



Administration Committee
BOARD OF REGENTS FOR HIGHER EDUCATION
AGENDA – REGULAR MEETING
1st floor Boardroom, 39 Woodland Street, Hartford, CT

1:30 p.m., Friday, October 11, 2013

A meeting of the Administration Committee of the Board of Regents for Higher Education will be held at **1:30 p.m., Friday, October 11, 2013, in the 1st floor Boardroom at 39 Woodland Street, Hartford, CT.**

The agenda for the meeting is below.

- A. Approval of Meeting Minutes from [September 12, 2013](#)
- B. Policy regarding Interim Appointments Made by the Board of Regents
- C. BOR Affirmative Action and Equal Employment Opportunity Policy
- D. Update Classification and Compensation Study
- E. Update on Board of Regents Policies
- F. New Business
- G. Adjourn

Board members – Administration Committee

Naomi K. Cohen, Committee Chair

Yvette Melendez

Michael Pollard

**BOARD OF REGENTS FOR HIGHER EDUCATION
COMMITTEE ON ADMINISTRATION**

Minutes – Regular Meeting

1:30 p.m., Friday, September 12, 2013

1st Floor Boardroom, 39 Woodland Street, Hartford, CT

COMMITTEE MEMBERS PRESENT

Naomi Cohen, Committee Chair

Yvette Melendez

Michael Pollard

BOR STAFF PRESENT

Steven Weinberger, VP for Human Resources

Ernestine Y. Weaver, BOR Counsel

Erin Fitzgerald, Associate Director of Board Affairs

Leah Glende, BOR Administrator

ALSO PRESENT:

Cliff Williams, Chief Financial & Administrative Officer, Charter Oak State College

CALL TO ORDER, ROLL CALL, DECLARATION OF QUORUM

With a quorum present, Committee Chair Cohen called the meeting to order at 1:37 p.m.

APPROVAL OF MEETING MINUTES FROM JUNE 14, 2013

It was noted that a correction is needed on Page 5 of the previous minutes referring to Authorizing a General Wage Increase in 2014 the dates needed to be changed to reflect FY 14 not FY 14/15. It was indicated that the Compensation/Classification study will be awarded to Sibson Consulting. A typographical error listed the consultant as Simpson. There also were some minor editing changes that will be corrected.

The minutes as amended for the June 14, 2013 meeting were unanimously approved on a motion by Regent Pollard, seconded by Regent Melendez.

REVIEW AND ADOPTION OF THE BOARD OF REGENTS ETHICS STATEMENT

Committee members were provided the draft of the BOR Ethics Statement. Ernestine Weaver prepared a resolution and background modeled on the former CSU policy. It would cover all BOR board members, employees from all of the colleges and universities and the Board of Regents employees. This policy proposal was submitted for review to the State Ethics Department and it was in compliance to their standards. The policy includes nineteen (19) prohibited activities. This policy will supersede other previous Ethics Statements of the BOR constituent units. Discussion occurred regarding how the policy is disseminated to new employees and present employees.

Steve Weinberger stated that new employees receive policy information at the mandatory orientation session when they are hired and once the policies are approved by the Board they are added onto the website under the Human Resources tab and replicated by the colleges and universities.

Regent Melendez asked to prepare the top highlights and key pieces of the Ethics Policy to be handed out at the Board Meeting next week. Steve Weinberger indicated that the Public Officials Guide is published by the State yearly and that on-line training is provided to employees regarding State ethics requirements. Chair Cohen stated that if ethics training is required yearly to update employees on the Ethics Policy, we must assure that we will do that.

Motion was made to adopt the Board of Regents for Higher Education Ethics Statement and full disclosure to the Board, by Regent Pollard, seconded by Regent Melendez and passed unanimously.

REVIEW AND ADOPTION OF THE BOARD OF REGENTS POLICY CONCERNING NEPOTISM IN EMPLOYMENT

Committee members were provided the draft of the BOR Policy Concerning Nepotism in Employment. Ernestine Weaver indicated that the proposal as it relates to family members applies to a wider net of family members than the Ethics Statement. The Nepotism Policy Statement was modified from a former CSU policy incorporating the community colleges and Charter Oak College. Discussion occurred regarding Domestic Partnerships and the term co-habitation. Ernestine Weaver stated that terminology changed since same sex marriage is legal now in Connecticut and civil unions are no longer identified. The main focus of the policy remained on favoritism due to a professional position influence or relationship regarding employment, benefits or privileges.

Motion was made to adopt the Board of Regents for Higher Education's Policy Concerning Nepotism in Employment by Regent Pollard, seconded by Regent Melendez and passed unanimously.

DISCUSSION – POLICY ON INTERIM APPOINTMENTS/ABILITY TO APPLY FOR PERMANENT POSITIONS

Discussion ensued regarding the policy on employees serving as an interim President or high level administration appointments and their ability to apply and be considered for these positions. Examples of different situations at the colleges and universities when an Interim post was used were discussed. Some of the examples indicated whether the person in the Interim position had an unfair advantage or was not eligible to apply for the permanent position and how it differed case-by-case were discussed. Regent Melendez suggested the policy be for certain level positions since some collective bargaining agreements are clear about hiring process. Regent Pollard stated that the responsibility is not to soften the role for candidacy or prohibit people from the process. Steve Weinberger said the process needs to be an open competitive and fair meaningful process and that this is a complicated process and the terms and conditions have to be determined and the eligibility for applying can be written on a case-by-case basis.

Chair Cohen asked if a policy could be developed for the next Committee meeting addressing Interim Appointments to reflect case-by-case decision making. Steve Weinberger indicated that a policy can be developed.

UPDATE ON COMPENSATION AND CLASSIFICATION STUDY

Steve Weinberger provided an update to the committee members indicating that the procurement process has ended and Sibson Consulting was awarded the contract. Ernestine Weaver worked with staff to execute the contract and Steve said the source documents will be gathered for the Attorney General Office's approval. Three (3) representatives from Sibson Consulting met with Steve on a kick-off phone interview discussing the project and project timeline. The next step in the timeline is collecting the required data and working with the campuses for assistance with job specifications. Chair Cohen indicated that the campuses should have the opportunity to address the timeline schedule and data requests and asked when the process will be executed. The time schedule stated that Sibson Consulting wanted all of the job specifications by the end of October, 2013. Discussion occurred about the labor intensive process, the recommended method of review, budgetary concerns, potential copyright issues of the point system, and comparative data used in the study. Steve Weinberger indicated that Sibson Consulting stated that there are no copyright issues controlling the Willis System. Regent Melendez requested that we get the document about copyright issues in writing or by email exchange from Sibson. Steve Weinberger indicated it is an aggressive timeline but will have a report on this information completed by the end of the year.

NEW BUSINESS:

Chair Cohen and Ernestine Weaver discussed how the Administration Committee could proceed with new policy development. Ernestine indicated that she will create a listing of policies that need to be developed or revised with Dr. Gray. Some of the policies that she will review include Consulting and Research Policy, Consensual Relationship Policy, Sexual Conduct Policy, Sexual Violence Against Women Policy and Sexual Harassment Policy and Affirmative Action/Equal Employment Opportunity Policy and Working with Children at Campuses Policy. Ernestine stated she will begin with policies that have to do with Ethics first and begin to create, consolidate, recommend and merge old policies into one used for the whole system office using applied statutes and regulations.

Erin Fitzgerald and committee members reviewed committee meeting dates for the 2014 year. It was determined that the committee would meet on the first Friday of each month rather than on the 2nd Friday to allow more time for materials and actions of the committee to be prepared for the meetings of the full BOR which meets on the 3rd Thursday. Since the October and November 2013 meeting dates were previously scheduled they will stay on the second Friday of the month.

ADJOURN

With no further business to consider, the meeting was adjourned at 3:15 p.m. *on a motion by Regent Pollard, seconded by Regent Melendez.*

ITEM

The Board of Regents for Higher Education amends its “Human Resources Policies for Management and Confidential Professional Employees” to address certain terms and conditions of employment associated with interim appointments made by the Board.

BACKGROUND

A revision to the “Human Resources Policies” has been prepared to address certain terms and conditions of employment associated with interim appointments made by the Board of Regents; specifically, whether an interim appointee will be permitted to apply and compete for a permanent appointment to the position in question.

ANALYSIS

Under its enabling legislation, Connecticut General Statutes, Title 10a, Chapter 185, the Board of Regents is charged with the duty to appoint a President of the Board along with the Presidents of all seventeen ConnSCU institutions. From time to time, the need to make interim appointments to these positions presents itself and, when that occurs, the responsibility to do so devolves upon the Board as well. For the purpose of enhancing organizational clarity, such interim appointments should carry with them a determination as to whether the interim appointee will be permitted to apply and compete for a permanent appointment to the position in questions. Based upon experience, this determination should be based on a case by case basis and, with respect to the appointment of campus Presidents, a recommendation from the Board President would be made and considered.

RECOMMENDATION

That the Board of Regents approves an amendment to Article 5, Section 5.7 of its “Human Resources Policies” to address certain terms and conditions of employment associated with interim appointments made by the Board; specifically, whether an interim appointee will be permitted to apply and compete for a permanent appointment to the position in question.

CT BOARD OF REGENTS FOR HIGHER EDUCATION

RESOLUTION

concerning

**INTERIM APPOINTMENTS OF THE PRESIDENT OF THE BOARD OF REGENTS AND
PRESIDENTS OF ConnSCU CAMPUSES**

October 17, 2013

WHEREAS, Under its enabling legislation, Connecticut General Statutes, Title 10a, Chapter 185, the Board of Regents is charged with the duty to appoint a President of the Board along with the Presidents of all seventeen ConnSCU institutions; and

WHEREAS, On occasion, the Board makes interim appointments to the positions referenced above; and

WHEREAS, To enhance organizational clarity, such interim appointments should include a determination as to whether the interim appointee will be permitted to apply and compete for a permanent appointment to the position in questions; and

WHEREAS, the recommendation of the Board President as to this condition will be made and considered in connection with the appointment of ConnSCU campus Presidents; therefore, be it

RESOLVED, that Section 5.7 of the “Human Resources Policies for Management and Confidential Employees of the Board of Regents of Higher Education” is hereby amended by adding thereto the following paragraph, effective immediately:

Interim appointments of the President of the Board of Regents, University Presidents, and College Presidents, will contain a case by case determination as to whether the interim appointee will be permitted to apply and compete for a permanent appointment to the position in question. For interim appointments of University Presidents and College Presidents, a recommendation as to this condition shall be made by the President of the Board of Regents and considered by the Board.

A True Copy:

Erin A. Fitzgerald, Secretary
CT Board of Regents for Higher Education

STAFF REPORT ADMINISTRATION COMMITTEE

ITEM

The Board of Regents for Higher Education adopts an “Affirmative Action Policy Statement”.

BACKGROUND

This Affirmative Action Policy Statement has been prepared as required by section 46a-68 of the Connecticut General Statute which requires that all state agencies with 25 or more employees create an affirmation plan in accordance with Commission on Human Rights and Opportunities regulations. CHRO regulations require that affirmation action plans contain a policy statement.

ANALYSIS

The Board of Regents for Higher Education has developed and submitted for approval two affirmation action plans since the organization’s inception. The organization has been cognizant of providing a workplace free from discrimination, and has been compliant with affirmative action and equal opportunity. However, despite adherence to the practices and policies of its predecessor boards, the Board of Regents must formally adopt its own statement of policy in compliance with Connecticut State Agency Regulation 46a-68-33. The Policy Statement is necessary to formalize its commitment to maintaining a work environment free from influence or prejudicial behavior and sexual harassment and a workplace in which all terms, conditions, privileges and benefits are administered in an equitable manner.

RECOMMENDATION

That the Board of Regents for Higher Education in compliance with the provisions of Section 46a-68-33 approve the attached resolution to adopt and implement the “Affirmative Action Policy”.

CT BOARD OF REGENTS FOR HIGHER EDUCATION

RESOLUTION

concerning

STATEMENT OF AFFIRMATIVE ACTION

October 17, 2013

- WHEREAS, Section 46a-68 of the Connecticut General Statutes requires each state agency, department, board and commission with twenty-five, or more, full-time employees shall develop and implement, in cooperation with the Commission on Human Rights and Opportunities, an affirmative action plan that commits the agency, department, board or commission to a program of affirmative action in all aspects of personnel and administration, and
- WHEREAS, Section 46a-68-33 of the Connecticut Agency Regulations required that each affirmative action plan contain a policy statement; and
- WHEREAS, The Commission on Human Rights and Opportunities has twice approved the proposed Statement of Affirmative Action; and
- WHEREAS, The Board of Regents has established a process to create and adopt policy; therefore, be it
- RESOLVED, That the Board of Regents adopts the attached “Board of Regents for Higher Education, Affirmative Action Policy Statement” effective immediately.

A True Copy:

Erin A. Fitzgerald, Secretary of the
CT Board of Regents for Higher Education

**BOARD OF REGENTS FOR HIGHER EDUCATION
AFFIRMATIVE ACTION
POLICY STATEMENT**

As the statewide policy making authority for public higher education in Connecticut, the Board of Regents for Higher Education is committed to leading, by example, in the areas of equal employment opportunity and affirmative action. Additionally, the Board of Regents has been charged by state statutes (specifically Connecticut General Statutes 10a-10 and 10a-11) to promote representative racial and ethnic diversity among the students, faculty, administrators and staff at public institutions of higher education. The Board of Regents for Higher Education's policies also advances compliance with the Americans with Disabilities Act at all Connecticut state colleges and universities. Equal employment opportunity and affirmative action are essential to achieving higher education's twin goals of academic excellence and equity.

The Board of Regents for Higher Education recognizes that affirmative action is positive action undertaken with diligence and conviction to:

Overcome any remaining effects of past practices, policies or barriers to equal employment opportunity, and;

Achieve the full and fair participation of all protected class members found to be underutilized in the workplace, or adversely impacted by policies or practices.

The Board of Regents for Higher Education deems equal employment opportunity to be the employment of individuals without consideration of race, color, sex, religious creed, marital status, national origin, ancestry, intellectual disability, past or present history of mental disability, learning disability, physical disability, age, gender identity and expression or sexual orientation. The Board will not request or require genetic information from job applicants or employees, or otherwise discriminate against any person in employment conditions on the basis of genetic information. Additionally, the Department will not unlawfully discriminate against persons with a prior criminal conviction. Equal opportunity is the purpose and goal of affirmative action.

It is the policy of the Board of Regents for Higher Education to administer all personnel policies in manners that insure that there is no discrimination based upon race, color, sex, religious creed, marital status, national origin, ancestry, intellectual disability, past or present history of mental disability, learning disability, physical disability, age, genetic information, gender identity and expression or sexual orientation. The Board's personnel policies involve employment applications, job qualifications, job specifications, recruitment practices, job structuring, orientation, training, counseling, grievance procedures, evaluation procedures, layoffs and terminations. To ensure the full and fair participation of protected group members in the employment process the Employee Relations Office shall be consulted and shall monitor the complete employment process. In addition, the Affirmative Action Officer/Designee has sign off responsibilities in all aspects of the staff recruitment and selection process.

The Board of Regents for Higher Education recognizes the hiring difficulties experienced by the physically disabled and by many older persons. If necessary, the Board shall establish program goals within the Affirmative Action Plan for action eliminating hiring barriers and actively recruiting members from these groups, to overcome any remaining effects of past discrimination against these groups and to achieve full and fair participation of such persons in the workforce.

The Board of Regents for Higher Education shall explore alternative approaches wherever personnel practices have a negative impact on protected classes and establish procedures for the extra effort deemed necessary to assure that the recruitment and hiring of protected group members reflect their availability in the job market. To this end, the Board of Regents for Higher Education shall continuously review its personnel policies and procedures to ensure that barriers that unnecessarily exclude protected classes and practices that have a discriminatory impact are identified and eliminated. Recognizing that there are residual effects of past discrimination, the Board of Regents for Higher Education pledges not only to provide services in a fair and impartial manner, but also establish, through this policy, affirmative action and equal opportunity as immediate and necessary Board objectives.

The Board of Regents for Higher Education is committed to maintaining a work environment free from influence or prejudicial behavior and sexual harassment and a workplace in which all terms, conditions, privileges and benefits are administered in an equitable manner.

President, Dr. Gregory W. Gray the Chief Executive Officer for the Board of Regents for Higher Education, is committed to successfully implementing the Affirmative Action Plan within timetables set forth. The President assures that all employees, especially managers and professionals, understand the policies and their responsibilities for implementing such and take positive steps to ensure compliance with the plan, policy and procedures.

Leah Glende, is the appointed Affirmative Action Officer for the Board of Regents for Higher Education. The Affirmative Action Plan is available to all members of the workforce through the Employee Relations Office which is located at 61 Woodland Street, Hartford, CT 06105. Ms. Glende can be reached by telephone at (860) 723-0794 and email at glendel@ct.edu.

Federal and State constitutional provisions, laws, regulations, guidelines and executive orders that prohibit or outlaw discrimination, that identify each class of protected persons and that require and regulate the development of the Affirmative Action Program are attached.

Dr. Gregory W. Gray
President

Date