February 17, 2012

**USM TESTIFIES AGAINST EXPANSIVE INFORMATION TECHNOLOGY BILL**

On Tuesday, members of the House Appropriations Committee held a hearing on House Bill 310. The bill would prohibit an academic institution from requiring a student or an applicant for admission to provide the institution with access to the student’s or applicant’s personal Internet site or personal electronic account through an electronic device; disclosing any user name, password, or other means for accessing a personal Internet site or personal electronic account through an electronic device; or installing on a student or applicant’s personal electronic communications device software that monitors or tracks the content of the device.

The bill also prohibits an academic institution from refusing to allow a student to participate in activities sanctioned by the academic institution because of the student’s refusal to comply with a request by the institution for access or specified software installation.

A panel of USM information technology experts testified in opposition to House Bill 310. They included: Don Spicer, Associate Vice Chancellor & CIO, University System of Maryland; Gerry Sneeringer, Director of Security & Campus IT Security Officer, University of Maryland, College Park; Jerry Waldron, Chief Information Officer, Salisbury University; and Michael Waddell, Director of Athletics, Towson University.

The bill’s sponsor and other supporters turn to a situation outside of the state of Maryland as the impetus for the bill. In 2011, the University of North Carolina (UNC) updated its Department of Athletics Policy on Student-Athlete Social Networking and Media Use.
The policy requires each team to “identify at least one coach or administrator who is responsible for having access to and regularly monitoring the content of team members’ social networking sites and postings.” The policy was apparently in response to a National Collegiate Athletic Association (NCAA) Notice of Allegation (NOA) that alleged, among other things, that the institution failed to “monitor social networking activity that visibly illustrated potential amateurism violations within the football program, which delayed the institution’s discovery and compounded the provision of impermissible benefits...” The NCAA investigation was apparently triggered by the “Tweets” from a former UNC football star.

USM officials testified that policies on the Acceptable Use of Information Technology Resources require that everyone in the university community using IT resources abide by security standards set forth by the chief information officers. The rules for student use of our network are one such standard. Students are told they must ensure that their computers are equipped with appropriately updated anti-virus software and install the security updates issued by their software vendors. House Bill 310 would prevent the institutions from requiring the use of security software on student-owned devices that seek to connect to our networks. Anti-virus software, in particular, is software that monitors the content of the files on the electronic device. This would have the impact of increasing, not decreasing, the threat to student privacy.

UMCES HEARING YIELDS POSITIVE PROJECTIONS FOR INSTITUTION’S FUTURE

On Thursday, the University of Maryland Center for Environmental Studies (UMCES) presented testimony before the House Appropriations Subcommittee on Education and Economic Development. UMCES President Donald Boesch took the opportunity to highlight some recent developments that have received regional and national attention. DLS began the hearing by reporting that UMCES’ Chesapeake Bay Restoration Projects have increased to 185 in fiscal year 2011 and are understood to have been a direct contributor to the overall improvement of the bay’s health. DLS then asked UMCES to comment on its intention to move toward degree-granting status after researching the possibility of attaining accreditation as a graduate degree-granting institution.

Dr. Boesch began his testimony by lauding the fact that UMCES’ tracking of multiple indicators of ecosystem health is being presented as “annual report cards for the Chesapeake and its tributaries, Maryland’s Coastal Bays, Deep Creek Lake, Baltimore Harbor, and places as far away as the Gulf of Mexico and the Great Barrier Reef.” These indicators have also been “formally incorporated” into Maryland’s BayStat indicators and are being used by the Maryland Department of the Environment. Boesch also highlighted the fact that UMCES Director of the Chesapeake Biological Laboratory Dr. Thomas Miller’s prescription to limit the harvest of female blue crabs late in season has exceeded scientists’ conservative predictions in restoring the blue crab population.

Dr. Boesch briefly discussed the UMCES Maritime Environmental Resource Center’s dedication of a 155-foot research barge for testing ballast water treatment technologies.
This initiative was established in part by the Maryland Port Authority and is also supported by the U.S. Maritime Administration, the National Oceanic and Atmospheric Administration, and the American Bureau of Shipping. This is expected to provide cutting-edge research to the development, evaluation, and adoption of ballast water and other environmental treatment strategies.

In response to DLS questions, Dr. Boesch began first by opposing the DLS recommendation for an $11.6 million cut to the University System of Maryland. He followed by explaining the rational for UMCES to seek accreditation. “Accreditation may…make it easier for UMCES to offer professional development courses that contribute to the workforce development and to compete for certain federal research and training grants,” Dr. Boesch said. He continued by concluding that UMCES has no interest in becoming another university with undergraduate programs or graduate degrees in other fields.

Dr. Boesch finished by thanking the Appropriations Committee members for their continued support of UMCES and their understanding for the need of a research-intensive institution for environmental analysis.

**Upcoming 2012 Legislative Budget and Bill Hearing Schedule**

**HB 696**  
House Appropriations  
**FEBRUARY 21**  
1:00 p.m.  
Institutions of Higher Education – Hiring of Outside Legal Counsel – Requirements

**HB 746**  
House Appropriations  
**FEBRUARY 21**  
1:00 p.m.  
Institutions of Postsecondary Education – Electronic Account, Service, and Communications Device Privacy Protection

**February 22nd**  
House Education and Economic Development Committee  
1pm  
• University System of Maryland Office Budget Hearing

**HB 529**  
House Environmental Matters  
**FEBRUARY 22**  
1:00 p.m.  
Environment – Local Stormwater Management Charges – State Property
February 23
TBA
1pm
  - Issue Hearing

February 27
Senate Education, Business, and Administration Committee
1pm
  - University System of Maryland Office/University of Maryland Center for Environmental Studies Budget Hearings

SB 434
Education Health and Environmental Affairs
FEBRUARY 29
1:00 p.m.
Institutions of Postsecondary Education - Electronic Account, Service, and Communications Device Privacy Protection

SB 592
Education, Health and Environmental Affairs
FEBRUARY 29
1:00 p.m.
State Government - Public Information Act - Public Institutions of Higher Education - Permissible Denials

SB 601
Education, Health and Environmental Affairs
FEBRUARY 29
1:00 p.m.
Sponsored By Senator Gladden
Public Institutions of Higher Education - Waiver of Tuition - Individual Exonerated After Wrongful Conviction

SB 608
Education Health and Environmental Affairs
FEBRUARY 29
1:00 p.m.
Maryland Higher Education Commission - Employees and Children - Tuition Waiver

SB 675
Budget and Taxation & EHEA
MARCH 21
1:00 p.m.
Tuition Cap and College Opportunity Act of 2012
SB 687  
Education Health and Environmental Affairs  
FEBRUARY 29  
1:00 p.m.  
Higher Education - Academic Program Action - Repeal of Application Fees

SB 728  
Education Health and Environmental Affairs  
FEBRUARY 29  
1:00 p.m.  
Higher Education - Tuition Waiver - Children of Law Enforcement Officers Killed in the Line of Duty

SB 808  
Education Health and Environmental Affairs  
FEBRUARY 29  
1:00 p.m.  
Graduate Level Education - Exemption from Paying Nonresident Tuition - Members of the United States Armed Forces

SB 809  
Senate Budget and Taxation  
Sales and Use Tax - Tax-Free Periods - University and College Textbooks

SB 839  
Education Health and Environmental Affairs  
FEBRUARY 29  
1:00 p.m.  
College Affordability and Innovation Act of 2012

SB 859  
Senate Finance  
Higher Education - Collective Bargaining - Tenured Faculty, Adjunct Faculty, and Graduate Student Employees

March 1st  
Senate Education, Business, and Administration Committee  
1pm

• University of Maryland, College Park/University of Maryland, Baltimore/Coppin State University Budget Hearings

March 5th  
House Appropriations Committee  
3pm
• University of Maryland, College Park/University of Maryland, Baltimore/Coppin State University Budget Hearings

March 6th
Senate Budget and Tax Committee
1pm

• Senate Operating Budget Decisions

March 6th
Senate Budget and Tax Committee
4pm

• Senate Capital Budget Decisions

March 13th
House Appropriations Committee
1pm

• House Operating Budget Decisions

March 14th
House Appropriations Committee
4pm

• House Capital Budget Decisions

March 26th
Joint Senate and House Committee
TBD

• Budget Conference Committee Begins

April 9th
12am

• 2012 Session Ends