Remington, Interim Vice President for University Relations.

Chairman Gill called the meeting to order at 9:02 am.

Convene to closed session

Regent Gill read the Convene to Close Statement. He then moved for recommendation, seconded by Regents Breslin and Pope, and unanimously approved.

The public meeting was adjourned at 9:05 am..



**USM BOARD OF REGENTS
SPECIAL MEETING OF THE
ADVANCEMENT COMMITTEE
Via video conference and conference call
August 24, 2021**

DRAFT Minutes of the Closed Session

A special meeting of the Board of Regents Committee on Advancement was held via video conference and teleconference on August 24, 2021, at 9:00 am. In attendance were Regents Gary Gill, Linda Gooden, Geoff Gonella, Louis Pope, D’Ana Johnson, Doug Peters, Hugh Breslin and Elena Langrill from the Office of the Attorney General. From the USM office: Chief of Staff Denise Wilkerson; Vice Chancellor Leonard Raley; Vice Chancellor Tim McDonough, Associate Vice Chancellor Marianne Horrigan; Mike Lurie, Media Relations and Web Manager; and Gina Hossick, Executive Assistant to Leonard Raley. From the University of Maryland, College Park: Brodie Remington, Interim Vice President for University Relations.

Chairman Gill called the meeting to order at 9:05 am.

Naming requests from the University of Maryland (action)

1. Name the Engineering Laboratory Building the *C. Daniel Mote, Jr. Engineering Laboratory*

Representation from the University of Maryland was Brodie Remington, Interim Vice President for University Relations. Vice President Remington spoke about C. Daniel Mote, Jr.’s career as a distinguished scholar and leader. Dr. Mote joined the University of Maryland as president in September 1998 and served through August 2010. Under his leadership, UMD attracted record numbers of applicants, significantly raised the academic profile of entering students, tripled the number of students participating in the Education Abroad program, emphasized giving all undergraduates a special educational experience beyond their major, increased research funding more than 150 percent and enhanced the excellence of the university’s faculty.

The C. Daniel Mote, Jr. Engineering Laboratory Building will recognize former President Mote’s dedication to the University of Maryland, his exceptional contributions to the engineering profession, and his enduring commitment to engineering education.

Regent Gill moved recommendation, seconded by Regent Gooden and unanimously approved.

2. Name the Incentive Awards Program the *C. Daniel Mote, Jr. Incentive Awards Program*

Representation from the University of Maryland was Brodie Remington, Interim Vice President for University Relations. Vice President Remington spoke about how Dr. Mote played a pivotal role in establishing the Incentive Awards Program (IAP), which was created to recognize and promote scholarships, leadership, and community responsibility among students from select high schools, and to make it financially possible to enroll at the University of Maryland. The IAP pays for tuition, fees, and room and board for all four years. There are over 180 graduates from the program to date thanks to Dr. Mote's vision and commitment. He has demonstrated his commitment to the program, and it is only fitting to usher in the next chapter of the Incentive Awards Program by naming it in honor of its first champion, Dr. Mote.

Regent Gill moved recommendation, seconded by Regent Breslin and unanimously approved.

Motion to adjourn (action)

Regent Gill called for a motion to adjourn. The motion was moved by Regent Pope, seconded by Regent Johnson, and unanimously approved. Regent Gill adjourned the meeting at 9:20 am.



TOPIC: Towson University: Project Authorization for Institute for Well-Being

COMMITTEE: Finance

DATE OF COMMITTEE MEETING: September 2, 2021

SUMMARY: Towson University is requesting authorization of \$14.5 million for the purpose of relocating its Institute for Well-Being (IWB). Towson plans to renovate its entire building at 7400 York Road (41,000 Gross Square Feet) and approximately 5,400 GSF at the University's Administration Building located at 8000 York Road, to relocate IWB from leased space in Olympic Place in uptown Towson. The University is requesting to use institutional cash for this project.

The 7400 York Road building is now vacant. It was most recently occupied by the University's Division of Strategic Partnerships and Applied Research. Towson moved this division to the 401 Washington Avenue building. The existing space at 7400 York Road is configured and used as general office space. The proposed project renovation will convert this space from general office to instructional, clinical, and research space. This renovation of 7400 York Road and the IWB move out of leased space is part of the overall strategy that supported the purchase of 401 Washington Avenue, previously approved by the Board of Regents.

The current concept includes a renovated 7400 York Road building with parking, entrance and vestibule modifications. The Hearing & Balance Center will be relocated to their own suite in the Administration Building. The IWB current project schedule has renovations completed by the end of 2022 with an occupancy date of January 15, 2023.

Contracts for this project will require the approval of the Board of Public Works.

The Institute for Well-Being is an interprofessional practice arm of The College of Health Professions which offers a wide spectrum of programs dedicated to promoting and enhancing health and wellness in the community. The IWB provides College Faculty and Students with educational, outreach and research opportunities. Towson University students can experience and participate in innovative professional services and educational programs across the various centers under one organization.

The centers offer professional services from licensed and certified health care experts, playing an important role in serving the local community that benefits from these highly specialized services. Students work under the supervision of the health care staff who mentor and train them to provide the best practices in health and wellness. The outreach represented is a major selling point for students considering the College's programs and the Institute's facilities are a part of these recruitment efforts.

The Institute is comprised of four centers:

- Occupational Therapy Center
- Hussman Center for Adults with Autism
- Speech & Language Center
- Hearing & Balance Center

The goal of the project is to provide facilities that support the mission of the IWB while allowing for future growth and adaptability. The project schedule requires that the Institute move at the conclusion of their current lease term.

The academic goals for the project identified by the College leadership indicate a need to:

- Increase open shared activity areas.
- Build research component to study implementation of best practice across disciplines. The college has been charged with increasing their research footprint and growth in the space dedicated to this function will be required to do so.
- Create a space which supports outpatient services to the community across disciplines.
- Reduce the scale of the fitness component while retaining necessary facilities to support kinesiology research.
- Reduce the space dedicated to office workplace (while faculty and staff will have increased office space at the new CHP building, a gap between IWB move and CHP building completion will require a strategy for swing space).
- The new IWB facilities need to continue to serve a student recruitment function.
- New IWB facility needs to be state-of-the-art with bright, open appearance.

Additionally, facilities include spaces and equipment to support kinesiology research. A Child Therapeutic Program is shared by all the centers and gives participants the opportunity to interact in a pediatric setting. The WISH program (Wellness in Student Health). A Hallmark of the Program involves students in providing clinical and research experiences.

ALTERNATIVE(S): The IWB currently occupies leased space in Olympic Place in uptown Towson which will cost the University \$17.4 million over the next ten years with a need to extend the lease until permanent space is located. The current terms for the IWB at Olympic Place are \$27.40/sf. The lease expires July 31, 2022, with one 5-year renewal option at 3% annual increase.

FISCAL IMPACT: Towson University will use institutional cash for this project. The funding for this project is within the institution's budget. Funding has been reallocated to support the project and project spending will fit within the current fund balance goal. The current budget reflects an 17% contingency (\$1.9M) for this project. The campus expresses confidence that this amount is sufficient for this renovation project. See attached.

CHANCELLOR'S RECOMMENDATION: That the Finance Committee recommend that the Board of Regents authorize Towson University to spend \$14.5 million of institutional funds for the renovation of space in two buildings for the Towson University Institute for Well-Being, as described above.

COMMITTEE RECOMMENDATION: RECOMMEND APPROVAL

DATE: 9/2/21

BOARD ACTION:

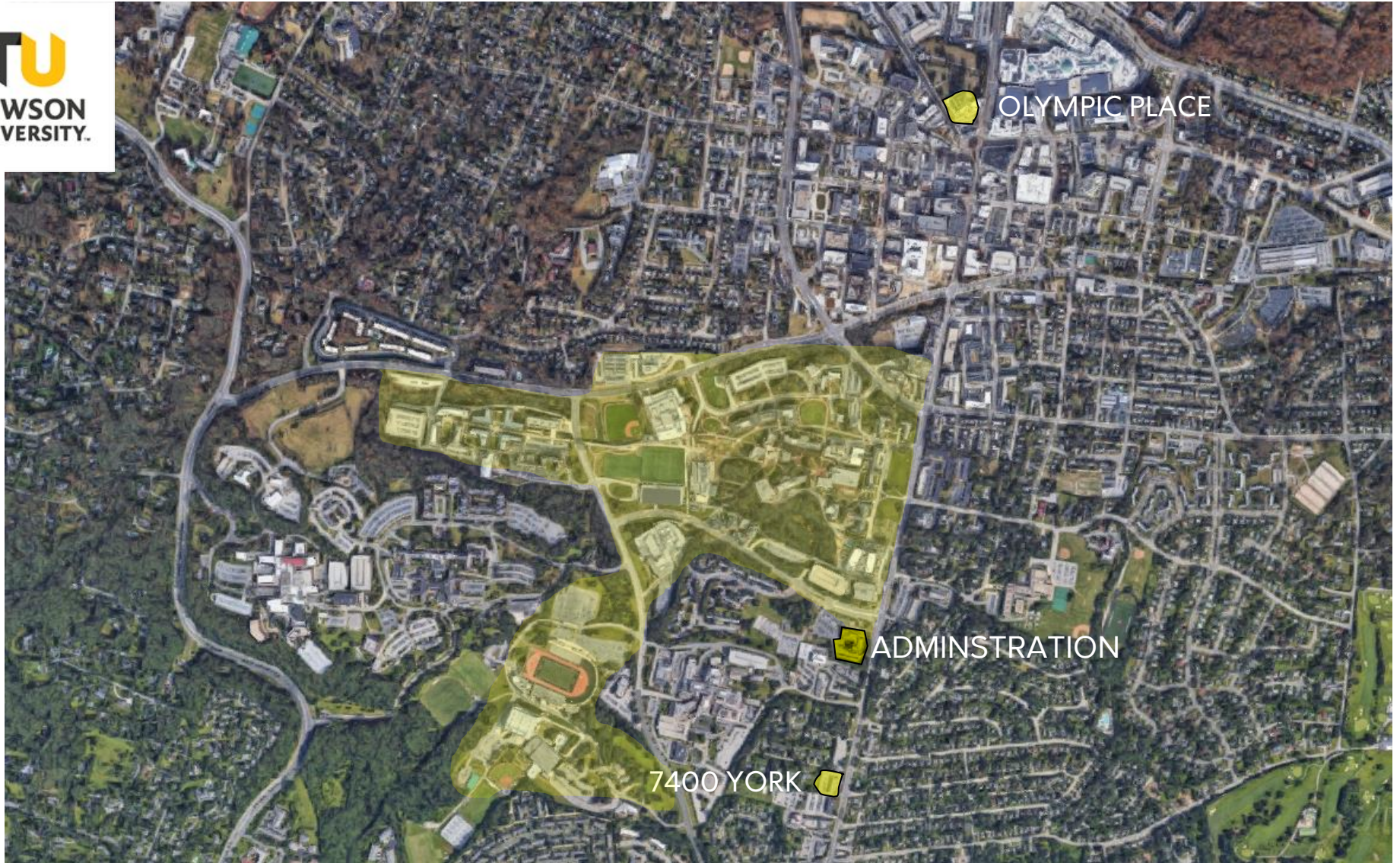
DATE:

SUBMITTED BY: Ellen Herbst (301) 445-1923

Project Cost Summary

Towson University - IWB Project

	Current Request
Date	8/5/2021
Stage of Estimate	Concept
Design/Fees	\$800,000
Construction Cost	\$11,000,000
Equipment	\$800,000
Contingency	\$1,900,000
Project Total	\$14,500,000
Submitted by:	Cost estimate provided JMT Architecture





BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Revisions to Bylaws of the Board of Regents

COMMITTEE: Committee on Governance and Compensation

DATE OF MEETING: September 2, 2021

SUMMARY: The Committee will review the attached revisions to the Bylaws of the Board of Regents. The proposed revisions include:

- a) During the second year of the term of a Student Regent, they are eligible for up to the value of two semesters of in-state tuition at their constituent institution, excluding any tuition differentials
- b) A provision that allows Regents to participate by telephone or video conferencing in a special board meeting or a regular board meeting being held during extreme weather, public health, or similar emergency

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

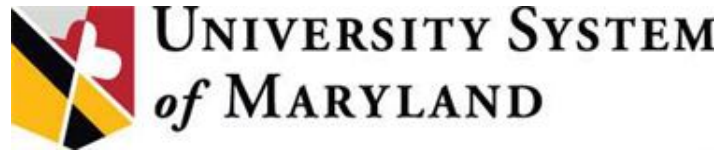
FISCAL IMPACT: No fiscal impact.

CHANCELLOR'S RECOMMENDATION: The Chancellor recommends that the Regents approve the revisions to the Board of Regents Bylaws.

COMMITTEE ACTION: Recommend approval DATE: September 2, 2021

BOARD ACTION: DATE:

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



BYLAWS OF THE BOARD OF REGENTS
OF THE UNIVERSITY SYSTEM OF MARYLAND

(Adopted by the Board of Regents, April 5, 1989; Amended, September 27, 1990; Amended February 27, 1991; Amended June 9, 1995; Amended August 25, 1995; Amended December 1, 1995; Amended April 12, 1996; Amended April 4, 1997; Amended December 8, 2000; Amended August 23, 2002; Amended September 12, 2003; Amended December 12, 2003; Amended October 21, 2005; Amended September, 2008; Amended April 15, 2011; Amended December 7, 2012; Amended April 11, 2014; Amended June 10, 2016; Amended December 9, 2016; Amended February 22, 2019; Amended September 20, 2019 to be effective July 1, 2019; Amended November 22, 2019; Amended February 21, 2020; Amended April 6, 2020 to be effective immediately, Amended April 16, 2021 to be effective July 1, 2021, [Amended](#), 2021)

PREAMBLE

Pursuant to the powers vested in the Board of Regents of the University System of Maryland, as provided by law, the following is hereby adopted and declared as the bylaws of the Board of Regents of the University System of Maryland.

ARTICLE I
CORPORATE NAME, PURPOSE, AND POWERS

Section 1. The Board of Regents (hereafter "the Board") is the body established by statute and charged with responsibility for the governance and management of the University System of Maryland (hereafter "the University System") and all constituent institutions, centers, and institutes thereof.

Section 2. The University System of Maryland is a body corporate and politic, an instrumentality of the State, a public corporation, and an independent unit of State government.

Section 3. In addition to any other powers granted and duties imposed by Title 12 of the Education Article, Maryland Annotated Code, and subject to the provisions of Title 11 of that Article pertaining to the Maryland Higher Education Commission, and subject to any other restriction expressly imposed by law or by any trust agreement involving a pledge of property or money, the Board is responsible for the management of the University System and has all the powers, rights, and privileges that go with that responsibility, including the power to conduct or maintain any institutions, centers, schools, or departments in the University System at the locations the Board determines. As provided by statute, the Board may not be superseded in its authority by any other State agency or office in managing the affairs of the University System or of any constituent

institutions and centers under the Board's jurisdiction. In addition, the Board has all the powers granted a Maryland corporation which are not expressly limited by law, as well as all powers conferred on it by the Act of Incorporation of the Maryland College of Agriculture, the Charter of the University of Maryland and the charter of any constituent institution.

Section 4. Subject to Article IX, Section 8 of these bylaws, the Board may make rules and regulations, and prescribe policies and procedures, for the management, maintenance, operation, and control of the University System.

Section 5. 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 statute. 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 II OFFICERS OF THE BOARD

Section 1. The officers of the Board shall be a Chairperson, a Vice Chairperson, a Secretary, an Assistant Secretary, a Treasurer, and an Assistant Treasurer. Additional officers deemed necessary or essential to the operation of the University System may be established by the Board at any time.

Section 2. The officers of the Board shall be elected at the election meeting of the Board by the majority vote of the members of the Board participating in and eligible to vote at such election meeting. They shall hold offices commencing January 1, and continuing until their successors are elected at the next election meeting and take office on the January 1 following such election. The person elected as Chairperson of the Board shall serve in that position subject to the advice and consent of the Senate; a Chairperson who has been confirmed by the Senate is not subject again to the advice and consent of the Senate during the period of continuous service as Chairperson.

Section 3. Vacancies in any office shall be filled by the Board by the majority vote of the members of the Board participating in and eligible to vote at the meeting at which such vote is held. Officers elected to fill vacancies shall serve until their successors are elected at the next election meeting and take office on January 1 following such election.

ARTICLE III DUTIES OF OFFICERS

Section 1. Chairperson. The Chairperson is authorized to represent the Board before all public bodies, to preside at the meetings of the Board, to sign on behalf of the Board papers authorized by the Board or as required by law, and to perform such other duties as the Board may from time to time assign.

Section 2. Vice Chairperson. At the request of or in the absence or disability of the Chairperson, the Vice Chairperson shall perform all of the duties of the Chairperson and, while so acting, shall have all of the powers and authority of the Chairperson. In addition, the Vice Chairperson shall perform such other duties as from time to time may be assigned by the Board.

Section 3. Secretary. The Secretary shall approve a record of the proceedings of all meetings of the Board and its committees. The official records of the Board shall be maintained in the Chancellor's Office, or at such other location as the Board may from time to time determine the Secretary shall perform such other duties as from time to time may be assigned by the Board or by the Board Chairperson.

Section 4. Assistant Secretary. The Assistant Secretary shall, in the absence of the Secretary, perform the duties of the Secretary, and such other duties as may be assigned by the Board.

Section 5. Treasurer. The duties of the Treasurer shall be such as may be assigned by the Board.

Section 6. Assistant Treasurer. The Assistant Treasurer shall, in the absence of the Treasurer, perform the duties of the Treasurer, and such other duties as may be assigned by the Board.

ARTICLE IV

THE CHIEF EXECUTIVE OFFICER OF THE UNIVERSITY SYSTEM OF MARYLAND AND CHIEF OF STAFF TO THE BOARD OF REGENTS

Section 1. After a thorough search, the Board shall appoint a qualified person as Chancellor of the University System.

Section 2. The Chancellor is the Chief Executive Officer of the University System and the Chief of Staff for the Board.

Section 3. The Chancellor serves at the pleasure of the Board and is entitled to the compensation established by the Board, subject to Section 7 below.

Section 4. The Chancellor shall advise the Board on System-wide policy; conduct System-wide planning; coordinate and arbitrate among the institutions and centers of the University System; assist the institutions in achieving performance goals in accordance with their adopted performance accountability plans; provide technical assistance to institutions and centers such as legal and financial services; perform the duties the Board assigns and that are required by Title 12 of the Education Article, Maryland Annotated Code; and see that the policies of the Board are carried out.

Section 5. The Chancellor, in carrying out the duties assigned, shall be the Chief Executive Officer of the System Office. Subject to the authority and applicable regulations and policies of the Board, the Chancellor shall appoint, promote, fix salaries, grant tenure, assign duties and terminate personnel in the System Office and other components not included in constituent institutions.

Section 6. Upon written confirmation by a constituent institution that the president has been reviewed and is recommended for tenure as a member of the faculty in accordance with the institution's tenure review policies and procedures, the Chancellor may grant final tenure approval.

Section 7. Through June 30, 2021, the Board shall notify the Governor, the President of the Senate, and the Speaker of the House at least 30 days before the effective date of any contractual salary increase, negotiated severance, or any other financial bonus for the Chancellor.

ARTICLE V
CHIEF EXECUTIVE OFFICERS OF INSTITUTIONS

Section 1. In consultation with the Chancellor and after a thorough search, the Board shall appoint a qualified person as President of each constituent institution. The Board shall approve the membership of any search committee convened to recommend to the Board a qualified person as President of a constituent institution.

Section 2. The President of each constituent institution serves at the pleasure of the Board and is entitled to the compensation established by the Board.

Section 3. The President of each constituent institution shall serve as the Chief Executive Officer of the institution; is responsible and accountable to the Board for the discipline and successful conduct of the institution and supervision of each of its departments; and shall take every initiative in:

- A. Implementing policies of the Board and the institution, and
- B. Promoting the institution's development and efficiency.

Section 4. Subject to the authority and applicable regulations and policies of the Board, the President of each constituent institution shall:

- A. Develop a plan of institutional mission, goals, priorities, and a set of peer institutions in accordance with Subtitle 3 of Title 11 of the Education Article, Maryland Annotated Code;
- B. Have the authority to develop new academic programs and curtail or eliminate existing programs;
- C. Formulate operating and capital budget requests;
- D. Appoint, promote, fix salaries, grant tenure, assign duties, and terminate personnel;
- E. Have the authority to create any position within existing funds available to the University, to the extent the cost of the position, including the cost of any fringe benefits, is funded from existing funds;
- F. Establish admission standards;
- G. Set tuition and fees;
- H. Administer financial aid;
- I. Enter into contracts and cooperative agreements;
- J. Have the authority to accept gifts and grants and maintain and manage endowment income;
- K. Have the authority to recommend change in the name or status of the institution;

- L. Regulate and administer athletic and student activities;
- M. In compliance with State, federal, and Board mandates and policies, oversee affirmative action and equal employment opportunities;
- N. Establish organizations for the administration of campus alumni affairs;
- O. Be responsible for all academic matters;
- P. Have the authority to establish and appoint an institutional board to:
 - 1. Provide advice to the President;
 - 2. Assist in community relations;
 - 3. Assist in institutional development; or
 - 4. Provide any other assistance requested by the President;
- Q. Establish traffic regulations for the campus;
- R. Designate one or more representatives to participate as a party in collective bargaining on behalf of the institution in accordance with Title 3 of the State Personnel and Pensions Article, Maryland Annotated Code; and
- S. Perform any other duties assigned by the Board.

ARTICLE VI
COUNCILS

Section 1. The Board shall establish a Council of University System Presidents, a Council of University System Faculty, a Council of University System Staff, and a University System of Maryland Student Council.

Section 2. These Councils shall serve in an advisory capacity to the Chancellor and may, from time to time, make reports and recommendations to the Board.

Section 3. The Board may appoint advisory committees to advise it in exercising its authority. The Board may, by resolution approved by majority vote of the members of the Board who are participating and eligible to vote at any regular meeting, appoint advisory committees to advise it in exercising its authority, provided, however, that for each such committee the enabling resolution shall describe the committee's responsibility and shall specify a life for the committee. The life of the advisory committee shall not exceed one year, unless renewed for a specific period by subsequent resolution of the Board.

Section 4. The Council of University System Faculty (CUSF) shall designate a Faculty Advisor to the Board of Regents. The Faculty Advisor will serve a one-year term beginning with the annual meeting of the Board. The Faculty Advisor may attend and participate in open meetings of the Board and its committees and closed sessions of the Board and its committees which are open to all the System Presidents, provided that the Regents may vote to exclude the Faculty Advisor from any closed session. At such meetings as the Faculty Advisor attends, the Faculty Advisor will be afforded the

same opportunity to participate in any discussion as is afforded Presidents. The Faculty Advisor may not attend those closed sessions of the Board which are not open to all the System Presidents. The Faculty Advisor may not vote on any matter voted upon by the Regents.

Section 5. The Council of University System Staff (CUSS) shall designate a Staff Advisor to the Board of Regents. The Staff Advisor will serve a one-year term beginning with the annual meeting of the Board. The Staff Advisor may attend and participate in open meetings of the Board and its committees and closed sessions of the Board and its committees which are open to all the System Presidents, provided that the Regents may vote to exclude the Staff Advisor from any closed session. At such meetings as the Staff Advisor attends, the Staff Advisor will be afforded the same opportunity to participate in any discussion as is afforded Presidents. The Staff Advisor may not attend those closed sessions of the Board which are not open to all the System Presidents. The Staff Advisor may not vote on any matter voted upon by the Regents.

ARTICLE VII DUTIES AND RESPONSIBILITIES OF THE BOARD OF REGENTS

Section 1. The Board shall approve and adopt a System-wide plan of higher education which shall provide through its various campuses and programs a continuum of educational services including undergraduate education, graduate education, professional programs, and research to achieve and sustain national eminence, with each component fulfilling a distinct and complementary mission, as provided by Titles 10 and 12 of the Education Article, Maryland Annotated Code.

Section 2. The Board shall review, approve and adopt individually, and on a System-wide basis, mission statements of each constituent institution to assure that:

- A. They are consistent with the Maryland Charter for Higher Education and the System-wide plan;
- B. They will promote the effective and efficient use of each institution's and the System's resources; and the Board shall consolidate the statements into an adopted System-wide statement to be presented to the Maryland Higher Education Commission for approval.

Section 3. The Board shall review, approve, and adopt a performance accountability plan for each constituent institution in accordance with the provisions of Title 12 of the Education Article, Maryland Annotated Code; shall annually receive and review from the President of each constituent institution a written report on the attainment by the institution of the objectives in the performance accountability plan of the institution; shall submit the report to the Maryland Higher Education Commission; and shall hold each President accountable for meeting the objectives of the performance accountability plan.

Section 4. In consultation with the institutions and the Chancellor, the Board shall establish standards for funding based on differences in the size and mission of the constituent institutions; review, modify as necessary, and approve consolidated budget requests for appropriations for the University System with respect to:

- A. The operating budget, and
- B. The capital budget;

and submit these requests for appropriations organized by constituent institutions to the Commission, Governor, and General Assembly.

Section 5. The Board shall review the annual financial disclosure statements filed in accordance with Section 5-607 of the General Provisions Article, Maryland Annotated Code, by the Chancellor and the Presidents.

Section 6. The Board shall provide each member appointed to the Board, at the time of appointment and at reasonable intervals, with education and training on the Board's governance policies, fiduciary responsibilities, legal obligations, oversight of personnel policies, oversight of constituent institutions, and other responsibilities.

Section 7. The Board shall approve the membership of any search committee convened to recommend to the Board a qualified person as president of a constituent institution.

Section 8. The Board shall perform and carry out as required all of the mandates and provisions as contained in the Education Article, Maryland Annotated Code.

ARTICLE VIII STUDENT REGENTS

Section 1. There shall be two Student Regents, each of whom shall, while serving as a student regent, be a full-time student in good academic standing at an institution under the jurisdiction of the Board. A student regent who, while serving as a student regent, is enrolled at the University of Maryland Global Campus and who is in good academic standing shall be exempt from the full-time requirement of the preceding sentence.

Section 2. A new Student Regent shall be appointed July 1 of each year, and shall serve for a term of two years from such appointment. A student regent who meets the requirements of Section 1 of this Article VIII may be reappointed as a Student Regent. Student Regents shall be appointed by the Governor, with the advice and consent of the Senate during the legislative session following appointment.

Section 3. Only one of the two Student Regents shall have the authority to vote. A Student Regent shall be a voting member of the Board for only one year of a two-year term. Generally, the first year of a Student Regent's two-year term shall be in a non-voting capacity, and the second year of the term shall be in a voting capacity. The Board, however, may deviate from this practice [if necessary due to a vacancy in a student regent position or](#) by vote of a majority of the members of the Board who are participating and eligible to vote at the meeting at which such vote is taken, provided that such action does not strip a qualified, voting Student Regent of the authority to vote.

Section 4. A Student Regent's appointment shall automatically terminate if the individual no longer meets the requirements of Section 1 of this Article VIII.

[Section 5. As permitted by Section 12-102\(h\)\(2\) of the Education Article, Maryland Annotated Code, during the second year of the term of a Student Regent, a Student Regent shall be eligible for up to the value of two semesters of undergraduate tuition for a full-time student who is a Maryland resident at the Student Regent's enrolling constituent institution, excluding any tuition differential or charges specific to a particular academic program or major or to a course load in excess of normal](#)

full-time enrollment. If a Student Regent is enrolled as other than an undergraduate, the tuition waiver shall be limited to the value of two semesters of undergraduate tuition at the constituent institution with the highest basic undergraduate tuition for Maryland residents in the year of enrollment. Any tuition waiver provided to a Student Regent shall be subject to tax withholding and reporting under applicable laws.

ARTICLE IX BOARD MEETINGS

Section 1. Regular Meetings. The Board shall hold at least six regular meetings during each fiscal year ending June 30, at such time and place as the Board may determine. One of the regular meetings shall be held during the month of June and shall be designated as the annual meeting, at which time the Chancellor shall make an annual report, and the Chairperson shall present a schedule of the time and place of regular meetings for the ensuing year for approval by the vote of a majority of the members of the Board who are participating in the annual meeting and eligible to vote at such meeting. One of the regular meetings shall be held during the month of December and shall be designated as the election meeting, at which time officers of the Board shall be elected by vote of a majority of the members of the Board who are participating in the meeting and who are eligible to vote at such meeting. Except in an emergency, as determined by the Chairperson, the date of the annual meeting, the election meeting and other regular meetings may be changed only by majority vote of the members of the Board who are participating in the meeting and who are eligible to vote at such meeting. In the event of an emergency, as determined by the Chairperson, the Chairperson shall designate a new date for the annual meeting, the election meeting, and other regular meetings.

Section 2. Location of Meetings. The Board shall hold its regular meetings at the constituent institutions within the System to the extent feasible and appropriate. The Chairperson, in consultation with the Chancellor, shall designate the location of each meeting of the Board for the coming fiscal year.

Section 3. Meeting Agenda. An agenda for the Annual Meeting and for regular meetings of the Board shall be prepared by the Chancellor in accordance with directions of the Board Chairperson and shall be sent by the Chancellor to each member of the Board at least seven days in advance of each meeting. Discussions and actions by the Board shall not, however, be limited to the items included on the agenda but may include any business not inconsistent with applicable law and the bylaws and within the duties and powers of the Board.

Section 4. Special Meetings and Regular Meetings During Emergency Situations. The Board shall hold special meetings upon the call of the Chairperson. The Chairperson may call a special meeting at his/her initiative or in response to the written request of six voting members of the Board at any time. Five days' notice of any special meeting shall be given to all Board members, except when the Chairperson determines that special circumstances warrant a shorter notice. At special meetings, only matters covered in the notice to members may be transacted. Special meetings and regular Regular meetings scheduled to take place during extreme weather, public health, or similar emergencies and all special meetings, may be conducted by telephone or video conferencing, provided that all participating Regents deliberate collectively, each in the hearing of every other Regent and others in attendance at the meeting, and all legal requirements for such meeting are met.

~~including those set forth in Sections 9 and 10 of this Article.~~ Individual Regents may participate in a a special Board meeting or a regular Board meeting scheduled to take place during extreme weather, public health, or similar emergency ~~through such means by telephone or video conferencing,~~ and such participating Regents as are eligible to vote shall be counted for quorum purposes and their votes shall be counted when determining the actions of the Board.

Section 5. Quorum. A quorum for any meeting of the Board shall consist of a majority of voting members of the Board. No formal action may be taken by the Board without the approval of a majority of the members of the Board who are participating in the meeting and who are eligible to vote at such meeting. Regents may monitor Board meetings by telephone but may not be counted for quorum purposes and they shall not vote on actions of the Board, except as otherwise provided in Section 4 of this Article.

Section 6. Addressing the Board. Each open meeting of the Board shall allow reasonable time for public comment. The Board will establish a protocol for advance sign up by persons who wish to comment at an open meeting of the Board, limits on time for an individual's comments, and overall limit on the time for all public comments; any aspect of the protocol may be waived by the Board provided that such waiver shall still permit the efficient conduct of the Board meeting. The Council of University System Presidents, the Council of University System Faculty, the Council of University System Staff and the University System of Maryland Student Council may, from time to time, make reports and recommendations to the Board.

Section 7. Notice of Meetings. Notice of regular meetings of the Board shall be given to State officials as required by Section 12-103 of the Education Article, Maryland Annotated Code, and to other appropriate State officials, and to the public as permitted by Section 3-302 of the General Provisions Article, Maryland Annotated Code and shall be available, on request, in the Office of the Chancellor. As officers of the University System, the Chancellor and each President and major unit heads shall be invited to be present at all open meetings of the Board and its Committees. The Chancellor shall give notice to such other persons as the Chancellor may deem appropriate.

Section 8. Open Meetings. All Board meetings shall be conducted in accordance with Title 3 of the General Provisions Article, Maryland Annotated Code.

Section 9. Live Streaming. All open, regular meetings of the Board shall be made available to the public by live and archived video streaming.

Section 10. Motions and Vote Tallies. The Board shall include all motions and vote tallies from open and closed sessions in Board minutes that are made publicly available in accordance with Title 3 of the General Provisions Article, Maryland Annotated Code.

ARTICLE X BOARD COMMITTEES

Section 1. Standing Committees of the Board. The Standing Committees of the Board are the Committee on Audit, the Committee on Education Policy and Student Life, the Committee on Finance, the Committee of the Whole, the Committee on Governance and Compensation, the Committee on Advancement, the Committee on Economic Development and Technology Commercialization, and the Committee on Intercollegiate Athletics and Student-Athlete Health

and Welfare.

Section 2. Appointment of Standing Committee Members, Chairpersons, and Vice Chairpersons. Subject to the provisions of Section 6 of this Article, the Chairperson of the Board, at the election meeting of the Board or as soon thereafter as practicable, shall, after consulting with the members of the Board, appoint members to each of the Standing Committees for the coming year. In addition, the Chairperson of the Board shall designate the Chairperson and the Vice Chairperson of each Standing Committee. In making such appointments, the Chairperson shall determine the number of members on each Standing Committee. In case of a vacancy on a Committee, the Chairperson of the Board may appoint a new member for the unexpired term. Each Committee member shall serve at the pleasure of the Board Chairperson. The Chairperson of the Board shall be an ex officio, voting member of all Standing Committees.

Section 3. Committee on Audit.

A. The Committee on Audit shall render advice and assistance to the Board in fulfilling its fiduciary responsibilities for overseeing adequacy of and compliance with the internal controls of the University System and the sufficiency and appropriateness of its financial reporting.

B. This Committee shall review independent audit proposals including the scope of examination, services to be provided, reports to be rendered and fees to be charged, recommend to the Board the selection and scope of work of the independent external auditor of the University System, review findings received there from and provide the Board with appropriate reports.

C. This Committee shall review legislative audits of the institutions of the University System and institutional responses thereto, and provide the Board with appropriate reports.

D. This Committee shall review and recommend to the Board the scope of the internal audit function. The Committee shall review the Charter of the Office of Internal Audit, its annual plan of work, its reports and administrative actions taken regarding its recommendations, and its annual report of significant audit items, and shall provide the Board with appropriate reports on the activities of that office.

E. In fulfillment of these responsibilities this Committee shall foster direct communications with the external auditors on an annual basis or as otherwise deemed appropriate, and shall assure direct access from the Office of the Internal Auditor, including meeting privately, at least on an annual basis, with the Director of Internal Audit.

F. This Committee shall monitor the Board's observance of the Maryland Public Ethics Law as it pertains to possible conflict of interest with matters of the University System.

G. This Committee shall assist the Board in fulfilling its responsibility to comply with Md. Education Code Ann. Section 12-1-4(p) review of annual financial disclosure statements—
The Board of Regents shall review the annual financial disclosure statements filed by the

Chancellor and the presidents of each constituent institution in accordance with Section 5-607 of the General Provisions Article.

H. The Committee shall review the annual financial disclosure statements filed by the members of the Board of Regents in accordance with Section 5-607 of the General Provisions Article.

I. The Committee shall render advice and assistance to the Board of Regents in fulfilling its responsibilities for overseeing the sufficiency and adequacy of Enterprise Risk Management of the University System of Maryland as defined in BOR Policy - VIII-20.00 Policy on Enterprise Risk Management.

Section 4. Committee on Education Policy and Student Life.

A. The Committee on Education Policy and Student Life shall consider and report or recommend to the Board on all matters relating to institutional mission statements and education policies and programs for all institutions and major units, and all issues relating to academic programs such as curriculum development, adequacy of instructional facilities and specialized centers and institutes, and institutional support for student academic services.

- a. This Committee shall consider and report or recommend to the Board proposals for new academic programs and review and report to the board on the review of existing academic programs that align with the institution's mission, strategic plan, and priorities.
- b. This Committee shall also consider and report or recommend to the Board on matters and policies relating to faculty, including but not limited to conditions affecting recruitment, appointment, rank, tenure, and retention, and issues brought to the Advisory Councils and USM Office of Academic and Student Affairs.

B. This Committee shall also consider and report or recommend to the Board matters and policies related to students and student support services including, but not limited to, student enrollment, recruitment, retention, transfer, and articulation; financial aid; campus safety and security; athletics; student health and wellness; student government; and student organizations.

C. This Committee shall also consider and report or recommend matters and policies on inter-institutional cooperation, System-wide activities to include, but not limited to, research, training and public service, collaboration with affiliated organizations, and alumni engagement.

D. This Committee shall also consider and report or recommend to the Board related matters brought to it by the Chancellor or the Board.

Section 5. Committee on Finance.

A. The Committee on Finance shall consider and report or recommend to the Board on all matters related to financial affairs including the issuance of debt, annual audited financial statements, establishment of business entities, public/private partnerships, and the initiatives covered under the Board's HIEDA policy.

B. The Committee on Finance shall consider and recommend the annual operating budget and amendments thereto. The Committee shall also consider and recommend tuition, mandatory fees, and residential room and board rates.

C. The Committee on Finance shall consider and recommend the annual capital budget and amendments thereto. This Committee shall consider and report or recommend to the Board on matters pertaining but not limited to the acquisition and disposition of real property, the need for capital improvements, facilities renewal, and site planning, and new construction. The Committee shall receive and recommend institutional facilities master plans. The Committee approves aggregated energy and power purchase agreements, and periodically reviews progress by the System and individual institutions toward State sustainability goals pertaining to reduction of energy and greenhouse gas emissions.

D. The Committee on Finance shall consider and recommend human resources policies for all staff employees including but not limited to recruitment, retention, administration of benefits and leave, compensation and classification, layoff, separation, and grievances. This Committee shall consider and recommend any changes to the exempt and nonexempt staff salary structures.

E. This Committee shall receive reports and recommendations from the University System of Maryland investment advisor(s) and investment manager(s) and provide recommendations to the Board regarding the endowment investment and spending rule policies of the University System of Maryland.

F. The Committee on Finance shall consider and recommend the annual student enrollment projection for a 10-year period. The Committee shall have responsibility for reviewing the "fall freeze" enrollment data as provided by each institution.

G. The Committee on Finance shall consider and recommend entering into cooperative agreements and the awarding of contracts as specified in VIII-3.0 USM Procurement Policies and Procedures. The Committee shall approve all contracts that exceed \$5 million except contracts for capital projects, sponsored research and real property.

H. The Finance Committee shall receive annual reports of the finances of intercollegiate athletics for those institutions with Division I programs.

I. This Committee shall have responsibility for reviewing the annual contract, and any amendments thereto, between the University System and the University of Maryland Medical System Corporation, as developed by the President of the University of Maryland, Baltimore, the Dean of the School of Medicine, the Chancellor of the University System of Maryland,

and the President of UMMS and shall recommend appropriate action to the Board of Regents, which may include procedures for annual review and adoption of the contract.

Section 6. Committee of the Whole.

The Committee of the Whole shall consist of all members of the Board. The Chairperson shall preside at meetings of the Committee of the Whole. The purpose of such meetings is to provide an informal forum for members of the Board to engage in dialogue, as well as to provide an opportunity for open discussion and recommendations on major questions and issues. Agenda items from members of the Board may be submitted to the Chairperson in advance or may be introduced by members of the Board at meetings of the Committee. The prepared agenda shall be limited to matters of major significance and those not appropriate for other Standing Committees. When the Board meets as the Committee of the Whole, the requirements of Article IX, Sections 6 through 10 must be met.

Section 7. Committee on Governance and Compensation.

A. The Committee shall consider and recommend to the Board on all matters pertaining to the performance and compensation of the Chancellor and System Presidents. The Committee considers and reports to the Board on matters requiring the attention of the Board concerning the governance, organization and structure of the University System, its constituent institutions and centers, and the System Office.

B. The Committee shall have the responsibility regarding matters that arise pertaining to strategic reassessments of the governance, organizational structure and leadership structure of the University System and its institutions and centers, reporting on these to the Board, and forwarding recommendations for changes as needed or desired. The Committee shall also consider any recommendations for major changes in governance, organizational or leadership structure which are forwarded by the Chancellor for the Board's consideration.

C. The Committee shall have responsibility for overseeing the annual performance evaluation of the Chancellor, for discussing this evaluation with the Chancellor and for reporting the evaluation to the Board. The Committee shall also have the responsibility for recommending annually to the Board the compensation package of the Chancellor.

D. The Committee shall discuss with the Chancellor her/his performance evaluation of each institutional president, and each Vice Chancellor, and her/his consequent recommendations for compensation actions. Based on this discussion, the Committee shall consider and recommend to the Board annual compensation packages for each of these individuals.

E. In the event that a vacancy occurs in a presidential position, on the recommendation of the Chancellor, the Committee shall recommend to the Board the appointment of an individual to serve in an acting or interim capacity until such time as the Board makes a permanent appointment. The Committee shall recommend all compensation actions for the acting or interim appointment to the full Board

F. In the event that the Chancellor's position becomes vacant, the Committee shall recommend to the Board the appointment of and an appropriate compensation package for an Acting or Interim Chancellor.

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.

Section 8. Committee on Advancement.

A. The Committee on Advancement shall consider and report to the Board on all matters relating to private fundraising efforts by the System and System institutions, including policies, strategies, best practices and national standards affecting capital campaigns and ongoing fundraising programs.

B. This Committee shall review institutional and System-wide efforts and make recommendations to the Board regarding the enhancement of System interests through entrepreneurial and private fundraising activities, including gifts, donations, bequests, endowment, grants, venture, cooperative agreements, and other public-private opportunities.

C. This Committee shall consider and report to the Board on all matters relating to System-affiliated foundations, alumni associations and certain other 501(c)(3) organizations affiliated with the USM.

Section 9. Committee on Economic Development and Technology Commercialization.

A. The Committee on Economic Development and Technology Commercialization shall consider and report to the Board how the University System can best utilize its resources to promote the economic development of the State.

B. This Committee shall develop strategies and recommend policies to the Board to strengthen links between the University System and its constituent institutions and business, government, and local communities to encourage economic development across Maryland.

C. In carrying out its charge, this Committee shall consider issues, resources, and policies related to economic development, including, but not limited to: research, technology transfer, workforce development, and accountability.

D. This Committee shall also consider other related matters that may be brought to its attention by the Chancellor or Vice Chancellor or referred to it by the Board.

E. Notwithstanding Article IX, Section 10.A. of these bylaws, this Committee shall meet as necessary to accomplish its business.

Section 10. Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare.

A. The Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare shall perform all necessary oversight of compliance with Board of Regents policy expectations, consider issues associated with intercollegiate athletics and student-athlete health and welfare concerns and the need for further or changed Board of Regents policy requirements.

The Committee shall be responsible for regular communications to ensure that the Board is apprised of the Committee's work.

B. The Committee shall review presidential performance in managing institutional intercollegiate athletics in accordance with policy requirements and communicate the results to the Board on a regular basis. Concerns with presidential management of intercollegiate athletics will be brought to the attention of the full Board as soon as possible.

C. The Committee shall monitor developments in intercollegiate athletics nationally, including with the NCAA, athletic conferences, and Federal and State legislation, rule making and other forms of national accountability, and assess implications for USM institutions, and shall keep the full Board apprised of developments and implications.

D. To perform its function, the Committee may request and may expect to receive information from the institutions including but not limited to:

1. Information on health and academic support protocols provided to student-athletes;
2. Information on Title IX compliance and complaints;
3. Information on institution's student-athletes academic progress and graduation success;
4. Institution submitted reports documenting athletic program status or performance relative to student-athlete health, safety, and well-being standards or expectations;
5. Institution submitted reports documenting athletic program status or performance relative to academic, financial or other standards as required by the NCAA, athletic conferences or other organized bodies that may impose sanctions or influence the ICA program's resources or operations; and
6. Financial status, commitments and obligations, results of operations and financial projections for the coming five-year period.

E. The Committee shall meet as needed but no fewer than three times each fiscal year.

Section 11. Meetings of Standing Committees.

A. Standing Committee Chairpersons (except Chairperson of the Committee of the Whole) should schedule regular meetings in advance of each regular meeting of the Board. Such regular Standing Committee meetings shall be called by the Chancellor at the request of the Committee Chairperson. A majority of the voting members of a Standing Committee may request the Chairperson of the committee to call a special meeting of the Committee. The Chairperson, upon receipt of such a request, or at his own initiative, shall have the Chancellor call a special meeting.

B. Calls for meetings of Standing Committees shall be in writing and, along with an agenda and such other materials as may be appropriate which the Chancellor shall prepare in consultation with the Committee Chairperson, shall be sent to each member of the Committee at least five days before the scheduled date of the meeting.

C. Emergency meetings of any Standing Committee may be called at any time by the Chairperson of the Board or by the Chancellor, who shall designate the time and place for such meetings. The call notice required in paragraphs A and B above shall not be applicable to the call for emergency meetings.

D. All meetings of the Standing Committees created by these bylaws shall be conducted in accordance with Title 3 of the General Provisions Article, Maryland Annotated Code. E. Regents who are members of a Standing Committee may participate in meetings of such Committee by telephone or video conferencing, provided that all participating Regents deliberate collectively, each in the hearing of every other Regent and others in attendance at the meeting. If such Regents are voting members, they shall be counted for quorum purposes and their votes shall be counted when determining the actions of the Committee

Section 12. Authority of Committees. Unless otherwise specifically delegated by appropriate resolution or policy of the Board, authority to act on all matters is reserved to the Board, and the duty of each Standing or Special Committee shall be only to consider and to report or recommend to the Board on appropriate matters. In cases where specific power or authority to act is granted, a report of final action by any Committee shall be made at the next regular meeting of the Board and, if confirmation is required, shall be confirmed and approved by the Board at that time. Any grant to a Committee of authority or power to commit the Board shall be reviewed by the Board at the annual meeting each year, at which time it may be modified or rescinded by a majority vote of the members of the Board who are participating and who are eligible to vote at such meeting.

ARTICLE XI TASK FORCES AND WORKGROUPS

Section 1. Members and Chairpersons of such task forces and workgroups as may be authorized from time to time by the Chairperson of the Board to work on specified matters shall be appointed by the Chairperson of the Board. Such appointments shall not exceed one year but may be renewed by the Chairperson of the Board for additional periods not to exceed one year. Meetings of each task force or workgroups shall be called by the group's Chairperson, and conduct meetings as determined by such Chairperson.

ARTICLE XII AMENDMENTS TO THE BYLAWS

Section 1. These bylaws may be amended by majority vote of the members of the Board who are participating at any regular meeting and who are eligible to vote at such meeting, provided the proposed amendment or amendments have been sent to each member at least seven days before the meeting.

ARTICLE XIII ROBERT'S RULES OF ORDER NEWLY REVISED

Section 1. The rules contained in Robert's Rules of Order Newly Revised shall govern this Board where not inconsistent with the bylaws of the Board.

ARTICLE XIV

REPEAL OF INCONSISTENT PROVISIONS

Section 1. These bylaws shall be effective as of July 1, 2019 and shall supersede and replace any bylaws adopted prior to July 1, 1988 by the former Board of Regents of the University of Maryland and the former Board of Trustees of the State Universities and Colleges, and any related regulations or policies of such former Boards to the extent inconsistent herewith.



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Update UMBC President Search

COMMITTEE: Committee of the Whole

DATE OF MEETING: September 10, 2021

SUMMARY: Regent Gourdine will provide an update on the UMBC President search.

ALTERNATIVE(S): The board can choose to not discuss this matter.

FISCAL IMPACT: TBD.

CHANCELLOR'S RECOMMENDATION: This is an information item.

COMMITTEE ACTION:

DATE:

BOARD ACTION:

DATE:

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



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: University of Baltimore Task Force

COMMITTEE: Committee of the Whole

DATE OF MEETING: September 10, 2021

SUMMARY: President Schmoke will provide the Regents with an update on the University of Baltimore Task Force.

ALTERNATIVE(S): The board can choose to not discuss this matter.

FISCAL IMPACT: TBD.

CHANCELLOR'S RECOMMENDATION: This is an information item.

COMMITTEE ACTION:

DATE:

BOARD ACTION:

DATE:

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



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION,
INFORMATION OR DISCUSSION

TOPIC: Convening Closed Session

COMMITTEE: Committee of the Whole

DATE OF MEETING: September 10, 2021

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 BOR vote to reconvene in closed session.

COMMITTEE ACTION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Denise Wilkerson, dwilkerson@usmd.edu, 301-445-1906



STATEMENT REGARDING CLOSING A MEETING
OF THE USM BOARD OF REGENTS

Date: September 10, 2021
Time: Approximately 11:30 a.m.
Location: General Vessey Ballroom, College Park Marriott, University of Maryland
Global Campus

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) [X] To consider the investment of public funds.
- (6) [] To consider the marketing of public securities.
- (7) [X] To consult with counsel to obtain legal advice on a legal matter.
- (8) [X] 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.

FORM OF STATEMENT FOR CLOSING A MEETING

PAGE TWO

- (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) [X] 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):

- [] Administrative Matters

TOPICS TO BE DISCUSSED:

1. Meeting with Presidents Hrabowski and Pines as part of their performance reviews;
2. Discussion of a personnel matter involving a university employee;
3. To consider the investment of the USM Common Trust Fund;
4. Consideration of a request by an institution to name a building and/or program after an individual;
5. Discussion of litigation involving a USM institution;
6. Advice from counsel regarding vaccine mandate litigation;
7. Briefing on bargaining with respect to proposal regarding voluntary separation incentive plans for bargaining unit employees at a USM institution; and
8. The development of the proposed FY 2023 Operating Budget submission and potential adjustments to the submission.

REASON FOR CLOSING:

1. To maintain confidentiality of personnel information regarding specific employees' performance evaluations (§3-305(b)(1));
2. To maintain confidentiality of a personnel matter involving a specific university employee (§3-305(b)(1));
3. To maintain confidentiality of discussions of the investment of public funds (§3-305(b)(5));
4. To maintain confidentiality of personal information concerning an individual who is proposed to have a building and/or program named after them at an institution (§3-305(b)(1)(i) and (2));
5. To maintain confidentiality of discussion regarding litigation involving an institution (§3-305(b)(8));
6. To receive advice from counsel regarding vaccine mandate litigation (§3-305(b)(7));
7. To maintain confidentiality regarding collective bargaining negotiations (§3-305(b)(9)); and
8. To maintain the confidentiality (pursuant to executive privilege) of the proposed operating budget prior to the Governor's submission to legislature (§3-305(b)(13)).