



Board of Governors Meeting

April 29, 2020

Via Zoom/Conference Call

In accordance with social distancing guidelines set forth by the Commonwealth, this meeting is being held online at: www.passhe.edu.

Members of the public who wish to offer public comment may dial 1-717-839-2360; phone line opens at 11:50 a.m.

Wednesday, April 29, 2020

Noon

Board of Governors Meeting

1. Roll Call
2. Pledge of Allegiance
3. Chairwoman's remarks
4. Public Comment
5. Remarks by Union Leaders
6. Update from PACT President
7. Approval of Consent Agenda (will be sent separately)
 - a. Meeting minutes from January 15-16, 2020
 - b. Meeting minutes from January 30, 2020
 - c. Meeting minutes from April 10, 2020
8. Chancellor's Remarks
9. Board Action Items
 - a. Tuition Rates for 2020-21 and Tentative Tuition Rates for 2021-22 (PAGE 2)
 - b. Financial Sustainability Policy (PAGE 4)
 - c. Ratification of APSCUF Coaches' Collective Bargaining Agreement (PAGE 8)
 - d. Enhanced Sick Leave Payout (PAGE 11)
10. New Business
11. Adjournment

(Executive session will be called as needed)

Board of Governors Meeting

April 29, 2020

SUBJECT: Tuition and Technology Tuition Fee Rates (ACTION)

UNIVERSITIES AFFECTED: All

BACKGROUND: State System universities provide high quality educational experiences while continuing to be among the most affordable four-year institutions in Pennsylvania—striving to provide every student the opportunity to achieve success and upward mobility. It is critical to both student and university success that the System universities control costs, keeping the net price as low as possible for those with the greatest financial challenges and generating an excellent return on investment to the student.

This focus on students resulted in the Board of Governors freezing tuition for the 2019-20 academic year. Recognizing the current unprecedented times and the impact of the COVID-19 pandemic on students and their families, it is proposed that tuition be held constant for the 2020-21 academic year as well.

At its April 2019 meeting, the Board amended Board of Governors' Policy 1999-02-A: *Tuition*, such that tuition rates will be set annually no later than April 30 for the upcoming two academic years. Doing so would provide students and families with meaningful information on the cost of attending a State System university as early as possible. The policy prescribes that the tuition rate for the second year be tentatively set based on the most current three-year average change in the State System's basic tuition rate, allowing for adjustments to the tentative rate.

As the Board of Governors considers freezing the System's basic tuition rate for 2020-21, the corresponding tentative rate for 2021-22, based on the most recent three-year average, would include a 1.0 percent increase over the 2020-21 basic tuition rate.

MOTION: That the Board of Governors, as reflected in Attachment 1, freeze tuition and the technology tuition fee for 2020-21 and set the tentative 2021-22 Tuition and Technology Tuition Fee in accordance with Policy at a 1 percent increase.

Supporting Documents Included: 2020-21 and Tentative 2021-22 Tuition and Technology Tuition Fee Schedule (Attachment 1)

Other Supporting Documents Available: Fiscal Year 2020-21 Appropriations Request; Board of Governors' Policy 1999-02-A: *Tuition*

Reviewed by: Executive Leadership Group

Prepared by: Sharon P. Minnich

Telephone: (717) 720-4100

Proposed 2020-21 and Tentative 2021-22 Tuition Rates

Summary for Typical System Student

Excludes Rates for Board-Approved Alternative Tuition Pricing

Student Classification	2019-20 Rates		Proposed 2020-21 Rates				Tentative 2021-22 Rates			
	Per Credit ¹	Full-time Academic Year	Per Credit ¹	Full-time Academic Year	Change		Per Credit ¹	Full-time Academic Year	Change	
					\$	%			\$	%
Basic Tuition Rate²										
In-State Undergraduate	\$322	\$7,716	\$322	\$7,716	\$0	0.0%	\$325	\$7,794	\$78	1.0%
In-State Graduate	\$516	n/a	\$516	n/a	\$0	0.0%	\$521	n/a	\$5	1.0%
Technology Tuition Fee Rate										
Undergraduate In-State	\$20	\$478	\$20	\$478	\$0	0.0%	\$21	\$484	\$6	1.3%
Undergraduate Out-of-State	\$30	\$728	\$30	\$728	\$0	0.0%	\$31	\$736	\$8	1.1%
Graduate In-State	\$28	n/a	\$28	n/a	\$0	0.0%	\$29	n/a	\$1	3.6%
Graduate Out-of-State	\$40	n/a	\$40	n/a	\$0	0.0%	\$41	n/a	\$1	2.5%

¹ For graduate student charges and undergraduate part-time, summer, interim session student charges.

² For universities that do not have an alternative tuition plan approved by the Board of Governors. For more details, see individual university tuition rate schedules.

Note: At the discretion of each university president, graduate and out-of-state tuition rates may vary.

Board of Governors Meeting

April 29, 2020

SUBJECT: Financial Sustainability - Mansfield University of Pennsylvania Loan (ACTION)**UNIVERSITIES AFFECTED:** All

BACKGROUND: Mansfield University is emerging from a decade of leadership turnover that produced a variety of decisions regarding university identity and success, academic programming portfolio, pricing and net price strategies, and budget cuts that reduced demand and disabled critical enrollment management infrastructures required to sustain enrollments. To this latter point, these budget cuts resulted the lack of an appropriate strategy and the necessary tools to recruit students, exacerbating enrollment challenges during this period of significant regional demographic decline.

Mansfield University's new administration is hard at work rebuilding the enrollment, forging a constructive and positive narrative about the future of Mansfield University, enhancing governance and transparency, realigning its mission as an affordable and comprehensive rural-serving institution, and right-sizing the institution to ensure long-term fiscal sustainability. As a result, the fall 2019 semester marked the first time in nine years that Mansfield University's headcount and FTE enrollment increased from the previous fall term.

However, Mansfield University's cash balances have been declining since fiscal year (FY) 2011/2012; it is anticipated that the university will require additional resources to sustain operations through FY 2019/2020. Mansfield University is requesting a loan of up to \$6.0 million to cover operating costs and auxiliary bond payments.

MOTION: That the Board of Governors approve a loan for Mansfield University of Pennsylvania of up to \$6.0 million with the following payment terms and loan covenants.

- The Borrower agrees that the principal and any and all accrued interest will be paid by a transfer out of its operating account in accordance with schedule(s) described in the draft promissory note, attached. The Borrower also agrees to record a "note payable" on its financial statements on the effective date of each draw.
- In accordance with System Procedure/Standard 2019-40: *University Financial Sustainability*, the Borrower must:
 - Provide an updated sustainability plan by June 19, 2020, which achieves the FY 2010-11 student faculty ratio (17.0:1) and nonfaculty ratio (13.9:1) by June 30, 2022, to be approved by the chancellor.
 - Agree that if the plan does not achieve the ratios and/or is not approved by the chancellor, the chancellor/designee, as directed by the Board, may temporarily or indefinitely suspend some or all operations in accordance with Board of Governors' Policy 2019-01: *University Financial Sustainability*.
 - Receive chancellor approval before any hiring of new employees or entering into new contracts.
 - As part of the updated sustainability plan, provide a housing plan to address occupancy and debt; report each semester on revenue, occupancy and capacity by residence hall.
 - Provide monthly cashflow updates, as prescribed by the Office of the Chancellor, reflecting anticipated revenues, expenditures, and aging payables.

- Provide actual headcount and full-time equivalent enrollment each semester; and updated enrollment projections for each upcoming term.
- Provide quarterly progress against the sustainability plan, which must include at a minimum attainment of workforce and operating goals, as described in the approved sustainability plan.
- Comply with other such actions as the Board of Governors directs to achieve financial sustainability.

Supporting Documents Included: Draft Promissory Note, Mansfield University of Pennsylvania

Other Supporting Documents Available: Mansfield University of Pennsylvania's loan application

Reviewed by: Legal Counsel; Mansfield University Trustees

Prepared by: Sharon Minnich

Telephone: (717) 720-4100

**Draft Promissory Note
Mansfield University of Pennsylvania
Investment Fund/University Loan Program**

THIS Promissory Note, made and entered into this **Xth** day of **May XX, 2020**, between the Pennsylvania State System of Higher Education (State System) as lender, hereinafter referred to as the Lender, and Mansfield University of Pennsylvania as borrower, hereinafter referred to as the Borrower.

WHEREAS, the Borrower desires to borrow up to \$6,000,000 from the Lender's Intermediate-Term Investment Fund, to be drawn upon in any or all amount, as needed by the Borrower, for a term not to exceed ten years for each draw. The draw(s) shall be repaid in accordance with an amortization schedule determined at the time of the draw, at an initial interest rate of **X%** (rate per annum), in accordance with established Policy. This loan will be interest and principal free for the first five fiscal years, with principal and interest repayments beginning in year six of the ten-year period. In consultation with the Borrower, payment may be requested by the Lender at an earlier date, with interest calculated as described above, and

WHEREAS, the Borrower's request has been duly approved by Board of Governors of the State System,

NOW, THEREFORE, for and in consideration of the foregoing, the Borrower makes the following covenants:

- The Borrower agrees that the principal and any and all accrued interest will be paid by a transfer out of its operating account in accordance with schedule(s) described in the draft promissory note, attached. The Borrower also agrees to record a "note payable" on its financial statements on the effective date of each draw.
- In accordance with System Procedure/Standard 2019-40: *University Financial Sustainability*, the Borrower must:
 - Provide an updated sustainability plan by June 19, 2020, which achieves the FY 2010-11 student faculty ratio (17.0:1) and nonfaculty ratio (13.9:1) by June 30, 2022, to be approved by the chancellor.
 - Agree that if the plan does not achieve the ratios and/or is not approved by the chancellor, the chancellor/designee, as directed by the Board, may temporarily or indefinitely suspend some or all operations in accordance with Board of Governors' Policy 2019-01: University Financial Sustainability.
 - Receive chancellor approval before any hiring of new employees or entering into new contracts.
 - As part of the updated sustainability plan, provide a housing plan to address occupancy and debt; report each semester on revenue, occupancy and capacity by residence hall.
 - Provide monthly cashflow updates, as prescribed by the Office of the Chancellor, reflecting anticipated revenues, expenditures, and aging payables.

- Provide actual headcount and full-time equivalent enrollment each semester; and updated enrollment projections for each upcoming term.
- Provide quarterly progress against the sustainability plan, which must include at a minimum attainment of workforce and operating goals, as described in the approved sustainability plan. And,
- Comply with other such actions as the Board of Governors directs to achieve financial sustainability.

IN WITNESS WHEREOF, the signatories hereto have caused this Promissory Note to be executed the date first above-written.

By: _____
Sharon P. Minnich
Vice Chancellor for Administration and Finance
Pennsylvania State System of Higher Education

By: _____
Dr. Charles E. Patterson
President
Mansfield University of Pennsylvania

Board of Governors Meeting

April 29, 2020

SUBJECT: Ratify Collective Bargaining Agreement (APSCUF Non-Faculty Coaches)
(ACTION)

UNIVERSITIES AFFECTED: All

BACKGROUND: The Association of Pennsylvania State College and University Faculties (APSCUF Non-Faculty Coaches) has ratified the collective bargaining agreement with the State System. The terms of the APSCUF Non-Faculty Coaches collective bargaining agreement were achieved through individual negotiations between the State System and APSCUF. Implementation of the agreement is dependent upon the Board of Governors approving the collective bargaining agreement.

MOTION: That the Board of Governors ratifies the Collective Bargaining Agreement with the Association of Pennsylvania State College and University Faculties (Non-Faculty Coaches) and authorize the Chancellor and the Chairwoman of the Board of Governors to execute the appropriate documents.

Supporting Documents Included: APSCUF (Non-Faculty Coaches) Tentative Agreement Summary

Other Supporting Documents Available: N/A

Prepared by: Andrew C. Lehman

Telephone: 717-720-4030

**Summary of the Major Provisions of the Tentative Agreement Between
Pennsylvania's State System of Higher Education and the Association of
Pennsylvania State College and University Faculties Non-Faculty Coaches
July 1, 2019 to June 30, 2023**

Term

The agreement will be effective July 1, 2019 and expire June 30, 2023.

Salary Increases

Fiscal Year 2019-2020

No Annual Salary Adjustment¹ or Merit Pool² increase

Fiscal Year 2020-2021

2.5% Annual Salary Adjustment effective July 1, 2020

Fiscal Year 2021-2022

- 2.5% merit pool effective July 1, 2021
- Effective July 1, 2021
 - Minimum Salary for full-time head COACH shall be \$42,500
 - Minimum Salary for full-time assistant COACH shall be \$37,500
 - Minimum salary for part-time head and assistant COACH shall be a percentage of \$32,500 for head COACH and \$27,500 for assistant COACH
- 2.0% Annual Salary Adjustment effective April 1, 2022

Fiscal Year 2022-2023

- 2.5% merit pool effective July 1, 2022
- 2.0% Annual Salary Adjustment effective April 1, 2023

Health Care Benefits

Specialist office visit co-pay fees for coaches reduced from \$45 to \$30.

Contracts of Employment

When a president/designee non-renews a coach, the president/designee will provide the reasons in the non-renewal. A coach may request a meeting with the president/designee to discuss the reasons for the non-renewal. The non-renewal decision and the reasons are not grievable.

¹ Increase in base salary for all coaches as coaches do not have a salary schedule.

² Merit pay adjustments are distributed based on a coach's individual performance level.

The president/designee may grant rollover contracts for more than three (3) years for head coaches and more than two (2) years for full-time and part-time assistant coaches.

Evaluations

- The parties made changes regarding notification of the evaluation cycle for coaches and included clarification regarding when performance expectations should be provided.
- Local APSCUF and the university will agree when the self-evaluation for each coach is due to the athletic director for head coaches and the head coach for assistant coaches.
- When a rating of “Below Expectations” or “Unsatisfactory” is given, the evaluator shall explain the reasons for the rating in the performance evaluation.
- The reviewing officer may attach comments to a coach’s evaluation before it is considered final.

Leaves of Absences

- Combine parental and family care leaves into one entitlement providing for 12 weeks of FMLA leave with the possibility of an extension of up to 9 months of leave without pay (provided the professional employee has completed one year of service and 1,250 actual hours worked during the previous year).
- Coaches with less than one year of service are eligible for up to 13 weeks of leave without pay for qualifying absences of at least 2 consecutive weeks.
- Ten days of sick leave can be used for paid parental leave.

Tuition Waiver

- Prorated tuition waiver for children of a regular part-time coach at their university.

Side Letters

- Joint committee established to review student athlete evaluation instrument and recommend a statewide instrument.
- Joint committee established to review performance evaluation document for coaches.

Board of Governors Meeting

April 29, 2020

SUBJECT: Ratify Various Side Letters for an Enhanced Sick Leave Payout Program — AFSCME, SEIU Local 668, OPEIU, POA, SCUPA, and SPFPA (ACTION)

UNIVERSITIES AFFECTED: All

BACKGROUND: The State System and applicable unions have negotiated and conducted meet and discuss sessions, as appropriate, regarding an Enhanced Sick Leave Payout program that will allow eligible employees to receive an increased payout of their accrued sick leave upon retirement. The employees are represented by the: American Federation of State, County and Municipal Employees (AFSCME); Service Employees International Union, Local 668 (SEIU Local 668); Office and Professional Employees International Union Healthcare Pennsylvania (OPEIU); PASSHE Officers Association (POA); State College and University Professional Association (SCUPA); and International Union, Security, Police, and Fire Professionals of America (SPFPA).

Summary of the Program –

- Permanent full-time employees that qualify for majority paid retiree health care are eligible.
- The eligible employees must elect to retire by notifying the president of the university by June 26, 2020.
- The eligible employee must retire on or before September 25, 2020.
- Eligible employees will receive an additional payout of accrued sick leave beyond the payout schedule identified in the collective bargaining agreement or memorandum of understanding. The side letters will temporarily amend the collective bargaining agreement or memorandum of understanding to allow for a payout of twice the amount of accrued sick leave.

MOTION: That the Board of Governors ratifies the side letters regarding the enhanced sick leave payout and authorizes the Chancellor to execute the appropriate documents.

Supporting Documents Included: (1) AFSCME Side Letter; (2) SEIU Local 668 Side Letter; (3) OPEIU Side Letter; (4) POA Side Letter; (5) SCUPA Side Letter; and (6) SPFPA Side Letter.

Other Supporting Documents Available: N/A

Prepared by: Andrew C. Lehman

Telephone: 717-720-4030

**Side Letter
between
AFSCME and PASSHE**

Enhanced Sick Leave Payout Program

The Pennsylvania State System of Higher Education (“State System”) and the American Federation of State, County, and Municipal Employees (“AFSCME”) agree to implement an Enhanced Sick Leave Program (“the Program”), to encourage employee retirements to be submitted by June 26, 2020 with an effective date on or before September 25, 2020.

A. Program Commencement

1. Current eligible employees may participate in the Program in accordance with the provisions in Sections B and C for only retirements with an effective date between April 6, 2020 and September 25, 2020.
2. The parties agree to inform all eligible employees about the Program. Eligibility is subject to verification prior to acceptance of participation in the Program.
3. Employees meeting the eligibility criteria in Section B.2. below who have already submitted a retirement with an effective date between April 6, 2020 and September 25, 2020, will be eligible for the Program.
4. The State System will communicate the names of the program participants to AFSCME no later than July 24, 2020.

B. Eligibility

1. Participation in the Program is limited to permanent full-time employees.
2. Participation in the Program requires that the employee qualifies for majority-paid retiree health care at the time of retirement, as defined in the table below.

Retirement Age	Years of Service	Type of Service
60	20	Credited Service
Any Age	25	
Any Age with Approved Disability Retirement	5	

- **Credited Service** - Includes years of service credited by retirement plan (SERS/PSERS/ARP). May include purchased service. For employees hired on/after July 1, 2007, credited service is limited to Commonwealth/State System service and, if applicable, purchased military service.

C. Individual Employee Provisions

1. An eligible employee must submit a letter of retirement to the President of the University on or before June 26, 2020.
2. The eligible employee must indicate in their retirement letter a retirement date on or before September 25, 2020.
3. All submitted and accepted retirements with an effective date between April 6, 2020 and September 25, 2020 are irrevocable and the payouts will be conducted in accordance with this side letter.
4. Employees shall not be paid for partial days of accumulated sick leave.

D. Enhanced Sick Leave Provisions

All eligible retirements under the Program, will have the sick leave payouts noted in Article 14, Section 7.a. and Recommendation 14, Section 7.a. adjusted based upon the table below.

Days Accumulated	Current % Paid	Current Max Days Paid	ESLP % Paid	ESLP Max Days Paid
0 to 100	30%	30	60%	60
101 to 200 days	40%	80	80%	160
201 to 300 days	50%	150	100%	300
Over 300 (in last year of employment)	100%	11	100%	11

AGREED on April XX, 2020:

STATE SYSTEM

AFSCME

Daniel Greenstein
Chancellor

Darrin Spann
Assistant to the Executive Director

**Side Letter
between
SEIU 668 and PASSHE**

Enhanced Sick Leave Payout Program

The Pennsylvania State System of Higher Education (“State System”) and the Service Employees International Union (“SEIU 688”) agree to implement an Enhanced Sick Leave Program (“the Program”), to encourage employee retirements to be submitted by June 26, 2020 with an effective date on or before September 25, 2020.

A. Program Commencement

1. Current eligible employees may participate in the Program in accordance with the provisions in Sections B and C for only retirements with an effective date between April 6, 2020 and September 25, 2020.
2. The parties agree to inform all eligible employees about the Program. Eligibility is subject to verification prior to acceptance of participation in the Program.
3. Employees meeting the eligibility criteria in Section B.2. below who have already submitted a retirement with an effective date between April 6, 2020 and September 25, 2020, will be eligible for the Program.
4. The State System will communicate the names of the program participants to SEIU 668 no later than July 24, 2020.

B. Eligibility

1. Participation in the Program is limited to permanent full-time employees.
2. Participation in the Program requires that the employee qualifies for majority-paid retiree health care at the time of retirement, as defined in the table below.

Retirement Age	Years of Service	Type of Service
60	20	Credited Service
Any Age	25	
Any Age with Approved Disability Retirement	5	

- **Credited Service** - Includes years of service credited by retirement plan (SERS/PSERS/ARP). May include purchased service. For employees hired on/after July 1, 2007, credited service is limited to Commonwealth/State System service and, if applicable, purchased military service.

C. Individual Employee Provisions

1. An eligible employee must submit a letter of retirement to the President of the University on or before June 26, 2020.
2. The eligible employee must indicate in their retirement letter a retirement date on or before September 25, 2020.
3. All submitted and accepted retirements with an effective date between April 6, 2020 and September 25, 2020 are irrevocable and the payouts will be conducted in accordance with this side letter.
4. Employees shall not be paid for partial days of accumulated sick leave.

D. Enhanced Sick Leave Provisions

All eligible retirements under the Program, will have the sick leave payouts noted in Article 12, Section 7.a and Recommendation 12, Section 8. a. adjusted based upon the table below.

Days Accumulated	Current % Paid	Current Max Days Paid	ESLP % Paid	ESLP Max Days Paid
0 to 100	30%	30	60%	60
101 to 200 days	40%	80	80%	160
201 to 300 days	50%	150	100%	300
Over 300 (in last year of employment)	100%	11	100%	11

AGREED on April XX, 2020:

STATE SYSTEM

SEIU 668

Daniel Greenstein
Chancellor

Stephen Catanese

**Side Letter
between
OPEIU and PASSHE**

Enhanced Sick Leave Payout Program

The Pennsylvania State System of Higher Education (“State System”) and the Office of Professional Employees International Union Healthcare Pennsylvania (“OPEIU”) agree to implement an Enhanced Sick Leave Program (“the Program”), to encourage employee retirements to be submitted by June 26, 2020 with an effective date on or before September 25, 2020.

A. Program Commencement

1. Current eligible employees may participate in the Program in accordance with the provisions in Sections B and C for only retirements with an effective date between April 6, 2020 and September 25, 2020.
2. The parties agree to inform all eligible employees about the Program. Eligibility is subject to verification prior to acceptance of participation in the Program.
3. Employees meeting the eligibility criteria in Section B.2. below who have already submitted a retirement with an effective date between April 6, 2020 and September 25, 2020, will be eligible for the Program.
4. The State System will communicate the names of the program participants to OPEIU no later than July 24, 2020.

B. Eligibility

1. Participation in the Program is limited to permanent full-time employees.
2. Participation in the Program requires that the employee qualifies for majority-paid retiree health care at the time of retirement, as defined in the table below.

Current Hire Date	Retirement Age	Years of Service	Type of Service
Prior to July 1, 1997	60	15	Credited Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	
July 1, 1997 – June 30, 2004	60	15	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	
July 1, 2004 – January 15, 2016	60	20	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	

- **Credited service** - includes years of service credited by retirement plan (SERS, PSERS or ARP). May include purchased service.
- **Commonwealth/State System service** – Only includes service with the State System, Commonwealth of Pennsylvania, or approved Commonwealth Agencies. This does not include employment with a public school (pre-K, K-12).

C. Individual Employee Provisions

1. An eligible employee must submit a letter of retirement to the President of the University on or before June 26, 2020.
2. The eligible employee must indicate in their retirement letter a retirement date on or before September 25, 2020.
3. All submitted and accepted retirements with an effective date between April 6, 2020 and September 25, 2020 are irrevocable and the payouts will be conducted in accordance with this side letter.
4. Employees shall not be paid for partial days of accumulated sick leave.

D. Enhanced Sick Leave Provisions

All eligible retirements under the Program, will have the sick leave payouts noted in Article 11, Section 6 and Recommendation 11, Section 6. a. adjusted based upon the table below.

Days Accumulated	Current % Paid	Current Max Days Paid	ESLP % Paid	ESLP Max Days Paid
0 to 100	30%	30	60%	60
101 to 200 days	40%	80	80%	160
201 to 300 days	50%	150	100%	300
Over 300 (in last year of employment)	100%	13	100%	13

AGREED on April XX, 2020:

STATE SYSTEM

OPEIU HEALTHCARE

Daniel Greenstein, Chancellor

Michael Bodinsky, Executive Director

**Side Letter
between
POA and PASSHE**

Enhanced Sick Leave Payout Program

The Pennsylvania State System of Higher Education (“State System”) and the PASSHE Officers Association (“POA”) agree to implement an Enhanced Sick Leave Program (“the Program”), to encourage employee retirements to be submitted by June 26, 2020 with an effective date on or before September 25, 2020.

A. Program Commencement

1. Current eligible employees may participate in the Program in accordance with the provisions in Sections B and C for only retirements with an effective date between April 6, 2020 and September 25, 2020.
2. The parties agree to inform all eligible employees about the Program. Eligibility is subject to verification prior to acceptance of participation in the Program.
3. Employees meeting the eligibility criteria in Section B.2. below who have already submitted a retirement with an effective date between April 6, 2020 and September 25, 2020, will be eligible for the Program.
4. The State System will communicate the names of the program participants to POA no later than July 24, 2020.

B. Eligibility

1. Participation in the Program is limited to permanent full-time employees.
2. Participation in the Program requires that the employee qualifies for majority-paid retiree health care at the time of retirement, as defined in the table below.

Current Hire Date	Retirement Age	Years of Service	Type of Service
Prior to July 1, 1997	60	15	Credited Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	

July 1, 1997 – June 30, 2004	60	15	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	
July 1, 2004 – January 15, 2016	60	20	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	

- **Credited service** - includes years of service credited by retirement plan (SERS, PSERS or ARP). May include purchased service.
- **Commonwealth/State System service** – Only includes service with the State System, Commonwealth of Pennsylvania, or approved Commonwealth Agencies. This does not include employment with a public school (pre-K, K-12).

C. Individual Employee Provisions

1. An eligible employee must submit a letter of retirement to the President of the University on or before June 26, 2020.
2. The eligible employee must indicate in their retirement letter a retirement date on or before September 25, 2020.
3. All submitted and accepted retirements with an effective date between April 6, 2020 and September 25, 2020 are irrevocable and the payouts will be conducted in accordance with this side letter.
4. Employees shall not be paid for partial days of accumulated sick leave.

D. Enhanced Sick Leave Provisions

All eligible retirements under the Program, will have the sick leave payouts noted in Article 13, Section 7.a. adjusted based upon the table below.

Days Accumulated	Current % Paid	Current Max Days Paid	ESLP % Paid	ESLP Max Days Paid
0 to 100	30%	30	60%	60
101 to 200 days	40%	80	80%	160
201 to 300 days	50%	150	100%	300
Over 300 (in last year of employment)	100%	13	100%	13

AGREED on April XX, 2020:

STATE SYSTEM

Daniel Greenstein, Chancellor

POA

Alan Swartz, President

**Side Letter
between
SCUPA and PASSHE**

Enhanced Sick Leave Payout Program

The Pennsylvania State System of Higher Education (“State System”) and the State College and University Professional Association (“SCUPA”) agree to implement an Enhanced Sick Leave Program (“the Program”), to encourage employee retirements to be submitted by June 26, 2020 with an effective date on or before September 25, 2020. The Program is a one-time event and does not otherwise alter the articles in the current CBA regarding sick leave and retirement.

A. Program Commencement

1. Current eligible employees may participate in the Program in accordance with the provisions in Sections B and C for only retirements with an effective date between April 6, 2020 and September 25, 2020.
2. The parties agree to inform all eligible employees about the Program. Eligibility is subject to verification prior to acceptance of participation in the Program.
3. Employees meeting the eligibility criteria in Section B.2. below who have already submitted a retirement with an effective date between April 6, 2020 and September 25, 2020, will be eligible for the Program.
4. The State System will communicate the names of the program participants to SCUPA no later than July 24, 2020.

B. Eligibility

1. Participation in the Program is limited to permanent full-time employees.
2. Participation in the Program requires that the employee qualifies for majority-paid retiree health care at the time of retirement, as defined in the table below.

Current Hire Date	Retirement Age	Years of Service	Type of Service
Prior to July 1, 1997	60	10	Credited Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	

July 1, 1997 – June 30, 2004	60	15	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	
July 1, 2004 – January 15, 2016	60	20	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	

- **Credited service** - includes years of service credited by retirement plan (SERS, PSERS or ARP). May include purchased service.
- **Commonwealth/State System service** – Only includes service with the State System, Commonwealth of Pennsylvania, or approved Commonwealth Agencies. This does not include employment with a public school (pre-K, K-12).

C. Individual Employee Provisions

1. An eligible employee must submit a letter of retirement to the President of the University on or before June 26, 2020.
2. The eligible employee must indicate in their retirement letter a retirement date on or before September 25, 2020.
3. All submitted and accepted retirements with an effective date between April 6, 2020 and September 25, 2020 are irrevocable and the payouts will be conducted in accordance with this side letter.
4. Employees shall not be paid for partial days of accumulated sick leave.

D. Enhanced Sick Leave Provisions

All eligible retirements under the Program, will have the sick leave payouts noted in Article 19, Section 6 adjusted based upon the table below.

Days Accumulated	Current % Paid	Current Max Days Paid	ESLP % Paid	ESLP Max Days Paid
0 to 100	30%	30	60%	60
101 to 200 days	40%	80	80%	160
201 to 300 days	50%	150	100%	300
Over 300 (in last year of employment)	100%	13	100%	13

AGREED on April XX, 2020:

STATE SYSTEM

Daniel Greenstein, Chancellor

SCUPA

Sheleta Camarda-Webb, President

**Side Letter
between
SPFPA and PASSHE**

Enhanced Sick Leave Payout Program

The Pennsylvania State System of Higher Education (“State System”) and the International Union, Security, Police, and Fire Professionals of America (“SPFPA”) agree to implement an Enhanced Sick Leave Program (“the Program”), to encourage employee retirements to be submitted by June 26, 2020 with an effective date on or before September 25, 2020.

A. Program Commencement

1. Current eligible employees may participate in the Program in accordance with the provisions in Sections B and C for only retirements with an effective date between April 6, 2020 and September 25, 2020.
2. The parties agree to inform all eligible employees about the Program. Eligibility is subject to verification prior to acceptance of participation in the Program.
3. Employees meeting the eligibility criteria in Section B.2. below who have already submitted a retirement with an effective date between April 6, 2020 and September 25, 2020, will be eligible for the Program.
4. The State System will communicate the names of the program participants to SPFPA no later than July 24, 2020.

B. Eligibility

1. Participation in the Program is limited to permanent full-time employees.
2. Participation in the Program requires that the employee qualifies for majority-paid retiree health care at the time of retirement, as defined in the table below.

Current Hire Date	Retirement Age	Years of Service	Type of Service
Prior to July 1, 1997	60	15	Credited Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	

July 1, 1997 – June 30, 2004	60	15	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	
July 1, 2004 – January 15, 2016	60	20	Commonwealth/State System Service
	Any Age	25	
	Any Age with Approved Disability Retirement	5	

- **Credited service** - includes years of service credited by retirement plan (SERS, PSERS or ARP). May include purchased service.
- **Commonwealth/State System service** – Only includes service with the State System, Commonwealth of Pennsylvania, or approved Commonwealth Agencies. This does not include employment with a public school (pre-K, K-12).

C. Individual Employee Provisions

1. An eligible employee must submit a letter of retirement to the President of the University on or before June 26, 2020.
2. The eligible employee must indicate in their retirement letter a retirement date on or before September 25, 2020.
3. All submitted and accepted retirements with an effective date between April 6, 2020 and September 25, 2020 are irrevocable and the payouts will be conducted in accordance with this side letter.
4. Employees shall not be paid for partial days of accumulated sick leave.

D. Enhanced Sick Leave Provisions

All eligible retirements under the Program, will have the sick leave payouts noted in Recommendation 13, Section 7.a. adjusted based upon the table below.

Days Accumulated	Current % Paid	Current Max Days Paid	ESLP % Paid	ESLP Max Days Paid
0 to 100	30%	30	60%	60
101 to 200 days	40%	80	80%	160
201 to 300 days	50%	150	100%	300
Over 300 (in last year of employment)	100%	13	100%	13

AGREED on April XX, 2020:

STATE SYSTEM

Daniel Greenstein, Chancellor

SPFPA

Frank Remmick, Assistant Vice
President, Local 502