Bill as Introduced

CHAPTER 325

SB 470- FINAL VERSION

4/20/00 4177s

17may00.....4409h

2000 SESSION

00-2833

03/09

SENATE BILL ***470***

AN ACT relative to the duties of the commission on the status of community-technical education.

SPONSORS: Sen. Johnson, Dist 3; Sen. D'Allesandro, Dist 20; Rep. Turner, Belk 7

COMMITTEE: Education

AMENDED ANALYSIS

This bill expands the duties of the commission on the status of community-technical education established in 1998, 272 to include studying the feasibility of allowing the regional community-technical college board of trustees to appoint and fix the compensation of the presidents of the regional community-technical colleges.

- -

Explanation: Matter added to current law appears in ***bold italics.***

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT relative to the duties of the commission on the status of community-technical education.

Be it Enacted by the Senate and House of Representatives in General Court convened:

325:1 Commission on the Status of Community-Technical Education; Duties Expanded. Amend 1998, 272:37, II to read as follows:

II. The areas of study shall include, but are not limited to:

(a) The classified state employee classification series.

(b) The rights and benefits provided to all faculty and staff of the New Hampshire regional community-technical colleges including wages, insurance, pension, personnel rules, and bargaining rights.

(c) ***The feasibility of allowing the regional community-technical college board of trustees to appoint and fix the compensation of the presidents of the regional community-technical college system.***

(d) Any other area of inquiry that the commission deems relevant or necessary to its main purpose.

325:2 Effective Date. This act shall take effect upon its passage.

(Approved: June 21, 2000)

(Effective Date: June 21, 2000)

LBAO

00-2833

4/20/00

SB 470 FISCAL NOTE

AN ACT relative to the administrative authority of the board of trustees for the regional community-technical colleges.

FISCAL IMPACT:

The Department of Regional Community Technical Colleges indicates this bill may increase state expenditures by an indeterminable amount beginning in FY 2001 and each year thereafter. There will be no fiscal impact on state, county and local revenue or county and local expenditures.

METHODOLOGY:

The Department indicates this bill allows the Board of Trustees to increase the salaries of the presidents of the colleges and the institute above what is currently in statute. Although the Board is concerned about current salaries, no specific recommended increases have been determined.

Committee Minutes

Time: 9:30 a.m.
Date: April 19, 2000
Room: 105-A - State House

The Senate Committee on **Education** held a hearing on the following:

SB 470

(New Title) relative to the duties of the commission on the status of community - technical education.

Members of Committee present:

Senator McCarley
Senator Eaton
Senator Disnard
Senator Johnson
Senator Larsen

The Chair, **Senator Caroline McCarley,** opened the hearing by calling on the prime sponsor of the bill, Senator Johnson, as the first speaker.

Senator Carl R. Johnson, D. 3: Since the passage of **Senate Bill 503,** I've been very pleased with the positive results that have been occurring. This has happened because there was a collaborative effort by all of the stakeholders to bring this system into the 21st Century.

Senate Bill 470 further enhances that position by focusing on the new mission statement – which is as follows:

The New Hampshire Community Technical College System will provide comprehensive, market driven, accessible, quality programs of higher education and services that respond to the needs of students, businesses and communities.

In order to continue the success already attained, I believe that the board of trustees should have the authority to administer to and organize each institution and appoint and fix the compensation of the presidents of the colleges – subject to the Executive Council approval

Senate Bill 470 was approved by the **Commission on the Status of Community Technical Education** by an overwhelming majority. I believe that success breeds success and we must continue to match the resources with the demands for the success of the programs that are offered by the colleges.

Thank you.

Senator Caroline McCarley, D. 6: Thank you.

I will now call on Commissioner DuBois.

Commissioner Glenn DuBois, Community Technical College System: **Senator Johnson** read to this committee, our new mission statement – which I carry around on my business card. We are prepared to engage in an initiative that will hopefully double the number of graduates in this sector 10 years from now.

I think it is clear from the research conducted by the **University of New Hampshire** and sponsored by the **Business and Industry Association**, that this economy – if it is going to sustain itself, requires that we double the number of graduates out of our college sector.

As **Senator Johnson** indicated, our mission is really focused on unmet community needs. In those communities, of course, are two important stakeholders' perspective students and businesses.

Senate Bill 503 started a process that gave the **Community Technical College** sector some flexibility. This particular bill would add to that process in giving this sector some added flexibility by strengthening the board of trustees.

Incidentally, it was **Senate Bill 503** that created a new board of trustees. And, that board has been meeting for approximately a year and a quarter. They have been to every campus in the system. They meet monthly and I can assure you that there are 16 very highly qualified, good New Hampshire people serving as voting members of that board.

There's another piece of this bill that's extremely important and that's the salary issue for the presidents. Currently, our presidents' salary is not competitive in the event that we conduct searches – in which this system will have to do from time to time.

So, this particular reference in this bill would give the board the authority to recommend an appropriate salary schedule for presidents. You'll notice that it's not for me. It's for the college presidents. It's a very, very tough job these days.

I might just add a couple of other references. I had been working with the study commission that **Senator Johnson** stated in his remarks. And, they had been meeting approximately about a year and it had several town meetings and other hearings.

Many issues have come to them – including this particular issue of salary. I have indicated to the members of that commission as I will indicate to the members of this committees that the board, today, has no recommended number for a salary for the presidents. However, they are terribly concerned about the inadequacy of the current salary.

And, any salary recommendation – should it be approved by the executive council – will be paid for not out of the general fund. We will raise the money through other revenue and we will not raise it on the back of students by increasing tuition should the legislature continue to give us an adequate budget.

Our tuition has been frozen at its current level for 3 years. It is the highest tuition – community college tuition, in the nation. We need to keep it at its current level for as long as we can and we're confident that we can do that through growth.

So, we're not asking today for general fund increases. On this particular issue of the salary, we will raise the money through growth. We're competent that we can double the number of graduates within 10 years.

You've created a board of trustees. They are very, very good people – highly competent – highly qualified. From time to time – given our mission and how dynamic it is and given our confidence that we're going to grow, this board will need to look at our structure. I can also say that there have

been some concerns about our current structure, but there is no hidden plan here should the board have this authority to reconfigure the system in a very dramatic way.

There is no hidden plan to reconfigure this system in any dramatic way. There is a process currently being conducted by the board that's looking at our organizational structure in view of our mission and in view of our competence that we're going to grow substantially.

Senator Sylvia B. Larsen, D. 15: Can you tell me if the current compensation of the presidents' is set and how is it set at this point?

Commissioner DuBois: It is set....I have my human resource director behind me. She knows a lot more about the salaries than I do. But, it is approximately **$62,000** a year. The **Anderson Consulting Group** conducted a nationwide study of community college presidents' based on data that comes from **1997**. The salary was **$117,000** plus other benefits. That salary has increased. We're probably **40%** to **50%** below the national community college presidential salary.

Senator Sylvia B. Larsen, D. 15: My real question was aiming toward the process. Is it established through the statutes – the way we set the salaries of state employees?

(From the Floor): Yes, our presidents are unclassified personnel. They're established through the unclassified salary schedule.

Senator Caroline McCarley, D. 6: Can we get you to identify yourself for the transcript, please?

(From the Floor): My name is **Sarah Sawyer**. I'm the **Director of Human Resources** for the **New Hampshire Community Technical College System.**

In response to the question, our presidents are currently unclassified personnel. Their positions are established through our legislation as well as any salary increases are subject to salary increases for unclassified personnel.

Their actual salary is **$63,700.**

Senator Carl R. Johnson, D. 3: Just to follow up on **Senator Larsen's** question. We just hired a superintendent at our small **Inter-Lakes School District** for **$77,000.**

Senator Sylvia B. Larsen, D. 15: Maybe you can tell me the way the university system college president's salary is set. It is, I assume, unclassified.

Sarah Sawyer: Actually, they are set by the board of trustees. Salaries are appointed and fixed by the board of trustees.

Just as another note, the Commissioner refered to the fact that the recruitment process is difficult. It truly is. I coordinated a national search for our recent vacancy for the presidential position of our **Manchester/Stratham Community Technical College**. We received **28** applications through a national search for this position.

After narrowing down – based on our criteria, we selected to interview 10 candidates. Of the 10 candidates, we only interviewed 3 because the remaining 7 dropped out because of salaries – due to significant cuts that they would need to take.

So, what occurred is that from the pool, we were attracting presidents of other campuses who had come in with experience and leadership. What we actually ended up being able to afford to hire were individuals at the dean level who would be coming in and we were actually providing them with their first training opportunity in a presidential position.

So, it is very significant. I actually had a candidate that was at the airport coming to **New Hampshire** for the interview who called me and said, "I just can't get on the plane because of the salary issue. I just can't afford that kind of cut!"

Commissioner DuBois: We had another one who called and said, "You must have inadvertently dropped the **1** before the **6**!"

Senator Caroline McCarley, D. 6: I understand your commitment to having the ability to set these salaries – which will be approved by the executive council. So, what you're suggesting the colleges are going to do

or the system is going to do is fund any changes to the current unclassified salary level going forward. Is that the commitment that we're making?

Commissioner DuBois: The commitment that I'm making....We have 6 unclassified employees in the system: Myself, the **Deputy Commissioner**, **Thomas Wisbey**, and 4 college presidents. This bill addresses those 4 college presidents.

My commitment – with adequate support from the legislature, any increases in salary, we will raise that revenue through growth. We will not ask for it in general funding requests.

Senator Sylvia B. Larsen, D. 15: **Senate Bill 470** has no fiscal note. So, the assumption is that you will succeed in raising your money.

Commissioner DuBois: Hold me accountable. But also, the first part of this bill is a strengthening piece for your board that you created. So, hold them accountable, too.

Senator Caroline McCarley, D. 6: I do sit on the commission and have had, unfortunately – as the rest of the world has, have had a busy fall and early spring and have missed a number of the commission hearings.

When **Senator Johnson** afforded me the opportunity to see the legislation, I have raised a significant issue that I have with the introductry paragraph on line 7. I discussed this with everybody that I could discuss it with and I'm hoping that perhaps during the executive session.....But, I will say for the record, having worked on **503** and being incredible supportive of everything the **Community Technical College System** has done, we put a commission to oversee the ability for this institution to become more independent, I think we need to get there.

However, we had a commitment that we would have a commission report in **November** of **2000** about ways to move forward and my concern is that....The first sentence of this is, "the board of trustees shall have the management control of all the property and affairs of **New Hampshire Community Technical College System** and all of its divisions and departments."

I feel it took a step beyond where I think we were trying to be and I have raised it as a concern. The Commission has been very willing to talk about it. So, going forward, there may be a discussion about amendments – to deal with that concern.

Commmissioner DuBois: And, your concern was also communicated to me and I understand your concern and I personally have no objection in cleaning up that language to elevate your confidence.

Senator George F. Disnard, D. 8: The salary has been **$63,500** and we talk about forty or fifty percent below the average. It seems to me that in a very short time, you want to raise a quarter of a million dollars.

I understand in my area, the attendance at the **Vocational Technical College** is lower in the last couple of years. To raise that amount of money in that short time to me.....I hope you do it. Good luck!

Commissioner DuBois: I don't think we are going to be in a position where we have to raise that kind of money. Let me tell you why. My salary is not a piece of this bill. I'm currently at about **$90,000**. Should I leave the state, incidently, that salary goes back to **$72,000**. I was brought in at a higher salary on a recruitment effort. Some nuance that I don't really fully understand, but.....This board of trustees – although they do not have a salary figure in mind yet, I don't think this board of trustees will put the presidents' salaries over mine. I am fairly confident that they would not do that.

I would probably be somewhat saddened if they did that. I don't want to get too far out in front of the headlights of the board of trustees, but I think it would be unrealistic for us to jump to the national norm.

Senator Caroline McCarley, D. 6: Thank you.

Representative O'Neil?

Representative Michael O'Neil, District 22: I am here today as one of the three House members on the **Community Vocational Technical Commission** and am highly supportive of this effort of **Senator Johnson.**

After serving for 20 years in the **University of New Hampshire System** and having spent the year looking at the whole vocational technical system, I think that this legislation is surely needed. I think that the vocational system has always been looked upon as a step-child in higher education and I think its time that we be able to recruit highly qualified individuals to head up our vocational community schools.

In order to do this, I think that we have to become very competitive. On the commission, we've heard some horror stories about trying to attract the best qualified individuals and I think at times, I think we have 4 very good presidents. But, I think that we have also missed some opportunities to attract some highly qualified people into the state system and would urge that you support this.

Senator Caroline McCarley, D. 6: Thank you.

Representative Turner?

Representative Robert Turner, District 7: Thank you, Madame Chairman and members of your committee that are left!

Senator Caroline McCarley, D. 6: This is what happens the longer we're here.

Representative Turner: How well I know.

I am on the **503** study commission and to go beyond that, I just happen to be a retired president of the system serving **30 years**. So, I can vouch for the need for this bill to allow the trustees the power to be able to raise the salary a little bit higher – higher than when I retired, which was **$36,000.** So, I can understand the needs of this system.

I support all of the remarks of the **Commissioner, Senator Johnson** and **Representative O'Neil**. There is a need and I can vouch for it. I've been there and I've done it. I've served on search committees before for presidents and it's a very difficult job because of salaries. I'm trying to help – through this bill – the board of trustees some authority and flexibility on hiring new presidents. It's a tremendous job. Thank you for listening to me.

Senator Caroline McCarley, D. 6: Thank you, **Representative Turner**.

We will now close the hearing on **Senate Bill 470.**

Hearing adjourned at 9:57 a.m.

Respectfully submitted,
Rosalie Brooks Patch, secretary

Speakers

SENATE EDUCATION COMMITTEE

Date 4/19/2000 Time 9:30 A.M. Public Hearing on SB 470

Appearing in FAVOR: (Please print) Please check box at left to speak.

Speaking?	Name	Address	Representing
☐	Sen Johnson		
☑	Commissioner Glenn DuBois		
☐			
☑	Rep Michael O'Neil	Hampton N.H	Rock 22
☑	Rep Robert H Turner	Laconia	Belknap Dist 7
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Appearing in OPPOSITION: (Please Print) Please check box at left to speak.

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Committee Report

Date: April 19, 2000 Time: 9:30 a.m.

The Senate Committee on Education held its hearing in Room 105-A-SH, Concord, New Hampshire.

BILL NO.: SB 470 TITLE: (New Title) relative to the duties of the commission on the status of community - technical education.

Members of the Committee present: Senator McCarley
Senator Eaton
Senator Disnard
Senator Johnson
Senator Larsen

Those appearing in favor:

Name and Address	Representing
See Attached.	

Those appearing in opposition:

Name and Address	Representing
See Attached.	

REPORT OF THE COMMITTEE:

- ☐ Ought to Pass
- ☒ Ought to Pass w/ Amendment
- ☐ Inexpedient to Legislate
- ☐ Rereferred
- ☐ Interim Study
- ☐ Continued Hearing
- ☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON **Education**

to which was referred **Senate Bill 470**

AN ACT **relative to the administrative authority of the board of trustees for the regional community-technical colleges.**

VOTE: **6-0**

#2000-4177s

Having considered the same, report the same with the following amendment and recommend that the bill: **AS AMENDED OUGHT TO PASS.**

Senator Carl R. Johnson
For the Committee