

February 2, 2009

**MEMORANDUM**

**TO:** University Senate Members

**FROM:** Kenneth G. Holum  
Chair of the University Senate

**SUBJECT:** University Senate Meeting on Monday, February 9, 2009

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The University Senate will meet on Monday, February 9, 2009. The meeting will convene at **3:15 p.m.**, in **Room 0200, Skinner Hall**. If you are unable to attend, please contact the Senate Office<sup>1</sup> by calling 301-405-1243 or sending an email to [senate-admin@umd.edu](mailto:senate-admin@umd.edu) for an excused absence. Your response will assure an accurate quorum count for the meeting.

**The meeting materials can be accessed on the Senate Web site. Please go to <http://senate.umd.edu/meetings/materials/> and click on the date of the meeting.**

**Meeting Agenda**

1. Call to Order
2. Approval of the December 11, 2008, Senate Minutes (Action)
3. Report of the Chair
4. Report of the Senate Executive Committee
5. Report of a Committee  
Senate Elections, Representation & Governance Committee – Sabrina Baron, Chair  
Amendment to Teaching Faculty Election Policy (Senate Doc. No. 08-09-9) (Action)
6. Special Order of the Day  
*Open Forum to Discuss and Provide Input on the Draft Report from the Post-Tenure Review Task-Force*
7. New Business
8. Adjournment

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<sup>1</sup> Any request for excused absence made after 1:00 p.m. will not be recorded as an excused absence.

**University Senate**  
December 11, 2008

**Members Present**

Members present at the meeting: 78

**Call to Order**

The Senate Chair Holum called the meeting to order at 3:21 p.m.

**Approval of the Minutes**

Chair Holum asked for additions or corrections to the minutes of the October 16, 2008 meeting. Hearing none he declared the minutes approved as distributed.

**Report of the Chair**

Chair Holum reminded the Senate that the November meeting was canceled because of a lack of business but reassured them that the committees were hard at work and that the spring semester will be very busy.

Post-Tenure Review Task Force

Chair Holum reported that they have nearly completed their work. Their report is being revised and will informally be vetted by the Faculty Affairs Committee and the Senate Executive Committee before it is submitted to the Senate. He stated that there will mostly likely be an opportunity for members of the campus community to comment on the report and that the final version would be brought to the Senate in the middle of the spring.

General Education Task Force

Chair Holum stated that they hope to have a Chair in place soon and will begin work in the spring.

Elections Update

Chair Holum stated that the staff elections were going exceedingly well and participation of candidates running as well as those voting has increased significantly through the use of the new electronic system.

**Approval of Nominations Committee Slate 2009 (Action)**

Senate Chair Holum gave an overview of the charge of the committee and announced the slate of new members for the Nominations Committee which was submitted by the Committee on Committees. He opened the floor to any further nominations. Seeing none, he asked if there were any objections to approving the slate as submitted.

Hearing none, he called for a vote of the Senate. The result was 0 No, 1 abstention and the majority Yes. **The motion to approve the slate as submitted passed.**

### **Report of the Senate Executive Committee (SEC)**

Chair Holum reported that the SEC has been working with President Mote to develop a furlough plan and discuss the budget.

Chair Holum introduced President Mote to give the Senate an overview and answer any questions that the Senate may have about the furloughs and recent budget cuts.

President Mote thanked the SEC for their willingness to work with him during the difficult budget cut and furlough period and the Senate as a whole for their consistent support.

President Mote explained that the Governor's budget plan was leaked to the Press. He also stated that the current period is when the Legislature makes adjustments to the FY09 budget and makes a proposal for the FY10 budget. He explained that he has been working with the SEC to deal with the budget issues. We are still waiting to here from Annapolis on exact numbers for budget cuts and furloughs. He expects that we will get an instruction on the exact amount of furloughs by next week. He will then develop a plan, discuss it with the Unions and send it to the Board of Regents (BOR) for approval. Each campus in the System will develop their plan and the BOR must empower each one. He also stated that they may consider if it is possible to close the University for a campus-wide furlough day but there may not be enough time to implement one on December 24<sup>th</sup> and January 20<sup>th</sup> is a day that involves too many on-campus activities and services. President Mote stated that he plans to continue to work with the SEC as we get more information and move forward. He explained that we should remember that this is a nationwide crisis so we are all working together to make up for the deficit. The FY10 budget proposal projects revenue 1 ½ years in advance. We expect \$35M-\$40M to be recovered in furloughs state-wide. The Governor's office believes the budget shortfall is \$200M but others believe it to be much greater. We should expect that FY10 budget projections will be much more conservative so we can probably expect a reduction in FY10. The reality is that this is not the end. We need to be prepared for this, keep our spirits up and move forward.

### Q&A

Senator Zlatic, Undergraduate, College of Arts & Humanities inquired about the recent forum for budget suggestions on the University System and if something like that would be possible for our campus.

President Mote responded that she was referring to the Bohanan Commission which is a body that was created to develop a funding model for higher education in the State of Maryland but is not directly related to current budget issues. This is a 10 year plan which hopes to boost funding by \$700M.

Senator Zuckerman, Undergraduate, Behavioral & Social Sciences inquired about whether faculty and staff were allowed to work on furlough days instead of being forced to stay home.

President Mote responded that we should not force anyone to work on furlough days but they can come in and work if they choose.

Chair Holum thanked President Mote for his candor.

**Senate Programs, Curricula, and Courses Committee (PCC)**  
**Proposal to rename the B.S. in Logistics, Transportation and Supply Chain Management as the B.S. in Supply Chain Management**  
**Senate Document Number 08-09-10 (Action)**

Carmen Balthrop, Chair of the Senate PCC Committee presented the Committee's report. The proposal was to change the program name to align more closely with the contemporary terminology in the field.

Chair Holum asked if there was discussion. Hearing no discussion, Chair Holum called for a vote. The result was 0 No, 1 abstention and the majority Yes. **The motion to approve the proposal as submitted passed.**

**Special Order of the Day**

Dr. Linda M. Clement, Vice President for Student Affairs  
*Student Alcohol Use at UMCP: Issues and Solutions*

Chair Holum gave an overview of the issue and introduced Vice President Clement.

Vice President Clement thanked Chair Holum and the SEC for inviting her. She explained that alcohol misuse is an "evergreen" issue.

Context

Baseline statistics of alcohol use include that 50% of 8<sup>th</sup> graders and 4 out of 5 high school seniors have tried alcohol. 30% of high school seniors are already engaging in binge drinking. The gender gap has closed in that 9<sup>th</sup> grade girls drink at the same rate as 8<sup>th</sup> grade boys. It is clear that the behavior is already in place when students come to the University.

Survey of UM Students

Our own students' experiences mirror national numbers: 16% don't drink at all, 68% drink occasionally and 16% (5,400) drink frequently. 36% of frequent drinkers are binge drinkers.

Results of Excessive Drinking

14% are physically injured, 3% physically injure someone else, 3% are involved in a fight, 23% report doing something they regret, 24% forget what they had done, 10% had unprotected sex and .3% was sexually assaulted.

### On-Campus Statistics

There are a total of 11,000 students on campus. There are 450 cases of underage drinking and 25-30 of these are transports for students with alcohol poisoning. 1/3 of transports are the result of students who called 911, 1/3 are called in by Residence Hall Assistants, 1/3 are students discovered by campus staff.

### Follow-Up on Underage Drinking

We meet with students individually and with parents before returning to the Residence Halls.

### Resources & Campus Programs

Harm is a real concern and drives our programs and services. We invite incoming freshman to complete alcohol.edu (gives baseline info on alcohol) 90% participate and then participate again 6 weeks into their first year. Parents also participate in a separate alcohol.edu program to help them open a dialogue with their kids. The University has also created campaigns to recognize harm and responsible behavior. We also provide alcohol-free activities: All-Niter at the Union, midnight movies at the Hoff, Late-Night at CRC until 2am; Healthy Terps: Program in the Health Center uses evidenced intervention including role-play and 1 on 1 counseling so students understand normative behavior and we also have a six week substance abuse program and one on one counseling.

### Amethyst Initiative

President Mote agreed to look at alcohol use and whether 21 was the appropriate drinking age. The University held a forum on 10/30/08. 100s participated and the forum included a student panel. The forum will continue through the Residence Hall Association. The Alcohol Coalition will look at how to coordinate activities, take output of forum and infuse it into our actions.

### Good Samaritan Policy

Policy dictates that when a student seeks help for alcohol related health issues, they will not have to fear the criminal consequences of underage drinking. The two sides of this issue are that either it will encourage people to seek help or it will encourage bad behavior. There is no empirical evidence on whether a policy of this nature increases that rate of students seeking help. One specific study by a faculty member in our School of Public Health showed that on average students said that it was "somewhat acceptable" to get help. This shows that we have not gotten the message out that students should seek help. Vice President Clement encouraged further discussion on the topic because it is a complex issue.

### Q&A

Senator Schumacher, Faculty, Architecture, Planning, and Preservation asked what is considered "frequently" in terms of drinking.

Clement responded that frequently was 10 times or more in a month.

Schumacher also asked if we are allowed to consult with the students' parents or does the privacy issue get in the way of that?

Clement responded that the privacy laws give us the authority to contact parents if there is imminent danger such as in cases where a medical transport is needed.

Senator Tervalá, Undergraduate, Arts and Humanities asked if Clement was aware of the study by Cornell University.

Clement stated that they are still pondering if the increase in 911 calls was because students were more aware, there was better advertising, or students felt more freedom to call.

Tervalá also asked for Clement's thoughts on the SGA elections results where students said that 94 percent would feel more comfortable calling 911 if they were in danger if there was a Medical Amnesty Policy.

Clement responded that she was impressed, and that a coalition of students on campus was in support of this policy.

Senator Gulick, Faculty, College of Computer & Mathematical Sciences asked what we are doing for non-drinkers affected by drinking students.

Clement stated that we are setting community standards. She said that it is an unfortunate situation and we should never give up on the issue.

Gulick also stated that maybe we should have stricter regulations for violations.

Clement stated that we try to work within a progressive discipline and educational environment in dealing with these types of issues.

Senator Docherty, Undergraduate, Robert H. Smith School of Business inquired what conclusions were drawn from forum on 10/30/08 and whether there were any other concrete policy changes as a result.

Clement stated that the Alcohol Coalition is looking at feedback from the forum but the biggest outcome is that students want to continue the dialogue. She stated that they are still working on implementing information learned from the forum and probably will continue to do so over the next couple years.

Chair Holum thanked Vice President Clement.

### **New Business**

Hearing no further business, Senate Chair Holum adjourned the meeting at 4:38 p.m.

8 December 2008

TO: Kenneth G. Holum  
Chair, University Senate

FROM: Sabrina A. Baron  
Chair, Senate ERG Committee

SUBJECT: Teaching Faculty Election Process (Senate Document Number 08-09-9)

On October 27, 2008, the Senate Executive Committee (SEC) charged the ERG Committee to consider the election process for representatives to the Senate of Teaching Faculty who are not members of the Faculty constituency as defined in Section 3.2 of the University Plan of Organization.

After deliberation, the Committee has decided that Option 2 presented in the charge should remain the process for electing these Senators and that the language of this clause in the Plan should be amended.

Option 2 calls for Full-Time Instructor/Lecturers to elect one (1) representative and for Part-Time Instructor/Lecturers to elect one (1) representative. It is the opinion of the Committee that this process should remain in place because both constituencies are best served by voting for their own representative.

The Committee puts forward the following language for the University Senate Bylaws, Page 4, Section 2.2. (a):

- (a) Teaching Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall elect two (2) Senators, one (1) member representing part-time and one (1) full-time member representing the Instructor/Lecturer constituency, for a term of one (1) year, their terms renewable for up to three (3) years. Full-time Instructor/Lecturers shall elect one (1) full-time representative and part-time Instructor/Lecturers shall elect one (1) part-time representative for a total of two (2) Senators representing the Instructor/Lecturer constituency. When the Senate votes by constituencies, those Senators shall have the same voting rights as a Faculty Senator.

The Committee further recommends that contact lists be made available to the representatives of these constituencies in order to better serve those represented, and that Chairs of Departments shall distribute requests for candidates for part-time and full-time Instructor/Lecturers from their departments, as is the case with other Faculty

representatives. Chairs should also communicate to these constituencies that they have Senate representation and that it is important to fill these seats.

The Committee also asks the SEC to consider if these constituencies are adequately represented in the Senate at present, in view of the fact that the Instructor/ Lecturers statistically compose more than 50% of instructional faculty and have responsibility for majority portions of the University curriculum, and also in view of the fact that these constituencies will continue to expand. The Committee believes this situation should receive the attention of the SEC sooner rather than later.



## **FAQ's for the Policy on Annual Performance Reviews of Tenured Faculty**

### *1. Why do we need this policy?*

In this age of accountability, many universities have put into place policies for the regular review of tenured faculty members. We have a policy on the Periodic Evaluation of Tenured Faculty, but in many departments and colleges it has fallen into disuse (if it was ever implemented). There are two reasons for this: (1) it is costly in terms of faculty time and effort, requiring the preparation of a report by the reviewee and a specially-convened departmental review committee, a burden on small units who have few people to serve on committees and a burden on large units who may have six or seven people to review each year; and (2) the results of the evaluation carry no significant consequences other than a discussion between the reviewee and the unit head, with a provision for drafting a development plan. The proposed policy on Annual Performance Reviews is intended to be easier and more efficient, both for the unit and the reviewee. It seeks to make use of documents and review mechanisms that are already in operation (or should be), as provided in VII-4.00(A) UNIVERSITY OF MARYLAND POLICY ON MERIT PAY DISTRIBUTION. The Salary Committee, as outlined in the Merit Pay Distribution policy, may also serve as the Annual Review Committee and review faculty members' annual performance at the same time it is reviewing them for merit increases, thereby accomplishing two objectives through one review process. Or, if the department chooses, it may establish a separate Annual Review Committee.

### *2. Who sets the expectations for faculty performance?*

Each academic unit must set its own standards and expectations. No university policy can set the expectations for all units, as they vary greatly. In most cases, faculty members already know what is expected of them in terms of scholarship, teaching, and service, and are performing well. The setting of expectations is not meant to add to the "bean-counting" mentality (expectations should not specify how many hours are to be spent on service or how many pages of research should be published), but it does provide a way to ensure that all faculty members know what is expected of them in the three areas under review and to encourage continued productivity. It is up to the unit to decide how formally or informally the expectations should be conveyed.

### *3. Why may expectations not be uniform, even within the unit?*

Expectations should fit the situation and talents of the faculty member. In most cases, expectations will likely be the same or similar for all, but there are exceptions. For example, a person serving as Director of Graduate Studies or in other administrative positions may have reduced expectations in the area of scholarship and teaching; a person on sabbatical may have enhanced expectations in scholarship and reduced expectations in teaching; a person nearing the

end of a major grant may be accorded time from other activities to write a new grant proposal; a person who has just completed a major research project would be given an appropriate interval before being expected to produce new research; a person who has recently taught a large and demanding course may be assigned smaller classes or fewer courses; an illness or difficult family situation should be considered when setting the annual expectation of the person so affected. (Many of these “expectations” are already well-known in the units.) In setting annual expectations, the unit should take account of its own needs and responsibilities, and the needs and skills of its faculty members. The aim is a productive faculty with each member pulling his/her own weight in the best way possible. Expectations should be equitable but not identical.

*4. Does the faculty member have any say in the setting of expectations?*

In most cases the setting of expectations will not be controversial, but if a faculty member feels that the expectations for him or her are unrealistic or unfair, or that there are extenuating circumstances of which the unit head is unaware, the faculty member should speak with the unit head and together they should arrive at an agreed-upon set of expectations for the coming year.

*5. What happens in the case of faculty with joint appointments?*

As in the case of tenure and promotion, the secondary unit should be encouraged to supply information about expectations and about how well those expectations have been met. Ultimately, the tenure home is responsible for the Annual Performance Review.

*6. What does “substantially below expectations” mean?*

This is not a quantifiable term but it does indicate that performance is obviously deficient, to a degree that is considered unacceptable if it were to continue. This does not pertain to an “off year” or to, say, below-average teaching evaluations (since there are, by definition, always people below average; although some attempts should be made to improve teaching).

*7. Does the faculty member have any say in the development plan?*

The development plan is the responsibility of the unit head, who may consult with the Annual Review Committee. The unit head should be encouraged to involve the faculty member in drafting it.

*8. Does a faculty member have any recourse against proposed actions after a second negative Annual Performance Review, especially salary reduction?*

All policy decisions and actions resulting from them, including this one, are grievable. See the Policies and Procedures Governing Faculty Grievances.

*9. Is this policy a threat to the tenure system?*

No, if anything it offers a protection to the tenure system by ensuring and documenting that tenured faculty perform their duties at or beyond the level expected of them. This will show that very few of us are “dead wood.” Nor is it meant as a threat of suspension, for which there is a separate policy that covers different issues.

*10. Why is the policy not more specific in a number of instances?*

The policy is intended to provide general principles and guidelines, not to be a manual of implementation procedures for every situation that may arise. It leaves room for our diverse units to implement the policy in ways compatible with their cultures and accepted modes of operation. This is the nature of policies.

## **Policy on Annual Performance Reviews of Tenured Faculty**

Nearly all faculty members perform their duties in the areas of scholarship, teaching, and service at or above the expected level. Annual Performance Reviews will aid faculty members and university administrators to document this accomplishment. Annual Performance Reviews may also serve to identify truly superlative faculty performance and to identify faculty members who are experiencing difficulties in meeting their expectations. This policy outlines the principles guiding Annual Performance Reviews and some of the possible consequences of their outcomes.

This Policy on Annual Performance Reviews of Tenured Faculty replaces the Policy on Periodic Evaluation of Faculty Performance [II-1.20(A)].

1. Faculty members should have a clear understanding of their unit's expectations for them in scholarship, teaching, and service. These expectations may vary from unit to unit, from faculty member to faculty member, and over the career of an individual faculty member. Expectations should take into account the strengths and development needs of the faculty member and the needs of the department and university. The unit head should make sure that faculty members are informed of their expectations, and that the unit provides a setting conducive to meeting them. In most cases, the setting of expectations will be routine, but if necessary, the faculty member and the unit head should work out the expectations together.
2. All tenured faculty are to have an Annual Performance Review to document that they are meeting their expectations in all areas. The review will be conducted within the faculty member's tenure home, by the Annual Review Committee, and should be based on generally accepted documentation of faculty accomplishment, as defined by the unit, such as the Faculty Activity Report (FAR), course evaluations by students, and the like. It is expected that the Annual Performance Review will inform the review for merit pay distribution and in most cases will coincide with it (see University Policy on Merit Pay Distribution [VII-4.00(a)]); the elected Salary Committee would then also serve as the Annual Review Committee. If the academic unit so chooses, it may develop a separate procedure for Annual Performance Reviews, with a separate Annual Review Committee, so long as the separate committee is elected and is representative of the tenured faculty. The new procedure must be approved by the unit's faculty in accordance with its Plan of Organization. The Annual Performance Review is the single-most important mechanism for assessing faculty performance and its significance goes beyond any financial compensation that may result from it. Therefore, the annual review of all tenured faculty should be conducted whether or not merit increases are available. (A review for promotion in rank may take the place of the Annual Performance Review.)
3. The Annual Review Committee gives the results of the reviews to the unit head, who conveys them to individual faculty members. Every faculty member should be informed of the result of his or her Annual Performance Review and should have an opportunity to respond to it.

4. A tenured faculty member whose performance in two consecutive Annual Performance Reviews has surpassed expectations in all areas by a wide margin, demonstrating extraordinary accomplishment, should be commended to the dean and the provost. The university should recognize and reward such sustained extraordinary faculty accomplishments either through existing awards and honors or through the development of new rewards, honors, privileges, or other forms of recognition. These recognitions should benefit deserving faculty members and should also showcase extraordinary faculty achievements to the university community and beyond.

5. If, in two consecutive Annual Performance Reviews, a faculty member's overall performance has been found to be substantially below reasonable and equitable expectations, the unit head must inform the faculty member of that finding. The letter should specify the deficiencies and propose a development plan outlining goals for improvement, suggesting ways that the improvement may be accomplished, and specifying the benchmarks whereby improvement can be assessed. The development plan should set a time period (usually until the next Annual Performance Review) during which the faculty member should address the identified problems.

The academic unit head (and/or a mentor appointed by the unit head in consultation with the faculty member) should work with the faculty member to improve performance during the time the development plan is in effect. The development plan, any attachments, and evidence of progress towards meeting its goals should be included in the next Annual Performance Review.

6. At the end of the period specified in the development plan, both the unit head and the Annual Review Committee should again review the faculty member's performance. If they again find that the performance is substantially below the expectations of the unit, the case will be referred to the dean (or provost, if the college is non-departmentalized) together with a recommendation for appropriate action. The notification to the dean (or provost) should include a report of the findings, specifying the deficiencies in performance. The faculty member will receive a copy of the notification and a report of findings, including the recommendation for appropriate action.

7. Recommendations for appropriate action after two consecutive reviews in which the faculty member is found to be substantially below expectations may include actions such as more intense efforts to improve weaknesses in performance, re-assignment of the faculty member's duties, or the reduction of travel funds or other privileges. In a very small percentage of cases the recommendation may be a reduction of a faculty member's base salary, if the faculty member's performance has declined to such an extent as to no longer warrant the base salary that is attached to the position. The salary reduction may be permanent or for such time as the dean (or provost) believes appropriate. Prior to implementing a salary reduction, the dean (or provost) shall appoint a 3-member Special Review Committee composed of tenured faculty at or above the rank of the faculty member and knowledgeable of the faculty member's discipline, but not of the same unit. The Special Review Committee shall consider the departmental report and may solicit

such other information from the unit and the university as it may consider important. The committee shall also offer the faculty member an opportunity to respond in person and/or in writing to the departmental report and recommendations. The committee shall provide the dean (or provost) its written recommendations concerning a salary reduction, including the amount and duration of any reduction it believes appropriate. The decision of the dean (or provost) shall be submitted to the provost (or president) for approval. If approved, it shall be communicated to the faculty member, together with a copy of the Special Review Committee=s recommendation.