



LEGISLATIVE NEWSLETTER

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CHANCELLOR TESTIFIES ON FY 2019 BUDGET FOR USM

On Wednesday, in the House Appropriations Subcommittee on Education and Economic Development, Chancellor Caret testified on the Governor's FY 2019 budget recommendations for the USM. He expressed his support and highlighted that the Governor's budget, once again, will allow the USM to limit a tuition increase to 2 percent.

“The bottom line is that this budget demonstrates—once again—Maryland’s commitment to higher education. It is this commitment that sets us apart from—and above—our competitors in the knowledge economy. This commitment to the USM is matched by the USM’s commitment to Maryland.” – Chancellor Caret

Among the highlights is \$21.5 million to **fully fund** operating expenses for new building openings and **partially fund** operating expenses for facilities opened last year. The USM has added important new academic and research capacity across the system, especially within the STEM disciplines of science, technology, engineering, and mathematics.

In addition, the budget provides \$6 million to support the continued implementation of SB 1052, the University of Maryland Strategic Partnership Act, which went into effect in October of 2016, codifying and advancing UMB's and UMCP's collective ability to generate collaborative academic and research programs, spur technology commercialization, and support economic growth.

There is also \$2 million to support USM's **Workforce Development Initiative** to address critical workforce shortages that limit economic growth and state revenues. This will be leveraged with \$8 million in internal USM resources, resulting in a \$10 million workforce impact. This represents the first part of Governor Hogan's multi-year, \$33 million commitment to collaborate with the USM to increase the number of workforce-critical credentials issued, including hundreds of new STEM and healthcare degrees.

The budget makes available \$5 million to support the Governor's K-12 Computer Science Initiative to expand and improve computer science education in Maryland public schools. We already have established program collaborations with elementary and secondary schools developed under a prior National Science Foundation grant involving UMBC, UMCP, and others. It must be noted that it is probably not accurate to consider this \$5 million as an *increase* to the USM's budget. The USM is leading this consortium, and not gaining any direct benefit.

You can read the Chancellor's full testimony here. It includes the Chancellor's response to specific questions:

<http://www.usmd.edu/usm/legislation/>

USM TESTIFIES ON A TRIO OF COLLECTIVE BARGAINING BILLS

On Tuesday, in House Appropriations, USM officials testified on **House Bill 451**. The bill significantly amends certain aspects of the collective bargaining process as it applies to higher education institutions, including making it an unfair labor practice for an institution to fail to meet an established negotiation deadline unless the institution and the union agree otherwise. The bill also specifies that a memorandum of understanding between the union and an institution shall remain in effect beyond its expiration date if the institution "is being investigated by a state or federal agency ... for committing an unfair labor practice." Lastly, House Bill 451 mandates that the USM Board of Regents designate a representative to participate as a party on behalf of a System institution.

In practice, the bargaining process can take more time than anticipated by either side, and either side might be reasonably viewed as contributing to the delay. House Bill 451 does not consider this reality and punishes only one

of the parties involved. Current law has established that a refusal to bargain in good faith by either party constitutes an unfair labor practice.

House Bill 199 would authorize graduate assistants at USM institutions to collectively bargain. Since 2009, the USM has worked to improve the status of the USM's approximately 5,700 graduate assistants (based on a recent survey of all institutions), including the establishment of a "Meet and Confer" process that gives these students (and adjunct faculty) the opportunity to engage a labor representative to represent them in discussions with campus administrators. The USM adopted a Policy on Graduate Assistantships, which addressed the following issues:

- Due process protection and grievance rights;
- Participation in the shared governance process;
- Stipends comparable to those at peer institutions; and
- Clarification of the university's expectations regarding duties and time commitments; for example, a full-time assistantship requires the student to work an average of 20 hours per week.

Current Maryland collective bargaining law includes USM employees generally. The statute expressly excludes from collective bargaining "a student employee, including a teaching assistant or a comparable position, fellow, or post-doctoral intern." The USM remains comfortable with the existing law because repealing it, among many reasons, would create a confusing maze of litigation and legal expense over which "groups" or "class" of graduate students may be allowed to organize.

Last of the trio was **House Bill 163**. The bill would provide collective bargaining rights to certain adjunct faculty at the University of Maryland University College. University of Maryland University College (UMUC) embraces an academic model that is unique within the USM and drastically different from the model used in most traditional institutions of higher education. UMUC has a highly centralized and standardized curriculum: syllabi, learning outcomes, textbooks/content, assessment methods, etc. are not dictated by individual faculty. This approach ensures quality and consistency in a curriculum delivered by 5,000 adjunct faculty in 24 countries. Furthermore, that curriculum is closely linked to workforce needs and is being transformed into a project-based learning model, in which classroom assignments mirror the projects that graduates will be expected to complete on the job.

The proposed legislation would make “working conditions” part of the collective bargaining process. Working conditions may be interpreted as including, for example, individual faculty autonomy to teach following a traditional, decentralized model.

The USM urged the committee to issue an “unfavorable” report on all three bills.

BILL FOCUSES ON CAMPUS HAZING REPORTING

On Tuesday in House Appropriations, the USM offered testimony on **House Bill 368**, which requires the governing boards of institutions of higher education to submit a written policy on hazing to the Maryland Higher Education Commission (MHEC) and report the number of hazing incidents as well as the outcomes of each individual incident. In addition, the bill requires each institution to provide educational programming to students.

While the USM does not have an umbrella hazing policy, addressing hazing takes a coordinated and thoughtful response rooted on campus under the leadership of each president. Coordinating and reviewing campus hazing policies takes multiple points of view and are individualized for each unique campus. USM institutions with student organizations, Greek Life and residential campuses have been and will continue to prioritize preventing hazing on college campuses. For example, some institutions do not even have student organizations to which the bill applies, yet they are also subject to the bill’s provisions requiring a written policy on hazing.

BILL SEEKS TO BOLSTER COMPUTER SCIENCE EDUCATION

On Wednesday in Senate, Education, Health and Environmental Affairs committee, the USM offered testimony urging a “favorable report” on **Senate Bill 300**. The bill requires the State Board of Education to develop and adopt content standards for computer science education for kindergarten through grade 12 by November 30, 2018. By the 2020-2021 school year, every public high school must offer at least one computer science course. By the 2022-2023 school year, every public middle and elementary school must offer computer science-related curriculum.

The bill also establishes a Maryland Center for Computing Education (MCCE) housed within the USM to provide professional development; administer a grant program; and set diversity goals.

By establishing the Maryland Center for Computing Education (MCCE) at USM, we can draw on our successful experiences coordinating multi-faceted partnerships that include local districts, MSDE, and non-profit partners to scale implementation of computer science professional development across the entire state. The MCCE is designed to expand access to high-quality Pre-Kindergarten-12 (P-12) computing education by strengthening educator skills and increasing the number of computer science teachers in elementary and secondary education. It also serves as a focal point for broader collaborative initiatives to increase the availability and quality of P-12 computing education across the state, including stakeholder meetings and partnerships; teacher certification efforts; standards and curriculum development; innovative pedagogical research and practices; training and awareness for administrators, students, and parents; and coordinating with related national efforts.

LEGISLATION TO TRACK HATE-BIAS INCIDENTS CONSIDERED

This week in House Appropriations Committee the USM offered testimony on **House Bill 511**. The bill requires public institutions of higher education to develop and implement a plan for a program to prevent hate-bias incidents; a process for reporting campus-based hate crimes; a program to provide mandatory instruction to incoming students on the awareness, prevention, and reporting of hate-bias incidents. The bill also requires a response protocol and hate-bias incident reporting and disclosure. Hate incidents including violence, threats and harassment have no place on a college campus or at any institution.

The committee was reminded that each campus has a unique mission, demographic and geography. The educational program mandate for incoming students in House Bill 511 may overlook the need for continuous dialogue, the reinforcement of positive messages, and the recognition that changing campus climate is a process. USM presidents are working to create a culture of respect and tolerance and those strategies are as diverse as our institutions.

The testimony also pointed out that USM institutions are governed by the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Also known as the “Clery Act,” it is a federal statute requiring colleges and universities participating in federal financial aid programs to maintain and disclose campus crime statistics and security information. It is the policy of USM institutions to encourage victims and/or witnesses to report crimes to the police and/or to a designated campus security authorities (CSA). The federal law requires each institution to maintain a complete publicly-available list of CSAs in their Annual Clery Report. For the purposes of Clery, CSAs are required to document certain reportable crimes and non-criminal, hate-motivated incidents and the location(s) of the occurrence. **Reporting hate violence, and procedures for responding to hate-bias incidents, is required of all USM institutions under current federal law.**

The USM testified as “favorable with amendment.” The only outstanding issues in House Bill 511 are related to the mandatory training for incoming students; how we define an incoming student; and how we account for students who primarily engage in online classrooms. If training is required, the USM hopes that it could be combined with existing diversity or Title IX training programs.