

APPROVED MINUTES
EMPLOYEE ADVISORY COUNCIL
March 22-23, 2007

PRESENT: Mary Avitia, Greg Bateson, Kim Caperton, David Casillus, Claudette Clay, W. Dennie Clemons, Chris Dickson, Patricia Dunn, Olga Garcia, Teresa Garcia, Faye Ingram, Dexter Jones, Katrina Luna, Karen Martinez, Cynthia Orth, Rochelle Pena, Rick Peterson, Randolph Scott, Valarie Sinor, Janice Smith, Nancy Sutherland, Michael Swindle, Ann Tate, Pep Valdes, Erin Waneck, Glen Worley, Aziza Young

VISITORS: Kathy Mayes, Dan Stewart, Dr. William Behrendt, Barbara Holthaus

Meeting was called to order by Chair, Ann Tate at 9:15am.

An Introduction to UT Southwestern was begun by Teresa Garcia who was born at Parkland Hospital. William Behrendt, PhD., Vice President, Office of Human Resources completed the introduction by listing the many accomplishments, impressive faculty and staff, including four Nobel Laureates. This introduction was followed by a walking tour of UT Southwestern North Campus. At one point we stopped and viewed the separate South Campus which is a short distance away and includes the hospitals staffed by UT Southwestern.

Minutes from the October meeting were discussed and approved.

Mr. **Glen Worley**, representative from UT Austin, presented the “Easy Environmental Guide for Staff & Faculty” which is that institutions emphasis on being environmentally sensitive.

Mr. **Dan Stewart**, UT System liaison to EAC, presented an **Update on Legislative Issues**. The state legislature was in session at this time and UT System was following many issues in the various bills in various states of examination or approval.

**Committee Breakout Working Sessions:
Tuition, Strategic Plan, and Employee Grievance/Ombudsman**

**Committees adjourned
Break before dinner**

The evening was concluded with a dinner hosted by UT Southwestern Medical Center.

Friday morning:
Shuttle from Hotel to UT Southwestern, followed by continental breakfast.

Reports from the Standing Committees (briefly):

Tuition: Barbara Holthaus, attorney with UT System Office of General Council was in attendance to help committee members understand the U.T System Regent's Rules, Attorney General's Opinions, and legislative statues as they pertain to tuition assistance. Chair, Nancy Sutherland, indicated that the committee hopes to develop recommendations for consideration at the August meeting.

Employee Grievance/Ombudsman: Committee has several suggestions. Erin Waneck, Chair, will work with Dan Stewart to formulate some statements and recommendations to consider in August.

Strategic Planning: The committee continues to define how the staff of the components can support the U.T. System Strategic Plan. The committee would like to see a larger presence of the staff specifically in the Plan; especially since the staff can help the university achieves mission critical goals. Chair, Michael Swindle, indicates that the committee hopes to complete their charge at the August meeting.

Presentations by Dan Stewart:

Uninsured Texans. Why Should I Care? In this presentation, the report noted that Texas has the highest percentage of uninsured in the U.S. and a trend to not improve that outcome.

UT System Wellness Symposium. This presentation pointed out the need for and benefits of maintaining a well (healthy) workforce.

An Open discussion followed these presentations. During this discussion, it was pointed out the EAC has been active for several years in supporting and sharing Wellness Programs across UT System. Then a resolution indicating the support of Wellness Programs by EAC was passed.

The EAC thanked the UT Southwestern representatives for the opportunity to visit their institution and also the hosts, Megan Moses and Kristi Garner, who so ably supported this meeting.

This meeting of EAC was then adjourned with the reminder that at the next meeting, there would be an election of the Executive Committee for FY08.

Respectfully Submitted,
Randolph (Randy) H. Scott
Secretary



The University of Texas System
Nine Universities. Six Health Institutions. Unlimited Possibilities.

Office of Employee Benefits and Services
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August 14, 2007

The University of Texas at Arlington

The University of Texas at Austin

The University of Texas at Brownsville

The University of Texas at Dallas

The University of Texas at El Paso

The University of Texas—Pan American

The University of Texas
of the Permian Basin

The University of Texas at San Antonio

The University of Texas at Tyler

The University of Texas
Southwestern Medical Center at Dallas

The University of Texas
Medical Branch at Galveston

The University of Texas
Health Science Center at Houston

The University of Texas
Health Science Center at San Antonio

The University of Texas
M. D. Anderson Cancer Center

The University of Texas
Health Center at Tyler

Chancellor Yudof,

As your liaison to the Employee Advisory Committee (EAC), it is my pleasure to provide you with the EAC's review and recommendations on Employee Tuition Assistance Programs. Since your request for EAC recommendations on this topic, the EAC has done extensive research on this topic for the past year. The attached memorandum is a thorough account of their work. It includes a summary of current tuition assistance programs in our institutions, as well as suggested action items to be considered.

I would like to congratulate the EAC for their efforts on this project. It is hoped you find this information useful and we look forward to advancing these important programs throughout U. T. System.

Sincerely,

Dan Stewart

www.utsystem.edu

cc: Tonya Moten Brown
Francie Frederick
Michael Swindle
Nancy Sutherland



Memorandum

Date: August 10, 2007

To: Chancellor Mark G. Yudof

From: The University of Texas System Employee Advisory Council

Subject: Expansion of Employee Tuition Assistance Programs

At your request, research was conducted to determine what, if any, recommendations might be made to enhance UT System tuition assistance policies. Working with representatives from the Offices of General Counsel and Human Resources, the subcommittee reviewed state rules and regulations, verified current programs within The University of Texas System, and evaluated similar programs at peer institutions across the country. Our findings and recommendations are summarized below. Detailed documents are attached for your review.

Background

- UT System institutions lack the legal authority to waive statutory tuition
- UT System institutions lack the legal authority to sponsor employee degree programs
- UT System institutions can and do provide tuition assistance. Exemplary programs are currently in place at The University of Texas at Tyler and The University of Texas Medical Branch at Galveston.
- UT System tuition assistance programs vary; disparity exists between and within institutions
- Peer institutions of public education across the country provide assistance programs to employees. Notable programs include The University of Michigan and The University of North Carolina.
- Private sector compensation and benefit packages compete with University recruitment and retention

The University of Texas System Strategic Plan outlines ambitious goals to help ensure the economic and educational future of Texas. To achieve these goals, the University must recruit and retain highly qualified staff to support the work of faculty, researchers and administration. A competitive education and tuition assistance program will help demonstrate the value of employment within the UT System.

Suggested Action Items

Each institution, based on recommendation from System Administration, should be encouraged to:

- Review available funding sources and if possible, allocate adequate funds to support robust tuition assistance programs
- Broaden the scope of programs to include all full-time employees
- Establish a tuition policy that incorporates the suggested minimum guidelines (see attached document) beginning with the 08-09 fiscal year
 - The minimum guidelines directly impact health institutions and smaller institutions that currently limit available assistance or exclude general staff from existing programs
- Provide tuition reimbursement assistance based on the availability of qualifying for-credit courses at the institution or local accredited college/university

In addition, System Administration should evaluate future legislative action to provide institutions the authority to sponsor employee degree programs.

We respectfully submit this proposal for review and consideration. We ask for your help in determining the next step and offer our help to achieve the best possible outcome.

Tuition Assistance Proposal Overview

Tuition Assistance Policy Statement

The University of Texas System recognizes that employee education and tuition assistance programs can materially aid and augment job performance. These programs, while enhancing job performance, must also have as a primary objective the furtherance of the mission of the UT System.

The tuition assistance program ("Program") permits institutions to reimburse eligible employees for college or university coursework that directly relates to the employee's job duties and is intended to enhance the employee's performance of those duties.

The Program is authorized by the State Employee Training Act, Texas Government Code Section 656.041. Compliance is the responsibility of the institution, the employee and his/her chain of management.

Scope

- All UT System Institutions

Program Structure

An eligible employee may receive reimbursement for up to two three-hour qualifying credit based courses per fiscal year. Reimbursement for private college or university education costs may not exceed the cost of comparable courses at the nearest state-supported four-year institution of higher education. Total reimbursement may not exceed actual course costs or a maximum of \$1300 per fiscal year, whichever is less.

Funding

Funding for this Program is the responsibility of the employing institution and must be budgeted, as applicable, in accordance with institution budget process.

Responsibilities

Employee

- Maintains active non-probationary status
- Has received at least a satisfactory rating on the most recent performance evaluation
- Signs a Tuition Assistance Program Participation Agreement
- Completes a Request For Payment Form as applicable

Supervisor / Management

- Verifies that the employee's coursework can be expected to improve job performance and further the mission of the institution
- Verifies that the employee's participation will not disrupt the operations of the employing department
- Verifies that funds or procedures are in place to cover applicable costs
- Approves employee participation

Institution

- Responsible for funding the Program

Department

- Notifies the employee and supervisor that the request/application conforms to guidelines
- Reviews submitted materials (payment form, etc.) and processes as applicable

Eligibility

The Program is available to all regular full-time employees. An employee in a position that requires student status as a condition of employment is not eligible to participate. Participation by the employee must be approved by the employee's chain of management and according to institution procedures.

A participating employee must have the prerequisites for enrollment in the proposed coursework. Course work must be directly related to the employee's job duties and intended to enhance the employee's performance of those duties during his or her participation in the program.

Procedures

Application Process

Each institution will develop, communicate and administer its application process.

Employee Agreement

An employee must sign an agreement to remain employed by his/her respective institution for at least one full month for each semester hour of tuition assistance received, beginning with the month after the employee-completed coursework. The employee will repay the institution for all expenses for which the employee was reimbursed if employment terminates before the end of that period.

Flexible Work Hours

An employee may be allowed flexible working hours in order to accommodate class schedules. Any such work scheduling is subject to supervisory approval and must be reviewed every semester or course period. An employee must use personal leave for any time taken off for the purpose of attending class or related activity that is not flexed within the workweek.

Reimbursement

Requests for reimbursement, as applicable, must be made within a period established by the institution. In order to receive reimbursement, an employee must:

- Follow institution reimbursement procedures
- Attach original receipts for payment of all tuition, required fees and other reimbursable expenses
- Attach proof of successful completion of coursework with a grade of "C" or better for undergraduate course work or a "B" or better for graduate course work.

Repayment

An employee who separates employment prior to completion of an in-force employee agreement for any reason other than a reduction in force, permanent disability, or death must repay the institution the amount previously reimbursed to the employee under the tuition assistance program for the applicable semester(s).

The employee has the option of making a lump sum payment or installment payments in accordance with a schedule provided by the institution. Any default in payment will result in the entire unpaid indebtedness, at the option of the institution, becoming due and payable.

Sample Tuition Assistance Program Participation Agreement

This Agreement is made by and between The University of Texas _____, hereinafter referred to as "University", and an employee participating in the Tuition Assistance Program, hereinafter referred to as "the Program."

In consideration of the mutual benefits and covenants, the parties agree as follows:

1. The University hereby agrees to reimburse the undersigned Employee the sum of _____ which is equal to the amount paid for tuition and eligible fees for _____ hours of coursework during the _____ semester of _____.
2. The Employee agrees to continue employment at The University subject to the terms described in Section 3 of this Agreement for no less than one full month beginning with the first month after coursework is complete, for every semester hour reimbursed by the University. The Employee further agrees that should the Employee fail to continue employment as required by this agreement, the employee shall repay the University for the total amount reimbursed by the University minus the amount represented by the number of months in which the employee continued in employment from the time the employee completed the coursework.
3. The Employee understands that neither participation in the Program nor this agreement constitutes a contract for employment and no term or condition in this agreement should be construed as a guarantee of employment. The employee further understands that this agreement is not a guarantee of employment in a particular position, classification or salary rate. The employee understands that continued employment at the University is contingent on the employee maintaining the standards of performance for his or her position of employment. The employee further understands that the employee is subject the *Rules and Regulations* of the Board of Regents and to the policies and procedures of the University during the Employee's participation in the Program and during any repayment period.
4. If the employee fails to stay in the employment of the University for the applicable period after the reimbursement is received, the repayment requirement procedures described in the agreement will be initiated immediately. When the employee fails to continue employment at the University due to a reduction in force, physical or mental disability, or death the University will waive repayment requirements.
5. Upon initiation of repayment procedures, the University will provide the employee with a statement setting forth the total amount to be repaid and a

schedule of payments. The employee shall have the option of making a lump sum payment or installment payments.

6. In the event of default in payment on any installment due, the entire unpaid indebtedness shall, at the option of the University, become due and payable.
7. In the event of default, the employee's obligation shall become enforceable in _____, Texas and suit to enforce the terms of this obligation shall be brought in _____, Texas. No delay on the part of the University in exercising any power or right under this agreement shall operate as a waiver of the power or right, nor shall any single or partial exercise of power or right preclude further exercise of that power or right.
8. No provision of this agreement shall be modified except by written instrument signed by the parties expressly referring to this agreement and to the provisions modified.

Employee's Printed Name

Employee's Signature

Date

Sample Tuition Assistance Program Repayment Agreement

In accordance with the University of Texas _____ Tuition Assistance Program, hereinafter referred to as "the Program", The University of Texas _____, hereinafter referred to as "University" provided a reimbursement benefit to the undersigned employee, _____, hereinafter referred to as "Employee." Reimbursement under the program requires that a participating employee agree to work for the University for one month for every semester hour reimbursed by the University. As a condition of participation in the program, Employee signed the Tuition Assistance Program Agreement, which is attached.

The Employee has now notified the University of the intent to terminate employment (or the Employee's employment has now terminated) resulting in this repayment agreement.

The University paid a sum of _____ to the Employee as reimbursement for tuition and eligible fees following completion of _____ course, taken during the _____ semester of _____.

The Employee will terminate (or has terminated) employment with the University effective _____.

The amount owed by the employee to the University is _____. The Employee has the option of making a lump sum payment or installment payments in accordance with the attached schedule.

If the Employee elects to make installation payments, a default in the payment on any installment due will result in the entire unpaid indebtedness, at the option of the University, becoming due and payable.

In the event of default, the employee's obligation shall become enforceable in _____, Texas and suite to enforce the terms of this obligation shall be brought in _____, Texas. No delay on the part of the University in exercising any power or right under this agreement shall operate as a waiver of the power or right, nor shall any single or partial exercise of any power or right preclude further exercise of that power or right.

No provision of this agreement shall be modified except by written instrument signed by the University and Employee expressly referring to this agreement and to the provisions modified.

Employee's Printed Name

Employee's Signature

Date

Tuition Assistance – Legislative Action Request

The University of Texas System recognizes that employee education and tuition assistance programs can materially aid and augment job performance. These programs, while improving job performance, must also have as a primary objective the furtherance of the mission of the UT System.

Current tuition assistance programs allow eligible employees to enroll in college or university coursework that directly relates to the employee's job duties and can reasonably be expected to enhance the employee's performance of those duties. However, educational opportunity and assistance is limited because:

- The State Employee Training Act, Texas Government Code Sections 656.041-656.104, requires that course work be specific to the employees' current job duties. It does not cover courses taken for the sole purpose of completing a degree program
- Texas Education Code §54.051 and 54.0512 prohibits a waiver for statutory tuition

The University of Texas System Strategic Plan outlines ambitious goals and objectives to help ensure the economic and educational future of Texas. To do so, we must recruit and retain highly qualified staff to support the work of faculty, researchers and administration. A competitive education and tuition assistance program, as a part of a benefits package, will help communicate the value of employment with the UT System.

The Employee Advisory Council requests that Administration and Governmental Relations explore statutory exemptions for higher education that would give each institution the authority to sponsor and reimburse costs for degree programs as well as waive statutory tuition.