



## CALL TO ORDER

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Senate Chair Falvey called the meeting to order at 3:18 p.m.

## APPROVAL OF THE NOVEMBER 1, 2017 SENATE MINUTES (ACTION)

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Chair Falvey asked for additions or corrections to the minutes of the November 1, 2017, meeting; hearing none, he declared the minutes approved as distributed.

## REPORT OF THE CHAIR

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### Spring 2017 Senate Meetings

Chair Falvey announced that the first Senate meeting of the spring semester would be on February 7, 2018. He stated that a complete schedule could be found at <https://senate.umd.edu/senate-meetings>. Falvey noted that the spring semester is expected to be busy due to much of the work that is currently in our various committees coming forward for a vote and encouraged Senators to be actively engaged in the discussion of these important issues.

### Senate Elections

Falvey announced that the Senate Office would begin the candidacy/election process for all staff, student, and single-member constituency Senators for 2018-2019 on January 16, 2018. Falvey asked Senators to encourage their colleagues to run to be Senators or consider running, if eligible. Full details about the timeline and process are available under the “Get Involved” tab on the Senate website.

## NOMINATIONS COMMITTEE SLATE 2017-2018 (SENATE DOCUMENT #17-18-15) (ACTION)

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Christopher Walsh, Chair of the Committee on Committees, presented the Nominations Committee Slate 2017-2018 (Senate Document #17-18-15) and provided background information on the process for developing the slate.

Falvey opened the floor to discussion of the slate; hearing none, he called for a vote on the proposal. The result was 79 in favor and 4 opposed. **The motion to approve the slate passed.**

## CODE OF STUDENT CONDUCT REVISION (SENATE DOCUMENT #16-17-08) (ACTION)

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Andrea Dragan, Chair of the Student Conduct Committee, presented the Code of Student Conduct Revision (Senate Document #16-17-08) and provided background information on the proposal.

Falvey opened the floor to discussion of the proposal.

Senator Levermore, faculty, College of Computer, Mathematical, and Natural Sciences asked if the Office of General Counsel vetted the revised policy and supported the proposal.

Dragan explained that the Committee worked extensively with the Office of General Counsel and consulted with them on the language that would be changed and what original language would remain. She noted that the Office of General Counsel fully supported the document as written.

Senator Bigio, faculty, A. James Clark School of Engineering, inquired about the current and previous standard of evidence and if the new standard was considered looser or tighter than the previous standard.

Dragan explained that the current standard of evidence is the clear and convincing standard and the proposed change is to the preponderance of the evidence, which is that it is more likely than not that it happened based on all of the evidence that has been provided.

Senator Priola, faculty, College of Agriculture & Natural Resources, questioned the minimization of attorneys for students. He noted that students are fundamentally minors and asking them to speak for themselves regarding a crime is unreasonable due to their age and maturity. Attorneys should play an active role when dealing with serious accusations that have the potential of leading to expulsion.

Dragan replied that the revised policy still allows attorneys to be involved through an advisory role. They are able to provide guidance to the student throughout the entire process. The major change is that attorneys are not allowed to speak on behalf of a student. This allows the student to speak on the charges and provide statements since they are addressing a student review board.

Dragan introduced Andrea Goodwin, Director of the Office of Student Conduct, to address the role of attorneys. Goodwin explained that there is a Student Legal Aid Office on campus that is a free service that provides student defenders who are allowed to accompany the student and give opening and closing statements as well as ask questions during the proceedings. The preponderance of evidence standard is consistent with all of our peer institutions. Since these are administrative hearings, and not legal proceedings, we are having students speak for themselves to a panel of students.

Priola expressed concerns about attorneys being excluded from the process when the result could affect a student's permanent record or lead to expulsion.

Goodwin noted that attorneys are allowed to write appeals for the students who are facing expulsion or suspension. These appeals are sent to the Senate Student Conduct Committee, which is composed of faculty, staff, and students.

Dean Dalglish, Philip Merrill College of Journalism, asked for clarification on whether the preponderance of evidence standard is a lesser standard than clear and convincing, which would mean that we are downgrading the proof slightly.

Dragan noted that there is a slightly lesser burden of proof for evidence. She stated that the majority of students that go in front of the Office of Student Conduct tend to plead responsible so the majority cases do not need to go in front of a student board. Therefore, the Office of Student Conduct does not believe the change will have a significant impact on the cases.

Senator Huntley, undergraduate student, College of Agriculture & Natural Resources agreed that attorneys should play a role when there are serious violations. He questioned whether the clear and convincing standard was appropriate for sexual misconduct cases but understood that because the

standard must be the same for all types of conduct cases, the new standard was more appropriate. Senator Huntley asked how the preponderance of evidence related to the University's drug policy.

Goodwin stated that the University must adhere to Maryland and Federal law so any change regarding drugs would result in a change in the Code. We have to make sure our policies align with federal and state laws.

Senator Katz, undergraduate student, Robert H. Smith School of Business, stated that not all students could afford an attorney so the change in the standard results in an even playing field.

Dragan noted that students that have the means to hire an attorney had an unfair advantage so it is an equity issue and part of the reason why the Code reflects the elimination of the role of attorneys to speak for the students during the hearings.

Senator Rhee, undergraduate student, College of Education introduced Kiley Duffy, SGA Director of Shared Governance. Duffy expressed her approval of reducing an attorney's role and noted that it creates more fairness for all students.

Senator Huntley stated that he agreed with Katz and Duffy regarding fairness for student representation but also suggested that if we are lowering the standard of evidence then we need to make sure students are adequately represented so no one is wrongfully convicted.

John Buckner, Student Conduct Committee member, noted that these are not legal proceedings but rather administrative proceedings. The attorneys have an advisory role and can be in the room and can help the student. They just cannot speak on their behalf.

Dragan concluded with a statistic stating that out of the 466 student conduct cases processed last year there were only two expulsions and 14 suspensions. The large majority of cases that come to the Office of Student Conduct receive educational sanctions.

Falvey called for a vote on the proposal. The result was 72 in favor and 6 opposed. **The motion to approve the proposal passed.**

## **SPECIAL ORDER OF THE DAY MULTI-FACTOR AUTHENTICATION**

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Jeffrey Hollingsworth, Interim Vice President for Information Technology & Chief Information Officer, presented an update on the multi-factor authentication implementation and provided background information. The primary reason for multi-factor authentication is because a password is not adequate security in the current modern computer world. Passwords alone can easily be compromised and the potential damage considering the amount of people involved at UMD is too great to risk.

The compromise of one user's password could impact everyone. Email addresses alone cause reputational damage since emails can contain sensitive student information, FERPA protected information, or even recommendations for recruiting faculty. Any compromised accounts could block email for thousands of UMD users due to SPAM.

The recent implementation supports multiple modes of authentication such as an app, hardware token, call to a registered number, or print out of one time codes as an emergency backup. Many Big 10 schools and major corporations use multi-factor authentication.

Falvey thanked Hollingsworth for his presentation and opened the floor to any questions or comments.

## Q & A

Senator Ming, exempt staff, noted that technology is very important and he commended the Division of Information Technology (DivIT) for implementing this initiative.

Senator Aldridge, graduate student, College of Arts & Humanities, expressed concerns that the initiative steers toward cell phone usage. He asked if the University had considered Microsoft Live to use email authentication since he has a no cell phone policy in his classroom. He also questioned the cost associated with personal use and for the University.

Hollingsworth encouraged working the authentication process into a ritual of starting class. Another way would be to have students authenticate prior to class since the authentication is valid for a 24-hour period. An email address is not a best practice so Duo is more secure. The University incurs a per use charge for the call feature but it is a minimal cost that DivIT is monitoring closely. He noted that they decided to have the call feature for visually impaired members of the community.

Senator Zimmerman, professional track faculty, School of Public Health inquired about how instructional faculty that are part-time, seasonal, or study abroad would be affected when there is no internet connection available or if they are not technologically inclined.

Hollingsworth explained that the underlying technology does not require an internet connection because it acts as a hardware token, which is the primary connection. He also noted that DivIT offers enroll-a-thon seminars to get people enrolled and talk them through how to use the app.

Senator Borgia, faculty, College of Computer, Mathematical, and Natural Sciences introduced Jordan Goodman. Goodman asked if ARES would be a part of the portal that connects to multiple systems. He also expressed that having backup codes has helped and felt that the multi-factor authentication was working well since its implementation.

Senator Huntley asked if DivIT was considering rolling out the implementation to SGA or Senate Executive Committee (SEC) students as a testing group.

Hollingsworth noted the need to define a group before the full implementation could roll out. He also stated that there is an option to opt in on the DivIT website.

Senator Borgia asked if there was a way to authenticate without using a cell phone or tablet since the token is hard to read and expressed concern with losing hard-copy codes.

Hollingsworth stated that there is a phone callback option for visually impaired individuals. Another option is to install software using the USB option.

Senator Hebert, exempt staff, provided an overview of his daily routine of multiple logins for various systems. He stated that it would be great if there were an option to login into every system at once.

Hollingsworth noted that the legacy systems do not offer that integration currently but stated that DivIT was working on integrating that feature using common login. In the meantime, if you type "push" on the second password it turns into a push key to help ease the login process.

Senator Rozman, contingent staff, asked whether there was training available to employees that do not have the necessary technology or smart phones or are not native English speaking.

Hollingsworth stated that DivIT was working to translate materials into Spanish to accommodate any employees that needed it. He also noted that DivIT would send someone to any office to help employees get enrolled and explain the entire process.

Senator Martinez-Miranda, faculty, A. James Clark School of Engineering, stated that her login was not valid for a 24-hour period and inquired if there are options for people that are traveling.

Hollingsworth stated that there is a check box that has to be checked in order for a login to be valid for the 24-hour period. He also noted that those who are traveling have the option to print out codes, which are available even if your phone is in airplane mode.

## **NEW BUSINESS**

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Senator Katz announced that the University Libraries had created exam prep books checkout program. The Top Textbook Service allows students to borrow course-related textbooks and professional exam preparation study guides for up to a 4-hour period. He encouraged faculty members to advertise this free resource to their students.

## **ADJOURNMENT**

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The meeting was adjourned at 4:20 p.m.