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**Connecticut State Colleges & Universities**  
Before the Higher Education and Employment  
Advancement Committee  
February 17, 2022

Senator Slap, Representative Elliott, Senator Witkos, Representative Haines, and members of the Higher Education and Employment Advancement Committee, thank you for the opportunity to testify before you on behalf of the Connecticut State Colleges and Universities today.

**SB 8 AN ACT CONCERNING THE UNFUNDED PENSION LIABILITY PORTION OF THE FRINGE BENEFIT COST FOR EMPLOYEES OF THE CONSTITUENT UNITS OF THE STATE SYSTEM OF HIGHER EDUCATION.**

This raised bill would require the Comptroller to pay for the unfunded pension liability component of CSCU's fringe benefits from the Comptroller's general fund appropriation. This would have a significant positive fiscal impact on the Connecticut State Universities, as well as UConn and UConn Health Center. With respect to the community colleges, funding provided in recent years for operating fund fringe benefits fully covered the unfunded liability portion of that system's fringes, but those funds require re-appropriation and must be continually adjusted up to keep pace with ever-growing fringe benefit rates. CSCU is extremely appreciative of that supplemental funding, and we strongly support requiring that state funding for other state employees' fringe benefit costs be expanded to cover the unfunded liability portion of fringe costs in public higher education.

Fringe benefits paid out of tuition funds are a very large expense across public higher education in Connecticut. We estimate that the total amount of fringe benefits paid out of CSCU's state university operating funds will be \$77 million this year. For the community colleges, operating fund fringe benefits will cost \$7.3 million, and \$2.1 million for Charter Oak State College. These costs are especially significant for the state universities who have had fund these growing costs out of dwindling tuition revenue.

The portion of these costs that covers amortization of unfunded pension and OPEB liability was \$11 million in FY 2020 for the CSUs. This amounts to \$355 added to the tuition and fees paid by every in-state student. For Charter Oak it was \$380,000. In FY20 the schedule for amortizing unfunded pension liability required the total payment of \$1.38 billion to increase by almost 30% to \$1.79 billion in 2023 and thereafter. This will translate into further brutal increases in unfunded liability payments due from tuition funds over these coming years. SB 8 would provide much needed relief.

CSCU also supports efforts to streamline and simplify the system for charging fringe benefits expenses against tuition funds, including unfunded pension liability, OPEB liability, and other benefits costs. While CSCU supports Connecticut's long-term efforts to pay down these intergenerational debts, we also welcome all legislative efforts to protect our students -- a generation that has nothing to do with our pension and OPEB problems -- from bearing this burden. Making these costs manageable and predictable will protect those students, strengthen public higher education across the state, and allow us to dedicate our resources more fully to student success.

### **HB 5030 AN ACT CONCERNING UNEMPLOYMENT BENEFITS FOR ADJUNCT FACULTY.**

This raised bill would require the Labor Department (DOL) to consider specific circumstances when determining whether an individual who performs instructional, research or principal administrative duties at an institution of higher education is eligible to receive unemployment compensation.

Beyond the potential new unemployment costs this will drive onto our students, CSCU opposes this bill due to impracticality in aligning the reporting requirements of the bill with the realities of the academic calendar, enrollment processes, and guarantees of work for adjunct faculty.

First, while adjunct faculty provide valuable and much needed expertise and instruction to our students, the nature of their work is fundamentally part time and contractual. Institutions determine need for adjunct instruction during any given semester based on the levels of student enrollment in individual course sections, and it is impossible to determine enrollment in course sections until shortly before the semester begins. This issue is only exacerbated at the community colleges where a significant portion of students do not register for their classes until after the semester has already begun.

Second, all offers of adjunct employment are contingent on course programming, allocation of individual funding, program modifications and full-time faculty availability. Under the terms of the proposed language there will never be a situation in which an adjunct has “reasonable assurance” of work in a future term beyond the existing process for offering employment contracts shortly before the start of each semester. Because of this, the report required in Subdivision 3 would identify that all our existing adjunct faculty at the end of one term have no reasonable assurance of future employment.

Additionally, much of the new reporting requirements from institutions of higher education to DOL are extremely onerous and will require the hiring of additional staff at each campus to ensure accurate reporting.

Finally, the language in which the appeals process within the UI program overrides the determination of CSCU in these matters, will cause the system and its tuition-paying students to bear significant additional cost, which will undermine the system’s commitment to affordability.

### **HB 5031 AN ACT CONCERNING VOTING RIGHTS FOR FACULTY MEMBERS OF THE BOARD OF REGENTS FOR HIGHER EDUCATION.**

This bill seeks to change the role of the faculty members on the Board of Regents for Higher Education (BOR) from nonvoting to voting members. Both CSCU and the Association of Governing Boards of Universities and Colleges (AGB) strongly oppose this bill for the ethical conflicts this creates.

The BOR is the governing body for the Connecticut State Colleges and Universities (CSCU), and currently consists of thirteen members appointed by the governor and legislative leaders, two are students chosen by their peers, and seven non-voting ex-officio members. Faculty are represented to the BOR through the Faculty Advisory Committee (FAC) which consists of ten voting members and 16 alternates. The FAC Chair and Vice Chair are elected by their members, and the chairmanship alternates each year between a representative of the community colleges and one from the universities. Both the FAC Chair and Vice Chair serve as ex-officio non-voting members of the BOR. The FAC is an advisory committee to

the BOR and it is able to bring information items to the full BOR through the standing committees of Board for consideration

Contrary to what you may hear, faculty within the CSCU system currently have more representation on the BOR than do their counterparts at the University of Connecticut and the majority of public institutions and systems of higher education in the country. While the FAC Chair and Vice Chair sit as non-voting members of the BOR, their counterparts at the University of Connecticut do not sit on their Board of Trustees. Even fewer institutions and systems have voting faculty members on their boards of governors. In fact, approximately 82% of public higher education boards of governors do not have voting faculty board members.

The rarity of extending full voting rights to faculty board members speaks to the legion of ethical and good governance challenges presented by permitting employees to sit on a governing board for the institution or system which employs them. That is why previous versions of this legislation would have created reasonable limits by prohibiting faculty members from participating in executive sessions related to personnel matters and from voting on collective bargaining negotiations or contracts. The legislation in front of you this year contains no such limits, only exacerbating potential conflicts of interest.

One need not look far to find examples of this conflict's potential to create real world issues. One of our current faculty BOR members is also a member of their bargaining unit's negotiating team. If this legislation had been in effect last year that member would not only have been permitted to sit in on executive sessions where sensitive and nonpublic information around the bargaining process (including negotiating tactics and positions) was discussed, they would have been permitted to vote on their own bargaining contract once that came to the full board for approval.

In addition to these conflicts on contracts, there is plethora of issues which come before the BOR where an employee of CSCU would have unavoidable and inherent conflicts. The BOR routinely votes on promotion and tenure, academic awards and grants which all impact specific individual faculty members, as well as broader things like human resources policies which impact all employees.

Beyond the broader ethical issues about whether or not faculty should be permitted to vote on their governing board, there are the board governance issues of how these faculty members would get selected to become voting members. This stands in stark contrast to the rigorous selection, vetting, and approval process that our appointed voting members go through.

Boards of governors for higher education are meant to be independent voices unencumbered by ethical obligations or considerations that may impact the way that they can vote or carry out their duties on the board. This is why most institutions do not permit employees to vote on their Board of Governors.

As a former faculty member myself, I not only sympathize but I value and appreciate how important faculty voices are on a BOR. Our current faculty members Professor Blitz and Professor Sesanker have been critical voices on important issues such as COVID protocols and vaccination requirements. However, as a faculty member I also understand how important it is to protect our faculty members and the institutions we all serve from the ethical conflicts and considerations of extending full board voting rights to faculty.

## **HB 5033 AN ACT ADDRESSING THE NEEDS OF FOODINSECURE STUDENTS AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION.**

We share the Committee’s deep concern for food insecurity among our students. In 2019, pursuant to your direction, we surveyed our students on this issue. At that time, more than 3,500 students responded, and the majority (67%) were students ages 18-24.

They confirmed what we knew anecdotally – food insecurity affects their ability to pursue higher education. Some key survey highlights:

- 54% worried whether food would run out before they got more money
- 97% said they cut the size of their meals or skipped meals to make food last longer (27% did that at least once a month)
- 60% said they could not afford to eat healthy meals

We all know that COVID 19 has only made the situation more acute. We would support regularly surveying students to keep on top of their needs and to inform our efforts to help address food insecurity through pantries and community partnerships.

Regarding the portions of the bill that refer to SNAP, we recommend that we build upon our relationship with the Department of Social Services (DSS) and rely on their expertise for determining actual eligibility. Students needs to connect to DSS to determine eligibility and to connect with services.

We enjoy a robust partnership with DSS. Together we have implemented SNAP Employment and Training (E&T) programs at each of our community colleges and we currently have over 200 SNAP E&T programs across our community college system. We look forward to continuing our work with DSS to expand the SNAP E&T programs available for our students and support that portion of Section 2 (e)(1) that includes identifying programs for inclusion in the SNAP E&T program with an eye toward expansion. Providing students with a credential that leads to a livable wage is a key part of addressing food insecurity.

In Section 4, we recommend against placing the outreach responsibility on the financial aid offices. First, they may not know which students are “potentially eligible” for SNAP. More important, however, that would leave out significant numbers of potentially eligible students. As you know, many of our students pursue very valuable credentials on the noncredit side and are not eligible for financial aid. Additionally, many students do not complete the FAFSA or pursue financial aid. Instead, we would suggest broader outreach to our student community and referrals to DSS.

## **HB 5034 AN ACT PROHIBITING AN INSTITUTION OF HIGHER EDUCATION FROM CONSIDERING LEGACY PREFERENCES IN THE ADMISSIONS PROCESS.**

This bill seeks to prohibit institution of higher education in Connecticut from considering legacy preferences in the admissions process. First, legacy preference has not been a practice at either our community colleges or at Charter Oak State College. While past use of legacy preferences has been reported at the State Universities, all four CSUs confirm that they no longer utilize legacy preference.

As this is not a practice in which any of our institutions engage, CSCU is not opposed the idea of prohibiting this practice. While we applaud the intent of this legislation, it does not appear to have a direct impact on our institutions.

**HB 5035 AN ACT CONCERNING IN-STATE TUITION FOR VETERANS AND ELIGIBLE DEPENDENTS.**

In January 2021, Congress passed Section 1005 of Public Law 116-315, which requires facilities approved for GI Bill benefits to waive the three-year time period requirement, mandated under USC 3679(c)(2)(A), to allow for in-state tuition and fee charges for beneficiaries under Chapters 30, 31, 35, and 33. The goal of this bill is to bring Connecticut state law into alignment with this federal law, which CSCU supports.