February 10, 2016

Chair Conway, Vice Chair Pinsky and Members of the Maryland Senate Education, Health and Environmental Committee:

Thank you for providing me the opportunity to testify before you on Senate Bill 332. I hope I can inform the dialogue on this legislation by providing a perspective from a national organization representing nearly 420 public, four-year college and universities with an orientation toward teaching, applied research, and regional economic development.

I have been president of the American Association of State Colleges and Universities (AASCU) since 2009. Our membership includes 36 systems of higher education, 38 historically black colleges and universities and 35 Hispanic-serving colleges and universities. In Maryland, AASCU members include the University System of Maryland and eight institutions within system: Bowie State University, Coppin State University, Frostburg State University, Salisbury University, Towson University, University of Maryland Eastern Shore, University of Maryland University College, and the University of Maryland, Baltimore County. We are also proud to be the national association representing Morgan State University.

At AASCU, we analyze state policy and advocate for state policy principles approved by our board, ratified by our membership, and published in an annual Public Policy Agenda. We have analyzed Senate Bill 332 within the framework of governance of public colleges and universities throughout the United States.

Senate Bill 332 represents a departure from a longstanding commitment in American higher education to system governance led by a citizen board. Traditionally, governors appoint university governing board members and the members are then subject to confirmation from state legislative bodies. Lawmakers are able to have a voice in university governance through the process of confirming or denying appointment to the board. Once confirmed, the state gives power to the system board to facilitate a search process for a university system chancellor, select a chancellor, evaluate the chancellor’s performance, and remove the chancellor if deemed necessary.
Currently, the Maryland system is not unlike other systems of higher education in the country. The chancellor possesses no independent authority to act that is not derived from the Board of Regents. However, we know of no state that has acted to politicize the governing process by expecting the entire legislative body of the state to determine the appointment of the president or chancellor of the public higher education system.

In the aftermath of alarming, disconcerting politicization of the University of North Carolina, Senate Bill 332 would invite political dynamics into the selection of the chancellor of the University System of Maryland. The uncertainties of state politics combined with an extended timeframe of an executive search requiring legislative approval could deter qualified candidates from considering the position. Selecting a nationally known, experienced higher education leader for a high-profile position like chancellor of the University System of Maryland is costly, difficult and time-consuming endeavor. This legislation would exacerbate that challenge.

Lastly, this legislation could also compromise the independence of the board and undermine its decision on one of its fundamental responsibilities. The chancellor would serve not only the board, but also the members of the legislature. The chancellor should work with the legislature on policy issues, subject to approval from the board, not for the legislature in potential conflict with the board.

The University System of Maryland remains one of the nation’s foremost systems of higher education, with a diverse mix of institutions that advance the economic, cultural, and political vitality of its state. Experienced, thoughtful, and creative leadership at the university system office remains essential to helping these institutions navigate the challenges of the 21st century, while also taking advantage of the opportunities to serve the public good and build a better future for the people of Maryland. I hope this committee acts in a way that will encourage the best and brightest to pursue the privilege of leading one of the most respected and distinguished systems of higher education in the country.

Sincerely,

Muriel A. Howard, Ph.D.
President