



STATE OF CONNECTICUT

BOARD OF TRUSTEES

FOR THE STATE COLLEGES

80 PRATT STREET - HARTFORD, CONNECTICUT 06103

AREA CODE 203 566-3040

MRS. BERNICE C. NIEJADLIK, CHAIRMAN
 JOHN F. ROBINSON, VICE-CHAIRMAN
 ERNEST A. JOHNSON, SECRETARY

EXECUTIVE SECRETARY
 J. EUGENE SMITH

RESOLUTION

concerning

INCREMENTS AND PROMOTIONS WITHIN THE STATE COLLEGES

December 3, 1971

WHEREAS, Section 10-109b of the 1965 Supplement to the General Statutes authorizes the Board of Trustees to "...fix the compensation... establish terms and conditions of employment and prescribe their duties and qualification...." of faculty and other personnel needed to operate the institutions within its jurisdiction. Therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes the State College presidents to begin processing annual increments effective November 15, 1971, and be it

FURTHER RESOLVED, that the Board requests the Executive Secretary, to cooperate with the Personnel Commissioner and the Office of the Attorney General to resolve the issue of such increments being paid retroactively to September 1, 1971; pursuing also the validation of promotions already approved by the Board of Trustees effective September 1, 1971.

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FACULTY PROMOTIONS AND INCREMENTS

The Higher Education membership of the CEA, concerned about the state's interpretation and implementation of the wage freeze as it affects college faculty salaries prompted Ray Rossomando, CEA President, to write to Mr. Henry Fagan, Chairman of the Board of Trustees for Regional Community Colleges, State Personnel Commissioner Edward Simpson, Mrs. Bernice C. Niejadlik, Chairman of the Board of Trustees for State Colleges and other concerned state officials. In his letter Rossomando, quoted the Office of Emergency Preparedness authorization of salary increases for academic promotions and state statutes as they effect the payment of annual increments.

Rossomando's letter has resulted in the following action: Promotions: Chancellor Hill of the Commission for Higher Education met with Commissioner Simpson to review the State's position on salary payments for faculty members who were granted promotions but had not been paid at the higher rate. Most other New England states are paying faculty for academic promotions in compliance with Federal guidelines. The CEA expects that salary increases tied to promotions will be made retroactive to the effective date of the promotion. Rossomando stated that the CEA is prepared to take all necessary steps to insure faculty rights in this matter. Increments: In a telephone conversation with Commissioner Simpson on November 17, 1971 Ron Erikson of the CEA Staff learned that state personnel had not yet approved the payment of the annual increment. However, after a lengthy discussion and review of appropriate Federal Pay Board guidelines, Commissioner Simpson agreed that payments of increments should be made, effective November 14. The Commission for Higher Education has already authorized payment of the increment for its ten-month professional staff.

The question of retroactivity has yet to be decided pending further clarification from the Federal Pay Board.

HOW SHOULD STUDENTS BE CHALLENGED IN COLLEGE?

The Annual Fall Conference of the CEA Department of Higher Education will be held December 3, 1971 at the Greenwich High School in Greenwich, Connecticut, beginning at 4:30 p.m.

The theme of this year's conference is "New Approaches to Learning" and will feature presentations from high school teachers using innovative teaching techniques and college-high school faculty dialogues.

To make your reservation for the conference, please notify Mrs. Joan J. Rogers at the CEA by December 1. The cost for dinner is \$3.50.

COMMUNITY COLLEGE BOARD CONSIDERS POLICY ON FACULTY EMPLOYMENT

At the November 15 meeting of the Board of Trustees for the Regional Community Colleges a resolution establishing guidelines and general policy for additional employment outside the system was discussed and tabled. The resolution was not acted upon because some members of the Board felt the enforcement provisions were not sufficiently strong.

The policy includes these examples of acceptable outside additional employment "teaching one additional course or taking one additional course at the graduate level or devoting time to other outside employment which is equivalent in total time and effort involved to a one-fourth teaching load." "Examples of unacceptable outside employment include teaching an extra course and taking a graduate course simultaneously, teaching two extra courses, or taking an employment which clearly takes more

COMMUNITY COLLEGE BOARD CONSIDERS POLICY ON FACULTY EMPLOYEMENT (Continued)

time and energy than teaching a one-fourth load on performing any professional responsibility beyond the equivalent of a one-fourth load."

The CEA opposes this proposed change and any other unilateral changes in policy now in existence and recommends that this matter be referred to the Personnel Policies Review Committee for their consideration. Further, the CEA questions the legality of the proposed policy and the limitations and regulation of the activities of the faculty once their responsibility to the college has been met. The restrictions it imposes represent an invasion of privacy and an infringement of the constitutional rights of the individual.

The following legal opinion obtained from CEA legal counsel has been forwarded to Mr. Fagan and other members of the Board of Trustees for Regional Community Colleges:

November 23, 1971

Thomas Mondani, Executive Secretary
Connecticut Education Association
21 Oak Street
Hartford, Connecticut 06106

Dear Mr. Mondani:

You have asked our opinion regarding the validity of restrictions placed upon employment of a teacher outside of his regular teaching hours.

It has long been established that the right to work for a living is "of the very essence of the personal freedom and opportunity that it was the purpose of the (Fourteenth) Amendment to secure." Truax v. Raich, 239 U.S. 33, 41 (1915). A teacher has the right to a private life, and the fact that he may work outside of school hours should be of no concern to his employer unless, in a particular case, it impairs his functioning as a teacher.

It is therefore my opinion that a uniform restriction regarding outside employment, without taking into account the effect of such outside employment upon performance as a teacher, is invalid.

Very truly yours,

/s/

Martin A. Gould

GENERAL ASSEMBLY'S EDUCATION COMMITTEE SCHEDULES HEARINGS

The General Assembly's Education will hear testimony regarding the restructure of public higher education December 3, 1971 commencing at 1:00 p.m. at the State Capitol in Hartford.

These hearings will provide legislators with the input they requested prior to their drafting a plan for the restructuring of public higher education.

One of the recommendations they will consider is that section of the Etherington Report relating to higher education which calls for the elimination of all existing boards and the creation of a strong Board of Regents.

The CEA-DHE Ad Hoc Committee, studying the reorganization of higher education is developing a position and will present their recommendations at the December 3 hearing.

deserving students of exceptional promise, provided the fees of not more than ten per cent of such students in each class in each year shall be so remitted. (1969, P.A. 530, S. 6.)

PART VII STATE COLLEGES

Sec. 10-109. Maintenance. Number of students. Degrees. The board of trustees of the state colleges shall maintain: * * * *Western Connecticut State College, Southern Connecticut State College, * * * Eastern Connecticut State College and Central Connecticut State College.* Said board shall offer at each of said colleges curricula which shall prepare persons who have successfully completed the same to teach in the schools of the state and, in addition, programs of study in academic fields. The number of students and the policies for admission in each college shall be determined by said board. Each of said colleges shall confer such degrees in education and in academic fields as are appropriate to the curricula of said college and as are usually conferred by the colleges, but no honorary degrees shall be conferred. (February, 1965, P.A. 330, S. 31; 1967, P.A. 142, S. 1; 296, S. 1.)

See Secs. 10-19, 10-322.

Sec. 10-109a. Board of trustees for state colleges. There shall be a board of trustees for the state colleges to consist of twelve members. In 1965, the governor shall appoint four members of said board to serve for a term of two years from July 1, 1965, four members for a term of four years from said date and four members for a term of six years from said date. Biennially thereafter the governor shall appoint four members of said board to serve for a term of six years from July first in the year of their appointment. The board shall, biennially, elect from its members a chairman and such other officers as it deems necessary. The governor shall fill any vacancy in the membership of the board by appointment for the balance of the unexpired term. The members of said board shall receive no compensation for their services as such but shall be reimbursed for their necessary expenses in the course of their duties. (February, 1965, P.A. 330, S. 29.)

Sec. 10-109b. Duties of state college trustees. Said board of trustees shall administer the state colleges, plan for the expansion and development of the institutions within its jurisdiction, and submit such plans to the commission for higher education for approval. The board may lease * * * such physical facilities as may be needed for proper operation of such institutions, subject to the approval of the commission, and may expend capital funds therefor if such leasing is required during the planning and construction phases of institutions within its jurisdiction for which such capital funds were authorized. The board may appoint or remove the chief executive officer of each institution within its jurisdiction, and with respect to its own operation the board of trustees may appoint and remove an executive secretary and executive staff. The board may determine the size of the executive staff and

the duties, terms and conditions of employment of said secretary and staff, subject to the approval of the commission. The board of trustees may employ faculty and other personnel needed to maintain and operate the institutions within its jurisdiction. Within the limitation of appropriations, the board shall fix the compensation of such personnel, establish terms and conditions of employment and prescribe their duties and qualifications. *Said board shall determine who constitutes its professional staff and establish compensation and classification schedules for its professional staff. Said board shall annually submit to the personnel policy board a list of the positions which it has included within the professional staff.* The board may appoint one or more physicians for the state colleges and shall provide such physicians with suitable facilities for the performance of such duties as it prescribes. After the approval by the commission of any plan of the board for development of a new state college, the board shall select the site for such new college with the advice of, and subject to the approval of, the commission. Within the limits of the bonding authority therefor, the board may acquire such site and construct such buildings as are consistent with the plan of development approved by the commission. (February, 1965, P.A. 330, S. 30; 1967, P.A. 751, S. 6; 1969, P.A. 530, S. 10; 592, S. 3.) Amendment of second sentence relative to expenditure of capital funds effective July 1, 1969; remainder effective October 1, 1969.

See Sec. 10-334.

Sec. 10-109c. Lease of state college land to private developers for dormitory construction. The board of trustees for the state colleges, with the approval of the governor, the commission for higher education and the commissioner of finance and control, may lease state-owned land under its care, custody or control to private developers for construction of dormitory buildings, provided such developers agree to lease such buildings to such board with an option to purchase. The plans for such buildings shall be subject to approval of such board and such leases shall be for the periods and upon such terms and conditions as such board determines, and such buildings, while privately owned, shall be subject to taxation by the town in which they are located. (1969, P.A. 564.)

Sec. 10-110. Expenditure of funds. Teachers. Practice schools. (a) The * * * board of trustees of the state colleges shall expend the funds provided for the support of state colleges and the practice schools associated therewith, appoint and remove their teachers and make rules for management; and shall, as provided in section 4-60, make to the governor a report of the condition of such colleges and the doings of said board in connection therewith. (b) *Said board may establish and maintain practice schools under teachers approved by it, in which the pupils of the state colleges shall have an opportunity to practice modes of instruction and discipline.* (February, 1965, P.A. 330, S. 32.)

Sec. 10-111. Practice schools. Section 10-111 is repealed. (February, 1965, P.A. 330, S. 33.)

See Sec 10-110(b).

INTERDEPARTMENT MESSAGE

STO-201 12-69

SAVE TIME: *Handwritten messages are acceptable.*

Use carbon if you really need a copy. If typewritten, ignore faint lines.

TO	J. Eugene Smith	AGENCY	Board of Trustees	DATE	Nov. 23, 1971
	Executive Secretary		for State Colleges		
FROM	Arnold W. Boynton	AGENCY	Board of Trustees	TELEPHONE	
	Fiscal Officer		for State Colleges		
SUBJECT	Faculty Increments				

I talked this morning with Joe Austin, Comptroller, University of Connecticut, regarding the present status of salary increases for Uconn faculty.

He has discussed the matter with

Mrs. Sally Woodward
 Office of Economic Preparedness
 Boston, Massachusetts
 Telephone (617-223-4271)

and obtained the following information:

1. Routine salary increases, within the 5.5% limitation, can be paid effective November 15, 1971.
2. A properly substantiated request for retroactive application of salary increases (increments) probably would be approved.
3. Promotions, at least as provided by Uconn, would be authorized.

Mrs. Woodward apparently is the authority with regard to the restrictions as applied to higher education.

Arnold

Arnold W. Boynton
 Fiscal Officer

AWB:pm



STATE OF CONNECTICUT

COMMISSION FOR HIGHER EDUCATION

P.O. Box 1320 - HARTFORD, CONNECTICUT 06101

AREA CODE 203 566-3912

November 26, 1971

TO: Mr. John Evans
Mr. Arnold Boynton
Dr. J. Eugene Smith
Mr. Lucian Lombardi
Dr. Edward T. Lynch
Dr. Kenneth Summerer
Dr. Searle F. Charles

FROM: W. Robert Bokelman

SUBJECT: Anniversary Increments

I have been in touch with Mr. Zalman Bass, Personnel Department, regarding the payment of anniversary increments to employees who would have received them if the wage-price freeze had not interfered.

After discussing this with Commissioner Simpson, Mr. Bass recommends that the units initiate requests for payments of anniversary increments to begin with the payroll period starting November 26, 1971. Such payments would be for those eligible employees whose anniversary increments were delayed by the freeze.

The matter of retroactive payments of anniversary increments has not been resolved and this matter will need to be decided as more information is received from the Federal Pay Board.

WRB:ja

RECEIVED

NOV 29 1971

BOARD OF TRUSTEES
FOR THE STATE COLLEGES



State of Connecticut

OFFICE OF THE COMPTROLLER

NATHAN G. AGOSTINELLI
Comptroller

WILLIAM J. DIANA
Deputy Comptroller

ADDRESS ALL COMMUNICATIONS TO
STATE COMPTROLLER
30 TRINITY STREET
HARTFORD, CONNECTICUT 06115

71-3b

November 23, 1971

MEMORANDUM

TO ALL PAYROLL AND PERSONNEL SUPERVISORS

SUBJECT: LONGEVITY PAYROLL FOR OCTOBER, 1971

The Internal Revenue Service has advised the State Comptroller that longevity payments may be made to those employees who became eligible for a longevity payment or for an increase in longevity payment subsequent to August 14, 1971, but on or before October 1, 1971.

A supplemental payroll should be prepared in accordance with the instructions contained in "PAYROLL PROCEDURE NO. 2" and forwarded to the Central Payroll Division as soon as possible. The payroll must show the employee's payroll number, name, retirement code, agency payroll control number and section number. In the case of an employee who is entitled to an increase in longevity payment, the amount shown on the payroll will be the difference between the amount of entitlement and the amount paid in October.

Only the mandatory deductions are required on this payroll (Withholding Tax, Social Security, and Retirement). Withholding Tax will be deducted at the rate of 20%. This payment is subject to Wage Execution, where applicable.

In the "Remarks" column show the service record on which payment is based for each employee eligible for the increased longevity payment, and also the amount of the October longevity payment, where applicable, as follows:

<u>TOTAL SERVICE</u>			<u>LONGEVITY PAID IN OCTOBER</u>
YRS. _____	MOS. _____	DATE REACHED _____	\$ _____

Nathan G. Agostinelli
NATHAN G. AGOSTINELLI
State Comptroller

BOARD OF TRUSTEES
FOR THE STATE COLLEGE

NOV 29 1971

RECEIVED



State of Connecticut

OFFICE OF THE COMPTROLLER

ADDRESS ALL COMMUNICATIONS TO
STATE COMPTROLLER
30 TRINITY STREET
HARTFORD, CONNECTICUT 06115

NATHAN G. AGOSTINELLI
Comptroller

WILLIAM J. DIANA
Deputy Comptroller

November 3, 1971

71-3a

MEMORANDUM

TO ALL PAYROLL AND PERSONNEL SUPERVISORS

SUBJECT: LONGEVITY PAYROLL FOR OCTOBER, 1971

As a result of a request by the State Comptroller, the President's Office of Emergency Preparedness has determined that longevity payments may be made to employees who became eligible for a longevity payment or for an increase in longevity payment, provided the eligibility was reached before August 15, 1971.

A supplemental payroll should be prepared in accordance with the instructions contained in "PAYROLL PROCEDURE NO. 2" and forwarded to the Central Payroll Division as soon as possible. The payroll must show the employee's payroll number, name, retirement code, agency payroll control number and section number. In the case of an employee who is entitled to an increase in longevity payment, the amount shown on the payroll will be the difference between the amount of entitlement and the amount paid in October.

Only the mandatory deductions are required on this payroll (Withholding Tax, Social Security, and Retirement). Withholding Tax will be deducted at the rate of 20%. This payment is subject to Wage Execution, where applicable.

In the "Remarks" column show the service record on which payment is based for each employee eligible for the increased longevity payment, and also the amount of the October longevity payment, where applicable, as follows:

<u>TOTAL SERVICE</u>			Longevity Paid in October
Yrs. _____	Mos. _____	Date Reached _____	\$ _____

The payment of the amount of entitlement reached during the freeze period minus the amount paid in October at the April 1, 1971 level will depend on policy to be determined under Phase II of the President's program. Agencies will be informed of any development in this matter.

Nathan G. Agostinelli
NATHAN G. AGOSTINELLI
State Comptroller

RECEIVED

NOV 29 1971

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FOR THE STATE COLLEGES



State of Connecticut

NATHAN G. AGOSTINELLI
Comptroller

OFFICE OF THE COMPTROLLER

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HARTFORD, CONNECTICUT 06115

WILLIAM J. DIANA
Deputy Comptroller

November 23, 1971

GENERAL LETTER NO. 637

TO: THE HEADS OF ALL STATE AGENCIES

ATTENTION: Payroll and Personnel Supervisors

SUBJECT: ANNUAL INCREMENTS

The State Comptroller has been informed by the Internal Revenue Service that annual increments provided for in the State's pay plan are not affected by the restrictions imposed by the President's Office of Emergency Preparedness regarding pay increases.

The annual increments due January 1, 1972, should be processed in accordance with presently existing procedures.

Increases in Group Life Insurance should be reported as outlined in General Letter No. 635, based on the inclusion of the annual increments due January 1, 1972.

Nathan G. Agostinelli
NATHAN G. AGOSTINELLI
State Comptroller

NGA/CEM:lc