

Legislative History for Connecticut Act

**PA 14-208**

SB0402

House	6959-6962	4
Senate	1333-1336	4
Higher Education	687-690, 824-825, 827- 828, 840-841	10
		<hr/>
		<b>18</b>

**H – 1201**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2014**

**VOL.57  
PART 21  
6912 – 7260**

Those absent and not voting 6

DEPUTY SPEAKER GODFREY:

The bill, as amended, is passed.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

Mr. Speaker, I move that we immediately transmit to the Senate any items waiting further action.

DEPUTY SPEAKER GODFREY:

Without objection, so ordered.

Representative Aresimowicz, I understand we have another Consent Calendar.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

We are. We are about to list off the bills that will be included in our second Consent Calendar for the evening, sir.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

I move -- I'd to add the following to the Consent Calendar. Calendar 426, Calendar 308, Calendar 438, Calendar 488 --

SB281

SB19

SB182

SB330

DEPUTY SPEAKER GODFREY:

Whoa, whoa, whoa.

REP. ARESIMOWICZ (30th):

I apologize, Mr. Speaker. The first number was  
427.

DEPUTY SPEAKER GODFREY:

So 427, thank you, sir. Proceed.

REP. ARESIMOWICZ (30th):

Calendar 476, as amended by Senate "A"; Calendar  
445, Calendar 514, Calendar 505, as amended by Senate  
"A"; Calendar 455, Calendar 456, as amended by Senate  
"A"; Calendar 322, Calendar 536, as amended by Senate  
"A" and Senate "B"; Calendar 430, Calendar 520, as  
amended by Senate "A" and Senate "B"; Calendar 538, as  
amended by Senate "A"; Calendar 424, as amended by  
Senate "A"; Calendar 439, as amended by Senate "A";  
Calendar 482, as amended by Senate "A"; Calendar 325,  
as amended by Senate "A."

Calendar 526, as amended by Senate "A"; Calendar  
509, as amended by Senate "A"; Calendar 532, Calendar  
502, as amended by Senate "A"; Calendar 421, as  
amended by Senate "A"; Calendar 431, as amended by  
Senate "A"; and Calendar 539, as amended by Senate  
"A."

- SB 194
- SB 402
- SB 324
- SB 45
- SB 221
- SB 257
- SB 201
- SB 389
- SB 418
- SB 438
- SB 427
- SB 260
- SB 208
- SB 424
- SB 241
- SB 14
- SB 106
- SB 322
- SB 410
- SB 217
- SB 477
- SB 429

DEPUTY SPEAKER GODFREY:

Is there objection to any of these items being placed on the Consent Calendar? If not, Representative Aresimowicz, would you like to move passage of the Consent Calendar?

REP. ARESIMOWICZ (30th):

Mr. Speaker, I want to remove Calendar 539.

SB429

DEPUTY SPEAKER GODFREY:

Please remove Calendar 539, Mr. Clerk.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move passage of the bills on the second Consent Calendar of the day.

DEPUTY SPEAKER GODFREY:

The question is on passage of the items on Consent Calendar Number 2.

Staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll on the second Consent Calendar of the day, House Consent 2. Please report to the Chamber immediately.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members  
voted?

If all the members have voted, the machine will  
be locked.

The Clerk will take a tally.

And the Clerk will announce the tally.

THE CLERK:

Consent Calendar Number 2.

Total Number Voting            147

Necessary for Passage            74

Those voting Yea                147

Those voting Nay                 0

Those absent and not voting      4

DEPUTY SPEAKER GODFREY:

The items on the Consent Calendar are passed.

(Speaker Sharkey in the Chair.)

SPEAKER SHARKEY:

The House will please come back to order.

Will the Clerk please call Emergency Certified  
Bill 5597.

THE CLERK:

**S - 672**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2014**

**VOL. 57  
PART 4  
1014 - 1339**

med/gbr  
SENATE

121

April 24, 2014

Senator Slossberg.

SENATOR SLOSSBERG:

Yes. Madam President, if there is no objection, I'd ask  
that this item be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Madam President, if the Clerk might call item from the Committee on the Higher Education, which is under matters returned from committee, Calendar page 30, Calendar 230, Senate Bill Number 402.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 30, Calendar 230, Substitute for Senate Bill Number  
402, AN ACT CONCERNING FACULTY REPRESENTATION ON THE BOARD  
OF REGENTS FOR HIGHER EDUCATION, favorable report of the  
Committee on Higher Education. There are amendments.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Yes, good evening Madam President.

THE CHAIR:

Good evening.

SENATOR CASSANO:

I would move the acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR CASSANO:

med/gbr  
SENATE

122  
April 24, 2014

Yes, Madam President. I believe the Clerk is in possession of an amendment, LCO 3358.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 3358, Senate "A" offered by Senator Cassano.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO.

Yes. This is a one-line, and I'll read the entire amendment: "In line 7, strike the word 'twenty' and insert in lieu thereof 'twenty-one.'"

THE CHAIR:

Thank you. Will you remark? Will you remark? If not, I'll try your minds.

On Senate "A," all in favor, please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

Senate "A" has passed.

SENATOR CASSANO:

Thank you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Yes, this is a higher education bill. It involves the service of vice chairs -- get my notes in order here. I just messed them up. Here it is. I'm sorry, Madam Chair. It's late in the day.

med/gbr  
SENATE

123  
April 24, 2014

The bill adds the vice chairman of the Faculty Advisory Committee as an ex officio non-voting member of the Board of Regents for Higher Education. I wasn't sure. It is the vice chair of the Faculty Advisory, and this would just be to the BOR.

THE CHAIR:

Will you remark? Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President. Madam President, I rise to support it. It has bipartisan support and should be passed. Thank you.

THE CHAIR:

Thank you very much.

Will you remark? Will you remark? If not, I'll call for a roll call vote on this.

SENATOR CASSANO:

Thank you, Madam Chair.

THE CHAIR:

Mr. Clerk, will you please call for a roll call vote, and the machines will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Roll call has been ordered in the Senate.

THE CHAIR:

Will all the Senators stay close to the Chamber as we'll have a Consent Calendar vote in a few - the next vote.

If all members - never mind. We're still waiting.

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

This is on Senate Bill Number 402 as amended.

med/gbr  
SENATE

124  
April 24, 2014

Total Number Voting	32
Necessary for Adoption	17
Those voting Aye	32
Those voting Nay	0
Those absent and not voting	4

THE CHAIR:

The bill has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Madam President, if the Clerk would now read the items on our second Consent Calendar so that we might proceed to a vote on that second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 7, Calendar 203, Senate Bill 321; on page 8, Calendar 266, Senate Bill 325 and Calendar 267, Senate Bill 326; on page 27, Calendar 167, Senate Bill 34; and on page 28, Calendar 189, Senate Bill 336.

THE CHAIR:

Thank you. Will you please call for a roll call vote on the second Consent Calendar, and the machine is open.

THE CLERK:

Immediate roll call has been ordered in the Senate on the second Consent Calendar for today. Immediate roll call ordered in the Senate.

THE CHAIR:

Senator Maynard, thank you.

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk, will you call the tally.

THE CLERK:

On the second Consent Calendar for today:

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**HIGHER EDUCATION  
AND  
EMPLOYMENT ADVANCEMENT  
PART 2  
359 - 893**

**2014**

Mr. Nair from AAUP.

VIJAY NAIR: Good morning.

REP. WILLIS: Good morning. Good to see you as  
always.

VIJAY NAIR: Senator Cassano, Representative Willis,  
and members of the committee, thank you for the  
opportunity to testify today.

My name is Vijay Nair and I am the president of  
the Connecticut State University American  
Association of University Professors. I am  
here to testify in support of S.B. 402, AN ACT  
CONCERNING FACULTY REPRESENTATION ON THE BOARD  
OF REGENTS FOR HIGHER EDUCATION.

Collaboration and communication between board  
members, faculty, and students are vital for  
the success of any system such as ours. To  
quote from my report from the Association of  
Governing Boards of Universities and Colleges,  
and I quote, 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 is not a privilege, it  
is a necessary part of decision-making in  
colleges and universities, end quote.

Many institutions allow faculty representation on their governing boards, including State University of New York, City University of New York, Colorado State University System, University of Florida, California State System, University of Tennessee, University of Kentucky, Rutgers University, University of Cincinnati, and Cleveland State University. Most of these, including SUNY, also have faculty representation on committees of their governing boards.

At present, the chairperson of the faculty advisory committee serves as an ex-officio, nonvoting member of the Board of Regents. So the faculty representation on the board has to be either an FAC member from the universities, or an FAC member from the colleges, but not both.

S.B. 402 will provide for equal representation of faculty from both the universities and the colleges as the positions of FAC chairperson and vice chairperson alternate between its members from these two systems. This is good policy.

We support S.B. 402, but wish that it would also provide for faculty representation on the committees of the board other than those that deal with personnel matters.

Almost all of the planning and policy decisions of the Board of Regents are made in committees, and we believe that meaningful participation of faculty in these committees will benefit the board, the institutions under it, and the public interest. There will be nothing to lose and much to gain. After all, ultimately it is the faculty who are responsible for educating

our students. No one understands the realities of the classroom better than they.

In conclusion, we believe that S.B. 402 is another step in the right direction and we thank you for raising it. We believe that meaningful participation by the faculty in decision-making is essential for the success of our system.

Thank you.

REP. WILLIS: Thank you.

Questions or comments from members of the committee?

I have a question regarding other states' processes regarding membership. You -- you mentioned several states. Are all of those states, are the members -- faculty members voting members or are they ex-officio?

VIJAY NAIR: In most cases they are ex-officio nonvoting members.

REP. WILLIS: Okay, and --

VIJAY NAIR: There may be some in which they vote, but generally they are nonvoting members.

REP. WILLIS: Okay. So are you advocating at this point to change the -- obviously, we feel that there should be a representative from the community colleges and the state universities -

VIJAY NAIR: Yes.

REP. WILLIS: -- on -- on the faculty, and we would agree with you there. And the present

situation is that there are ex-officio, but that does not include memberships on subcommittees. The other schools that you mentioned, their -- their boards, how are they set up? Are they on subcommittees?

VIJAY NAIR: Yes.

REP. WILLIS: All of --

VIJAY NAIR: Well, no. The ten that I mentioned in my testimony, out of that seven have faculty representation on the committees -- subcommittees.

REP. WILLIS: Okay.

Any other questions or comments from members of the committee?

Thank you very much.

VIJAY NAIR: Okay. Thank you.

REP. WILLIS: Judy Greiman, please.

JUDITH GREIMAN: Thank you, Madam Chair, and --

REP. WILLIS: You're done, Judy. The bell just -- it's over.

Good to see you. Good morning.

JUDITH GREIMAN: Good to see you. And thank you for allowing me to be here.

And I have two financial aid directors who are right after me on the sign-up, so I just asked them to come up here in case there are questions that we can all answer together.

Testimony before the Higher Education and Employment Advancement Committee  
March 11, 2014

Senator Cassano, Representative Willis, and Members of the Committee:

Thank you for the opportunity to testify today and I apologize for not being there in person, but my teaching schedule prohibits that. My name is Patricia O'Neill. I am a faculty member in the Department of Psychology at Western Connecticut State University. I am Western's representative to the Faculty Advisory Committee. I am also Chapter president of WCSU-AAUP. I submit this testimony in support of SB 402, An Act Concerning Faculty Representation on the Board of Regents for Higher Education.

The Connecticut State Colleges and Universities is a relatively new system. In this new system, the Faculty Advisory Committee has played an important role in helping to chart a course for the future. It was instrumental in working to design a Transfer and Articulation Policy that will contribute to a path of seamless transfer between our colleges and universities. Members of the FAC participated in the strategic planning process that was undertaken some time ago. The Association of Governing Boards (ASB) would describe these efforts as "positive or good interactions between faculty and boards" (Faculty, Governing Boards, and Institutional Governance, p.9).<sup>1</sup> One characteristic of a positive interaction between faculty and boards, according to the ASB, is that "faculty serve on the board or board committees and there are additional faculty who interact with the board" (Faculty, Governing Boards, and Institutional Governance, p.10).<sup>2</sup>

Last year, legislation was passed that allowed for the Chair of the Faculty Advisory Committee to serve as a non-voting, ex-officio member of the Board of Regents. SB 402 extends this by allowing the Vice-Chair of the FAC to also serve as a non-voting, ex-officio member. If this legislation is passed, it will ensure that there will always be representation from both the Colleges and Universities on the Board. Currently, there is representation from the Colleges, or the Universities, but not both.

Furthermore, it would also be important for faculty to serve on Board Committees. Decisions and policies that can have a major impact are often first considered in these Committees. Faculty should have a formal mechanism by which to participate and to offer the unique insights of those who work in the classroom. Such participation will

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<sup>1</sup> Schwartz, M., Skinner, R., & Bowen, Z. (2009). *Faculty, Governing Boards, and Institutional Governance*. Washington, D.C.: Association of Governing Boards of Universities and Colleges.

<sup>2</sup> *ibid*, p. 10

maintain and grow the positive interactions between the Board and faculty that are so important to an effective and productive governing relationship.

Thank you for your time and consideration.

Patricia O'Neill, Ph.D.

Faculty Advisory Committee

Chapter President, WCSU-AAUP

Psychology Department, Western Connecticut State University.

Testimony before the Higher Education and Workforce Development Committee

RE: S.B. 402 AN ACT CONCERNING FACULTY REPRESENTATION ON THE BOARD OF REGENTS FOR HIGHER EDUCATION

Submitted by Stephen Adair, Ph.D., Professor of Sociology, Central Connecticut State University, 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 11, 2014

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

I am here to urge your support for SB 402, An Act Concerning Faculty Representation on the Board of Regents, which would make the Chair and Vice-Chair of the Faculty Advisory Committee non-voting members of the Board of Regents.

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 of the FAC to serve as an ex-officio member of the Board.

Over the last couple of years, the FAC has been active and assisted in several important policies initiated by the Board. We made significant revisions to the Board's Transfer and Articulation policy (TAP) two years ago, which will improve the transfer of credits for students across the institutions in the system. We successfully lobbied the Board to insure a faculty vote on the new, common General Education framework under the TAP policy – a vote which went favorably. We coordinated faculty votes through campus governance bodies regarding the Board's strategic plan efforts that led to a revision of the mission and vision statement for the system. We have worked closely with the system's senior administration as a contributing voice in the initial planning and committee design to meet the requirements of PA 12-40, the developmental education bill passed last year. Just a week ago, through participation in the Academic and Student Affairs Committee, I was able to make several improvements in defining the code for students in a forthcoming student handbook.

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. Having faculty representation on the Board can only enhance its decision-making capacity, improve its legitimacy, and make our system of shared governance more responsive to the interests of all. As a faculty member at CCSU, however, I need to be informed and educated regarding the mission and conditions operating within the community colleges, and thus may not always serve as the most knowledgeable advocate for the community colleges. I believe the BOR would be better served with both the Chair and the Vice Chair serving on the board.

In SB 402, I recommend removing the reference to two year terms on the Board. The original legislation creating the FAC required the committee to rotate terms of office. By simply stipulating that the Chair and Vice Chair serve as ex-officio members of the BOR, you do not need to specify in SB 402 the length of service. Circumstances may arise in the FAC such that the committee may need to make changes in the leadership position. The current language in SB 402 may prevent us from making needed adjustment.

In passing SB 402, I believe this committee will be furthering its own intent behind the initial creation of the Faculty Advisory Committee, while improving the decision-making capacity of the Board of Regents.

I thank you for the initial opportunity to serve on the FAC, for raising this bill, and for hearing my testimony.



CONNECTICUT STATE UNIVERSITY  
AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

Testimony before the Higher Education and Employment Advancement Committee  
March 11, 2014

Senator Cassano, Representative Willis, and Members of the Committee.

Thank you for the opportunity to testify today. My name is Vijay Nair and I am president of the Connecticut State University American Association of University Professors (CSU-AAUP), which represents over 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. **I am here to testify in support of SB 402, *An Act Concerning Faculty Representation on the Board of Regents for Higher Education*.**

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" (Faculty, Governing Boards, and Institutional Governance, p.11).<sup>1</sup>

Many institutions allow faculty representation on their governing boards, including State University of New York, City University of New York, Colorado State University System, University of Florida, California State System, University of Tennessee, University of Kentucky, Rutgers University, University of Cincinnati, and Cleveland State University. Most of these, including SUNY, also have faculty representation on committees of their governing boards.

At present the chairperson of the Faculty Advisory Committee (FAC) serves as an ex-officio, nonvoting member of the Board of Regents. So the faculty representation on the Board has to be either an FAC member from the Universities or an FAC member from the Colleges, but not both. SB 402 will provide for equal representation of faculty from both the Universities and the Colleges, as the positions of FAC chairperson and vice chairperson alternate between its members from these two systems. This is good policy. We support SB 402, but wish that it would also provide for faculty representation on the committees of the Board, other than on those that deal with personnel matters. Almost all of the planning and policy decisions of the Board of Regents are made in committees and we believe that meaningful participation of faculty in these

<sup>1</sup> Schwartz, M., Skinner, R., & Bowen, Z (2009). *Faculty, Governing Boards, and Institutional Governance*. Washington, D C : Association of Governing Boards of Universities and Colleges

committees will benefit the Board, the institutions under it, and the public interest. There will be nothing to lose and much to gain. After all, ultimately it is the faculty who are responsible for educating our students. No one understands the realities of the classroom better than they.

**In conclusion, we believe that SB 402 is another step in the right direction and we thank you for raising it.** We believe that meaningful participation by the faculty in decision making is essential for the success of our system.

Thank you.

A handwritten signature in cursive script that reads "Vijay Nair".

Vijay Nair  
CSU-AAUP President