February 10, 2012

BILLS HOPE TO SPEED COMMERCIALIZATION AND TECHNOLOGY TRANSFER EFFORTS AT USM INSTITUTIONS

On Tuesday, Senate Bill 239 was heard in Senate Finance Committee. The bill establishes the Maryland Innovation Initiative within the Maryland Technology Development Corporation (TEDCO). The goal of Senate Bill 239 is to promote technology transfer from Maryland's public and private nonprofit research institutions to the private sector.

More specifically, the initiative authorizes grant funding to qualifying universities to promote the commercialization of technology developed at the institution and requires USM to undertake qualified "high impact development Activities." High Impact Development Activities are activities that create or facilitate: 20+ new jobs; the award or completion of $100M in externally funded research; the establishment or relocation of one or more new companies to Maryland; the production of at least $100M of revenue per annum; the licensing or potential commercialization of a promising new technology; an academic program to meet workforce demand in a documented labor shortage field; and promote the economic interests of the State USM shall use its powers as a Public Corporation.

The bill also requires the Board of Regents to adopt policies to establish high impact development activities. Finally, the bill alters the review and approval process for certain types of higher education contracts by the Board of Public Works.

The companion bill to Senate Bill 239 is House Bill 442. House Bill 442 is scheduled for a hearing on February 14th in House Economic Matters at 1pm.

USM supports both Senate Bill 239 and House Bill 442.

UNIVERSITY SYSTEM SEEKS AMENDMENT TO JOIN AGENCY OFFICIALS IN REPORTING SUSPECTED ABUSE

On Wednesday, USM Vice Chancellor PJ Hogan testified before the Senate Judicial Proceedings Committee to express USM support **of** a proposed amendment to Senate Bill 63.

Senate Bill 63 adds medical examiners and parole and probation agents to those workers who, when acting in a professional capacity, are required to report suspected incidences of child abuse or neglect.

The USM amendment would allow the USM presidents and the chancellor to carry out appropriate actions following a report of suspected child abuse committed by: a current employee; a contractor, employee of a contractor, or volunteer of the institution who has on-campus contact with children; in connection with an institution sponsored, recognized or approved program, camp, or other activity; or on institution property.

In the wake of the Penn State child abuse tragedy and ensuing scandal, the USM has re-doubled its efforts to ensure that our institutions are doing everything they can to protect the safety of children on our campuses. This amendment is an important element in our ability to respond effectively when one of our institutions bears accountability for suspected child abuse or neglect that implicates its personnel or programs.

The USM for many years has had strong policies supporting the voluntary reporting by employees, students, and others of abuse and misconduct on our campuses and protecting those who make such reports. On December 9, 2011, the Board of Regents strengthened those safeguards with approval of a new policy that specifically addresses the mandatory child abuse and neglect reporting requirements of the Family Law Article. The USM has followed up on that policy action with a range of efforts to ensure both full compliance with the reporting law and effective response when reports involving the USM community are made.

The proposed amendment is intended to remove a significant existing obstacle to that effective response. The obstacle arises from the current statute on the confidentiality of child abuse reports (Human Services Article Section 1-202). The need for strong confidentiality protections for the reporters and victims of abuse, and those who may be unjustifiably accused, is clear. However, records and reports of child abuse and neglect, including the outcome of a Child Protective Services investigation itself, generally cannot be shared with the organization employing or otherwise accountable for the alleged abuser unless the organization has either a court order or a specific statutory exemption from the general confidentiality rule. Most agencies and entities that work with children

already have obtained exemptions authorizing them to receive information regarding child abuse investigations and related reports related either to their ability to serve abused children or to take appropriate personnel or other action with respect to an abuser; these include public and private school systems, child care centers, hospitals, treatment programs, and other organizations.

The narrow amendment proposed by the USM would simply add public higher education institutions to this long list of organizations that can receive reports and records when needed by an institution to take appropriate action regarding an alleged abuser. For obvious reasons, when abuse is alleged by an institution employee, contractor, or volunteer, or when it occurs in USM facilities or in connection with a USM-sponsored program, it is essential that the institution must be able to confirm an appropriate report has been made to Child Protective Services. Then, after the CPS investigation is completed, the institution needs to know the outcome of that investigation in order to take any required personnel or administrative action.

The amendment will strike a careful balance between the equally important goals of protecting the confidentiality of this most sensitive information and allowing our institutions to act effectively to protect young people on our campuses.

Upcoming 2012 Legislative Budget and Bill Hearing Schedule

February 13th
TBA
1:30

ISSUE HEARING

HB 442
House Economic Matters and Appropriations Committee
FEBRUARY 14th
1pm
Maryland Innovation Initiative

HB 310
House Appropriations Committee
FEBRUARY 14th
1pm
Internet and Electronic Account Privacy Protection Act

SB 476
Education Health and Environmental Affairs
FEBRUARY 15
2:00 p.m.
State Government - Financial Education and Capability Commission

February 16th
House Education and Economic Development Committee
1pm

- University of Maryland Center for Environmental Studies Budget Hearing

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

HB 751
House Appropriations
FEBRUARY 21
1:00 p.m.
University System of Maryland – Law School Clinics – Prohibited Activities

February 22nd
House Education and Economic Development Committee
1pm

- University System of Maryland Office Budget Hearing

February 23rd
TBA
1pm

- Issue Hearing

February 27th
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 AffairsHearing
FEBRUARY 29
1:00 p.m.
Higher Education - Academic Program Action - Repeal of Application Fees
Committee

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