

Legislative History for Connecticut Act

PA 15-228

HB6812

| | | |
|-------------------------------------|----------------------|-----------|
| House | 973-977, 7220-7226 | 12 |
| Senate | 2172-2174, 2262-2263 | 5 |
| Higher Education & Employment | 915-920, 1082-1085 | 10 |
| | | 27 |

Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2015**

**VOL.58
PART 3
695 - 1034**

pat/gbr
HOUSE OF REPRESENTATIVES

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April 14, 2015

House Calendar 272 on Page 30, Favorable Report
of the Joint Standing Committee on Higher Education
and Employment Advancement, Substitute House Bill 6812

AN ACT CONCERNING FACULTY REPRESENTATION ON THE
COMMITTEES AND SUBCOMMITTEES OF THE BOARD OF REGENTS
FOR HIGHER EDUCATION.

SPEAKER SHARKEY:

Representative Willis.

REP. WILLIS (64th):

Good afternoon, Mr. Speaker.

SPEAKER SHARKEY:

Good afternoon, madam.

REP. WILLIS (64th):

I miss Madam Speaker Orange. Where is she?
Anyway, it's nice to have you, too.

SPEAKER SHARKEY:

What am I? Chopped liver?

REP. WILLIS (64th):

Mr. Speaker, I move for the acceptance of the
Joint Committee's Favorable Report and passage of the
bill.

SPEAKER SHARKEY:

The question is on acceptance of the Joint
Committee's Favorable Report and passage of the bill.

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Will you remark, madam?

REP. WILLIS (64th):

Thank you very much, Mr. Speaker. This bill simply adds to the role of the faculty members who now serve on the Board of Regents for Higher Education. It allows them to serve not only on the Board but they may serve on the subcommittee as well, as long as it does not contain matters regarding personnel.

And the bill also allows them to attend the Executive Session at the Board's invitation and rather than the current law, which excludes them from Executive Sessions.

I urge my colleague's support.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, madam. Would you care to remark? Would you care to remark further on the bill that is before us? Would you care to remark? If not, staff and, oh, Representative Betts.

REP. BETTS (78th):

Sorry for the delay, Mr. Speaker.

SPEAKER SHARKEY:

Sure.

REP. BETTS (78th):

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I voted against this in the Committee and I did it because I thought when you serve on a board, you try to be objective and it's important to try and do it in partnership with the faculty, but they have their own particular interests. Obviously, they should be representing, and they do have representation on some of the Board, but I think there's a very fine line between being overly involved and being objective.

And it was in that spirit that I had some concern and I would just encourage people to be mindful of the difficulty you can put faculty in when you're dealing with certain financial issues or personnel issues when they're serving on this Board.

So I just wanted to explain the rationale for my vote, and I thank you very much.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark further on the bill that's before us? Representative Ackert.

REP. ACKERT (8th):

Thank you, Mr. Speaker, and I also rise in support of this change to this legislation that exists. These individuals serve voluntarily on these committees and I think it's appropriate that they have

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the full wherewithal of what's taking place and should have the know of what takes place in executive committees and I do rise in strong support of this.

So thank you for your time.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark further on the bill before us?

If not, staff and guests to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll.

The House of Representatives is voting by Roll.

Will members please return to the Chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? Members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally.

THE CLERK:

House Bill 6812.

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| | |
|-----------------------------|-----|
| Total number voting | 143 |
| Necessary for Passage | 72 |
| Those voting Yea | 125 |
| Those voting Nay | 18 |
| Those absent and not voting | 8 |

SPEAKER SHARKEY:

The bill passes.

Will the Clerk please call Calendar 353.

THE CLERK:

House Calendar 353, Favorable Report of the Joint Standing Committee on Higher Education and Employment Advancement, Senate Bill 399 AN ACT CONCERNING REPORTING REQUIREMENTS OF THE UNIVERSITY OF CONNECTICUT AND THE BOARD OF REGENTS FOR HIGHER EDUCATION REGARDING FINANCIAL AID.

SPEAKER SHARKEY:

The distinguished Chairwoman of the Higher Education Committee, Representative Willis, you have the floor.

REP. WILLIS (64th):

Thank you very much, Mr. Speaker. Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate.

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

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HOUSE OF REPRESENTATIVES

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there any other announcements or introductions? Are
there any other announcements or introductions?

If not, Mr. Clerk, let's begin our work of the
day. Would you please call Calendar 272.

CLERK:

On Page 47, Calendar 272, Favorable Report of the
Joint Standing Committee on Higher Education and
Employment Advancement, Substitute House Bill 6812 AN
ACT CONCERNING FACULTY REPRESENTATION ON THE
COMMITTEES AND SUBCOMMITTEES OF THE BOARD OF REGENTS
FOR HIGHER EDUCATION, Disagreeing Action.

SPEAKER SHARKEY:

The distinguished Chairman of the Higher
Education Committee, Representative Willis, you have
the floor, madam.

REP. WILLIS (64th):

Thank you very much, Mr. Speaker, good afternoon.

SPEAKER SHARKEY:

Good afternoon, madam.

REP. WILLIS (64th):

We're on countdown time here. Mr. Speaker, I
move for the acceptance of the Joint Committee's
Favorable Report and passage of the bill in
concurrence with the Senate.

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SPEAKER SHARKEY:

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, madam?

REP. WILLIS (64th):

Yes, thank you, Mr. Speaker. This bill will just simply add to the Faculty Advisory Council. It will allow that members of the faculty who are members of the Board, they will be allowed to attend committee and full subcommittee meetings, as long as they don't cover personnel matters.

Mr. Speaker, the Clerk has an amendment, LCO 8326. I would ask that the Clerk please call the amendment and I be granted leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 8326, which has been previously designated Senate Amendment "A."

CLERK:

Senate Amendment "A," LCO 8326, as introduced by Representative Bartolomeo, or Senator Bartolomeo, Representative Willis and Senator Witkos.

SPEAKER SHARKEY:

The Chairwoman has sought leave of the Chamber to

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summarize. Is there objection? Seeing none, you may proceed with summarization, madam.

REP. WILLIS (64th):

Thank you very much, Mr. Speaker. This very simply says that members of the Board of Regents non-voting ex-officio members, who are the part of the Faculty Advisory Council, can be invited in by the Chairperson of the Board. I move adoption.

SPEAKER SHARKEY:

Question before the Chamber is adoption of Senate Amendment "A." Will you remark? Representative Betts.

REP. BETTS (78th):

Thank you, Mr. Speaker, and good afternoon. A few questions if I may to the proponent?

SPEAKER SHARKEY:

Please proceed, sir.

REP. BETTS (78th):

I'm wondering why the Senator, is the Chairperson aware of the reason for why the Senate changed the language to may versus shall be invited to the Board, through you, Mr. Speaker?

DEPUTY SPEAKER RYAN:

Representative Willis.

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REP. WILLIS (64th):

Through you, Mr. Speaker, there's a new Mr. Speaker.

DEPUTY SPEAKER RYAN:

He got better looking.

REP. WILLIS (64th):

Yeah, I looked down a second and I look up and yeah, better looking, is that what you said?

The change here is simply that they may invite them in as opposed to they shall be invited in. Shall was implied that they are being invited in to every subcommittee or executive session. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Betts.

REP. BETTS (78th):

Thank you, and is there any reason why they said the invitation should come from the Chair of the Board as opposed to any member of the Board, through you, Mr. Speaker?

DEPUTY SPEAKER RYAN:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker, this was a request by

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the Board of Regents feeling that it was really incumbent upon the Chairperson of that Committee to extend the invitation.

DEPUTY SPEAKER RYAN:

Representative Betts.

REP. BETTS (78th):

So to be clear, thank you for that answer, so to be clear, the faculty person can come to a meeting if invited, but otherwise would not be. Is that correct, through you, Mr. Speaker?

DEPUTY SPEAKER RYAN:

Representative Willis.

REP. WILLIS (64th):

Through you, Mr. Speaker, this is particularly true for the Executive Session.

DEPUTY SPEAKER RYAN:

Representative Betts.

REP. BETTS (78th):

Thank you very much, and I support the amendment, and thank you very much for the answers.

DEPUTY SPEAKER RYAN:

Thank you, sir. Will you remark further on the amendment before us? Will you remark further?

If not, I will try your minds. All those in

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favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN:

All those opposed, nay? The ayes have it. The amendment is adopted. [gavel] Will you remark further on the bill as amended? Will you remark further on the bill as amended?

If not, will staff and guests please come to the Well of the House. Will the members please take your seats. The machine will be opened.

CLERK:

[bell ringing] The House of Representatives is voting by roll. The House of Representatives is voting by roll. Will members please report to the Chamber immediately.

[pause]

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted? Will the members please check the board to see if your vote is properly cast.

If all members have voted, the machine will be

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locked and the Clerk will take a tally. Will the Clerk please announce the tally.

CLERK:

House Bill 6812 as amended by Senate "A" in concurrence with the Senate

| | |
|-----------------------|-----|
| Total Number Voting | 143 |
| Necessary for Passage | 72 |
| Those voting Yea | 141 |
| Those voting Nay | 2 |
| Absent and not voting | 8 |

DEPUTY SPEAKER RYAN:

The bill, as amended, is passed. [gavel] The Chamber will stand at ease.

(Chamber at ease.)

DEPUTY SPEAKER MILLER:

The Chamber will return to order. Will the Clerk please call Calendar No. 574.

CLERK:

On Page 29, House Calendar 574, Favorable Report of the Joint Standing Committee on Environment, Senate Bill 1062 AN ACT PROVIDING CONTINUED FUNDING FOR THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION'S

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SENATE**

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SENATE

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On page 8, Calendar 385, substitute for House Bill No. 6812, AN ACT CONCERNING FACULTY REPRESENTATION ON THE COMMITTEES AND SUBCOMMITTEES OF THE BOARD OF REGENTS FOR HIGHER EDUCATION. Favorable Report of the Committee on Higher Education and there are amendments.

THE CHAIR:

Senator Bartolomeo. You have the floor, madam.

SENATOR BARTOLOMEO:

Thank you, Madam President. I move acceptance of the Committee's Joint Favorable Report and I urge passage of this bill.

THE CHAIR:

Motion's on acceptance and passage. Will you remark, madam?

SENATOR BARTOLOMEO:

Yes, thank you, Madam President. Madam President, this legislation deals with the faculty representation on the Board of Regents and their executive sessions. I would say, Madam President, that the Clerk is in possession of Amendment LCO No. 8326, and I'd ask if the Clerk would please call that amendment and I be given leave to summarize.

THE CHAIR:

The Clerk is in possession of LCO 8326, and the senator has asked leave to summarize. Would the Clerk please call?

CLERK:

LCO No. 8326, Senate "A," offered by Senator Bartolomeo, Witkos and Representative Willis.

THE CHAIR:

Senator Bartolomeo. You have the floor.

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SENATOR BARTOLOMEO:

Thank you, Madam President. I move adoption of this amendment.

THE CHAIR:

Motion is adoption.

SENATOR BARTOLOMEO:

Thank you, Madam President. This amendment simply clarifies or even over-emphasizes the fact that this is permissive language in this bill. We change a shall to a may, and we make the sentence structure such that it is definitely permissive. And with that, Madam President, I would move adoption.

THE CHAIR:

Thank you. You have the floor, Senator Witkos.

SENATOR WITKOS:

Good evening, Madam President. I also stand in support of the legislation of the amendment before us. I think it more closely aligns the intent with the Robert Rules of Orders which is used in most parliamentary procedures, and urge its adoption. Thank you.

THE CHAIR:

Thank you, Senator Witkos. Will you remark? Will you remark? If not, I will try your minds. All those in favor about Senate Amendment "A" please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Those opposed, nay. The ayes have it. The amendment is adopted. [gavel] Senator Bartolomeo.

SENATOR BARTOLOMEO:

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Yes, thank you, Madam President. So Madam President, the reason this bill is before us is because apparently there has been some confusion about what executive session is, what executive session is not, as far as the Board of Regents, although that is referenced in our Statutes.

So what this allows and emphasizes is that the chairperson and the vice chairperson of the Faculty Advisory Committee may be invited to any executive session by the board chairperson of the Board of Regents. They are non-voting members, but they may be included if invited. And with that, Madam President, I would urge passage.

THE CHAIR:

Thank you, senator. Will you remark? If not - Senator Bartolomeo.

SENATOR BARTOLOMEO:

Thank you, Madam President. Without objection, I would ask that this please be put on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

On page 40, Calendar 191, substitute for Senate Bill No. 418 AN ACT CONCERNING OFF-LABEL PRESCRIPTION DRUGS. Favorable Report of the Committee on Insurance and Real Estate.

THE CHAIR:

Good evening. Senator Crisco.

SENATOR CRISCO:

Thank you, Madam President. I move for acceptance for the Joint Committee's Favorable Report and passage of the bill.

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THE CHAIR:

Thank you. Will you remark on the bill as amended?
Senator Larson.

SENATOR LARSON:

Thank you, Madam President. If there's no objection
I'd ask this bill amended and placed on the Consent
Calendar.

THE CHAIR:

Seeing no objection; so ordered, sir. Senator Duff.

SENATOR DUFF:

Thank you, Madam President. If the Clerk could please
call the items on the Consent Calendar and then we can
have a vote on Consent Calendar please.

THE CHAIR:

Thank you, sir. Would the Clerk please call the items
on the Consent Calendar?

CLERK:

On page 2, Calendar 91, Senate Bill No. 752. On page
7, Calendar 384, House Bill 6724. Page 8, Calendar
385, House Bill 6812. And on page 11, Calendar 450,
House Bill 6815. Page 13, Calendar 462, House Bill
6800. And on page 17, Calendar 488, House Bill 6575.
On page 18, Calendar 499, House Bill 6917.

Page 22, Calendar 519, House Bill 6733. Page 37,
Calendar 136, Senate Bill 882. And page 39, Calendar
165, Senate Bill 312. On page 40, Calendar 191, Senate
Bill 4814. Also on page 40, Calendar 188, Senate Bill
888. Page 41, Calendar 230, Senate Bill 989. Page 42,
Calendar 255, Senate Bill 475. And on page 46,
Calendar 367, Senate Bill 1108.

THE CHAIR:

Thank you, sir. Would the Clerk please call a pendency
of roll call vote?

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CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on today's Consent Calendar has
been ordered in the Senate.

[pause]

THE CHAIR:

Members, please check the roll call vote. The machine
will be locked. Clerk will announce the tally.

CLERK:

On the Consent Calendar for today

| | |
|------------------------|----|
| Total Number Voting | 36 |
| Necessary for Adoption | 17 |
| Those voting Yea | 36 |
| Those voting Nay | 0 |
| Absent/not voting | 0 |

THE CHAIR:

Consent Calendar is adopted. [gavel] Mr. Majority
Leader.

SENATOR DUFF:

Thank you, Madam President. First, I will yield to
points of personal privilege or any announcements. I
would ask that members stay in the Chamber. I do have
a few important announcements before we leave for the
morning.

THE CHAIR:

Seeing no announcements - Senator Kennedy, do we have
an announcement? Seeing none, Senator Duff.

SENATOR DUFF:

Thank you, Madam President. It is our intention
tomorrow to caucus at noon tomorrow on our side of the
aisle; probably the same on the other side. We'll have

**JOINT
STANDING
COMMITTEE
HEARINGS**

**HIGHER EDUCATION
AND EMPLOYMENT
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SENATOR BARTOLOMEO: Okay, you're all set. Did you submit written testimony.

ALLISON MARTINEZ: Yes.

SENATOR BARTOLOMEO: You did. Okay I didn't find it when I came back in and I missed what you said so I'll look for it. Thank you. Thanks for advocating.

So, next we have Mr. Stephen Adair it is finally your turn. And then after Mr. Adair will be -- we have a note here they'll be together, Gladys Mercado and Darryl Kenui.

STEPHEN ADAIR: Senator Bartolomeo, Representative Willis and members of the committee. I'm Stephen Adair. I'm a professor of Sociology at CCSU. I'm vice-chair of the Faculty Advisory Committee to the Board of Regents and ex-officio member of the board and I'm here to urge your support for H.B. 6812 AN ACT CONCERNING FACULTY REPRESENTATION ON THE COMMITTEES AND SUBCOMMITTEES OF THE BOARD OF REGENTS which would strengthen faculty representation on the subcommittees of the board and broadening and deepening the understanding of the board on matters of teaching, learning and the life of the campus.

I'd like to begin just by thanking this committee for establishing the Faculty Advisory Committee and for recent bills in recent years to expand our committee and to provide two seats on the Board of Regents.

Over the last couple of years the FAC has done an awful lot of activity including working hard in both revising the policy and implementing the transfer and articulation policy which is

still on going and right now there is hundreds of faculty across the system who are engaging and designing pathways for all of the majors inside of the system to allow transfer from the community colleges to the state universities. We've also played a role in revising and contributing to the defining of the mission statements, both for the system as well for the respective units within it. We're continuing to work with the system administration on the implementation of P.A. 1240, the Developmental Ed bill that has gone on and we've had the challenging task to try to realize both the opportunities and address the challenges represented by Transform CSU 2020 over the last year.

We'd like to just continue to insist that academic equality be maintained and strengthened to ensure that excellent, affordable and accessible opportunities available for students. As I see it, the role of the Faculty Advisory Committee is to do two things. One is to provide a window for the board into what's happening on campuses and faculty and the other is to bring issues associated with the faculty to the board. The BOR faces the formidable task of serving as the central policy body and primary fiduciary responsibility for seventeen institutions. Its operation is also complicated a little bit and that is organizationally distanced from the life of the campuses. The system office really operates as an intermediary between the board and all of the institutions.

SENATOR BARTOLOMEO: You can summarize.

STEPHEN ADAIR: Okay, I'll summarize. So, two issues associated with 6812. One is that it strikes the idea that faculty should be in

executive session and I think that should be modified. I think if we recognize that the board ought to be able to go into executive session for matters of personnel and for collective bargaining agreements, that we probably should not be in there. But simply would like to allow us to have access on matters up to the discretion of the Chair.

So, I will leave it at that and thank you for the opportunity to serve on the FAC and for listening to my testimony.

SENATOR BARTOLOMEO: Thank you. Representative Willis.

REP. WILLIS: Hi Stephen how are you?

STEPHEN ADAIR: Great.

REP. WILLIS: Thanks for coming. Question. We certainly have the committee has certainly been discussing the executive session component of this legislation. We discussed it last time. My question to you is you can be invited into executive session, correct or not?

STEPHEN ADAIR: I don't believe so. Last summer for instance, the board had a full day retreat the self-assessment and then they also did documents really associated with Transform and that was all defined as being an executive session. At least according to the chair, we would have been invited but he felt confined by the rule of the law.

REP. WILLIS: I guess my confusion is what an executive session is. I consider an executive session the officers of the board and maybe the subcommittee chairs, that it's not opened to

every member of the board. I wondered what your reaction is to that?

STEPHEN ADAIR: That is, I believe that's so, right? I think that the decision to go in executive session is covered by the Freedom of Information.

REP. WILLIS: So, if a faculty member isn't an executive member of the board, or a chair of the subcommittee, I'm not sure -- because otherwise, everybody gets invited into executive session. So, where's the line? I'm confused.

STEPHEN ADAIR: Well, I think most -- at least - I'm not sure if I'm speaking the truth so I'll be careful about this but most of the executive sessions that all of the voting members are invited. So, like I am specifically referring to what was a self assessment and the board I think elected not wanting to do that as a public meeting in which there would be an audience but at the same time it would seem to me that our presence would have been helpful in the process of that self assessment where the relationship between faculty and the board is of central importance and how well that board operates. So, again I think that it's appropriate and I underline that I think it's appropriate that we be excluded from many occasions under which executive session would be called but simply want the provision that would allow the chair -- their discretion in whether or not we be committed to enter into executive session. That's all.

REP. WILLIS: Thank you. That was very helpful. Thank you Madame Chair.

SENATOR BARTOLOMEO: Thank you and I'm just going to ask as a follow up to that, there must have been some notification this meeting -- or this day long, what I'm going to think of as a retreat, and there must have been some notification that you all should not attend because it was considered executive session. I'd love a copy of that.

STEPHEN ADAIR: Sure, be happy to do that.

SENATOR BARTOLOMEO: Thank you. Senator Witkos.

SENATOR WITKOS: Thank you. Has the members that were excluded from executive session, have you filed a grievance or a complaint with Commissioner Murphy over the Freedom of Information so it can be determined whether the exclusion from executive session was regarded as accurate or not?

STEPHEN ADAIR: No. No we did not file. We - I am not contesting the right of the board to have excluded us.

SENATOR WITKOS: But that would be the - I would purport you that that would be the adjudicated board to determine whether or not the items discussed should have been in executive session versus open to all the members rather than before the legislature to try to figure out topic matter.

STEPHEN ADAIR: I believe that the only issue is whether or not we would be permitted to the discretion of the board and the current legislation says that we would simply be excluded. So, that's it.

SENATOR WITKOS: My understanding of the Freedom of Information law is that it is very finite as to

topics to discuss --to be discussed that determine what's executive session and what is not and based on your testimony I fail to see where that falls into the exclusion of executive session. That's why I think you would have been in good company to file a complaint with Freedom of Information and then the board could determine and present their case why you were excluded under that. That's all. Just a suggestion if it happens again. Thank you.

STEPHEN ADAIR: Thank you.

SENATOR BARTOLOMEO: Thank you and I agree with Senator Witkos that's why I'm asking to see this because executive session is not just a willy nilly term. It means something. Anyone else? Okay, thank you so very much for being here today. Okay so next we have Gladys Mercado and Darryl Kenui who will then be followed by Christopher Bartels.

GARY MINOR: Madame Chairs, if I may. My name is Gary Minor. I'm the Director of College Relations at Goodwin College. Your next two testimony providers are Goodwin students and I promised that I'd walk them through the testimony process today. So, if you're okay, I'd just like to introduce them to speak.

SENATOR BARTOLOMEO: You certainly may. I'm just going to ask them would they prefer to be giving their own testimony right now?

GARY MINOR: They are going to do it right now. I just wanted to tee it up. They're recipients of the Governor's Scholarship Program and would be talking about the House Bill 6845.

Testimony of Patricia O'Neill, Associate Professor of Psychology, Western Connecticut State University
Member, Faculty Advisory Committee (FAC) to the Board of Regents for Higher Education
WCSU-AAUP Chapter President
Re: HB 6812
March 12, 2015

Testimony before the Higher Education and Workforce Development Committee

RE: HB 6812 AN ACT CONCERNING FACULTY REPRESENTATION ON THE COMMITTEES and
SUBCOMMITTEES of the BOARD OF REGENTS FOR HIGHER EDUCATION

March 12, 2015

Representative Willis, Senator Bartolomeo and Members of the Higher Education and Workforce Development Committee: Thank you for this opportunity to testify. I apologize that I cannot give this testimony in person as I am in the midst of advising students at Western Connecticut State University about registration for the Fall 2015 semester and their plans for their future after they successfully complete their educations. This is work that is important and one of my favorite parts of my job.

I am Patricia O'Neill, Associate Professor of Psychology at Western Connecticut State University, Western's representative to the Faculty Advisory Committee to the Board of Regents for Higher Education and WCSU-AAUP Chapter President.

I ask that you support HB 6812, An Act Concerning Faculty Representation on the Committees and Subcommittees of the Board of Regents. HB 6812 would strengthen faculty representation on the subcommittees of the Board and, as a result, add to the Board's understanding on matters of teaching, learning and the life of the campuses. This in turn would enable the Connecticut State Colleges and Universities to be a vibrant, exciting and national example for institutions of public higher education.

This committee should be commended for the foresight in creating a Student Advisory Committee to the Board of Regents in the initial legislation that created the Board. This committee deserves additional commendation for creating a Faculty Advisory Committee to the Board of Regents in subsequent legislation. The inclusion of administrative faculty on the FAC, the result of additional legislation, was another welcome improvement. The passage last year of a bill that allowed the Chair and the Vice-Chair of the FAC to serve as ex-officio, non-voting members of the Board was an important step as well. Thank you.

These incremental and thoughtful steps by this Committee have had an effect. The FAC made significant revisions to the Board's Transfer and Articulation policy (TAP) and was instrumental in establishing processes for faculty from across the system to come together to create curricula that will establish transparent pathways between the community colleges and the state universities. The FAC contributed to the refining of the mission and vision statement for the system and the mission statements for the community colleges, the state universities and Charter Oak. The FAC worked closely with the system's senior administration on the initial planning and committee design to meet the requirements of PA 12-40, the developmental education bill and continue to monitor the progress of the bill through the

Testimony before the Higher Education and Workforce Development Committee

RE: HB 6812 AN ACT CONCERNING FACULTY REPRESENTATION ON THE COMMITTEES and
SUBCOMMITTEES of the BOARD OF REGENTS FOR HIGHER EDUCATION

Submitted by Stephen Adair, Ph.D., Professor of Sociology, Central Connecticut State University,
Vice-Chair of the Faculty Advisory Committee (FAC) to the Board of Regents for Higher Education,
and ex-officio member of the Board of Regents

March 12, 2015

Representative Willis, Senator Bartolomeo and Members of the Higher Education and Workforce
Development Committee thank you for this opportunity to testify.

I am Stephen Adair, Professor of Sociology at CCSU, Vice-Chair of the Faculty Advisory Committee and
ex-officio member of the Board or Regents.

I urge your support for HB 6812, An Act Concerning Faculty Representation on the Committees and
Subcommittees of the Board of Regents, which would strengthen faculty representation on the
subcommittees of the Board, while broadening and deepening the understanding of the Board on
matters of teaching, learning and the life of the campuses.

I will begin by thanking this committee for the forethought in creating a Faculty Advisory Committee in
the initial legislation that created the Board of Regents, as well as the passage last year of a bill that
allowed the Chair and the Vice-Chair of the FAC to serve as ex-officio, non-voting members of the Board.

Over the last couple of years, the FAC has been active and assisted in several important policies and
initiatives. We made significant revisions to the Board's Transfer and Articulation policy (TAP) and have
been instrumental in establishing processes for faculty from across the system to come together to
create curricula that will establish transparent pathways between the community colleges and the state
universities. We contributed to the defining of the mission and vision statement for the system and the
mission statements for the community colleges, the state universities, and Charter Oak. We worked
closely with the system's senior administration on the initial planning and committee design to meet the
requirements of PA 12-40, the developmental education bill, and continue to monitor the progress of
the bill through the system. And over the last year, the FAC has worked to try to represent faculty in
defining the elements of a strategic plan under Transform 2020. We will continue to insist that
academic quality be maintained and strengthened to insure that excellent, affordable and accessible
opportunities are available for students.

As I see it, the Faculty Advisory Committee serves two primary functions. It provides a window for the
BOR into the more than 5000 faculty members across the 17 institutions, and it brings a faculty voice to
the Board on matters of systemic importance. The BOR faces the formidable task of serving as the
central policy body with all of its attendant fiduciary responsibility for 17 public higher education



CONNECTICUT STATE UNIVERSITY
AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

Testimony of
Vijay Nair, President
Connecticut State University American Association of University Professors
to the
Higher Education and Employment Advancement Committee
March 12, 2015

H.B. 6812: AN ACT CONCERNING FACULTY REPRESENTATION ON THE COMMITTEES AND SUBCOMMITTEES OF THE BOARD OF REGENTS FOR HIGHER EDUCATION.

Greetings, Senator Bartolomeo, Representative Willis, and members of the Committee. My name is Vijay Nair and I am the President of the Connecticut State University American Association of University Professors (CSU-AAUP), which represents more than 3,100 full-time and part-time faculty, librarians, coaches, and counselors at CSU. CSU-AAUP is both a collective bargaining agent and a professional organization, affiliated with National AAUP, which works to advance academic freedom and shared governance.

While I write this in support of H.B. 6812: An Act Concerning Faculty Representation on the Committees and Subcommittees of the Board of Regents for Higher Education, I do believe it needs to be revised to say "The chairperson and vice-chairperson of the faculty advisory committee created under section 10a-3a shall serve as ex-officio, nonvoting members of the board for a term of two years and, in their respective roles as chairperson and vice-chairperson, shall be excluded from any executive session, as defined in section 1-200, of the board unless specifically invited to an executive session by the chairperson of the board. The chairperson and vice-chairperson of the faculty advisory committee shall each appoint a member of the faculty advisory committee to serve on each standing and special committee of the Board of Regents that does not have cognizance over personnel matters."¹

At present, the faculty representatives on the board are forbidden by legislation to attend executive sessions **even if the chairperson of the board wishes either or both of them to attend such a meeting.** There could be occasions in which their presence at an executive session would be of value to the board.

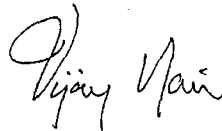
¹ Proposed additions to existing language are indicated by underline.

Collaboration and communication between board members, faculty, and students are vital for the success of any system such as ours. To quote from a report from the Association of Governing Boards of Universities and Colleges: "Faculty and trustees bring very different backgrounds, responsibilities, and skill sets to the table. Trustees, as fiduciaries, bear ultimate responsibility for ensuring sound financial decisions as well as sound academic quality, but most trustees have business backgrounds and few have ever worked in higher education. They are dependent upon the administration for leading and managing the institution and for the expert professional judgment of faculty in regard to curricula, degree requirements, and peer review...faculty participation in institutional governance isn't a privilege, it's a necessary part of decision-making in colleges and universities."²

Such meaningful participation by the faculty in decision making is essential for the success of our system. At present, the chairperson and vice-chairperson of the faculty advisory committee (FAC) serve as ex-officio, non-voting members of the Board of Regents. The vice-chairperson serves on the Academic and Student Affairs Committee of the board as a non-voting member, but since that person is from the Connecticut State Universities, this committee has no faculty representation from the Community Colleges. The chairperson of the FAC, who is from the Community Colleges, serves on the Audit Committee as a non-voting member. *Not one of the other standing committees of the board has faculty representation.* Furthermore, while it is in the BOR's purview to appoint special committees to address subjects or issues outside the scope of the standing committees, there is no provision at present to require faculty representation on such committees. While we do not seek voting rights for faculty representatives on the Board of Regents itself, we strongly believe voting rights for the faculty representatives on the board's committees are essential to assure the faculty meaningful participation. Ultimate decision making authority rests with the board, not with its committees.

The board and our institutions can only benefit from the expertise and insight that the CSCU faculty are able and willing to bring to the committees' deliberations. After all, they know the business of our colleges and universities better than anyone: learning, teaching, and research. By passing HB 6812, with the revision we propose, there will be nothing to lose and much to gain.

Thank you for this opportunity to address this important matter.



Vijay Nair
CSU-AAUP President

² Schwartz, M., Skinner, R., & Bowen, Z. (2009). *Faculty, Governing Boards, and Institutional Governance*. Washington, D.C.: Association of Governing Boards of Universities and Colleges. 11.