University Senate

March 9, 2016

Members Present

Members present at the meeting: 101

Call to Order

Senate Chair-Elect Goodman called the meeting to order at 3:20 p.m. Goodman noted that Chair Brown could not attend so he would convene the meeting.

Approval of the February 11, 2016, Senate Minutes (Action)

Chair-Elect Goodman asked for additions or corrections to the minutes of the February 11, 2016, meeting; hearing none, he declared the minutes approved as distributed.

Special Order of the Day
Robert L. Caret
Chancellor, University System of Maryland (USM)
The USM: A Stronger Maryland Today and Tomorrow

President Loh introduced Chancellor Caret and provided a brief introduction.

Chancellor Caret noted that he had been visiting each campus in the University System of Maryland (USM) in order to understand the issues and problems that each campus faces and to meet with more than just the presidents and administrators of the universities. He added that there is still a lot more that needs to be done in terms of capital improvements and the completion of deferred maintenance.

Chancellor Caret explained that he had previously worked at Towson University, San Jose State University, and the University of Massachusetts System before becoming the USM chancellor. He noted that this gave him a great understanding of how systems work and added that the leverage of a system can be important politically.

Chancellor Caret reported that he was very impressed with what the University of Maryland, College Park (UMD) had accomplished. He added that UMD had done extraordinarily well in terms of rankings and provided examples. He stated that rankings are important whether we like it or not, and it was a credit to the staff, faculty, and students that UMD has done so well.

<u>Shared Governance</u>
Chancellor Caret stated that he is a believer in shared governance. He noted that in California and Massachusetts, the faculty were unionized, but in Maryland this is illegal. He sees the absence of faculty unions as a benefit.

Chancellor Caret added that he was heavily involved in shared governance during his time at Towson University and believes that academic senates should have a voice on campus. He also noted that it is important to understand who makes decisions. He added that it is important to understand the mission of the organization so that everyone is communicating the same message.

Chancellor Caret assured the Senate that he would communicate with them on a regular basis, as time allows, and noted that he would continue to visit each campus in the System every year to better understand issues and needs.

USM Overview

Chancellor Caret gave an overview of some USM statistics. USM has 163,000 students with about 38,000 students graduating each year. He added that 80% of students are from Maryland and 80% of USM graduates stay in Maryland regardless of where they are originally from. He reported that this has led to about 600,000 alums in the state and 1 million across the globe. The USM is a $5.3 billion business with 36,000 employees and $4 billion in economic churn.

Chancellor Caret stated that the USM is an employer, an educator, a landowner, a materials purchaser, and a small business developer, which has a huge impact on the economy. He noted that USM faculty, staff, and students contribute approximately 1 million volunteer hours per year.

Chancellor Caret reported that the USM is a healthy organization. Half of the budget is spent on education, and the other half is spent on business operations. The State of Maryland contributes 50% of the budget, while tuition and fees make up the other 50%, which is a lot better than many other states.

Chancellor Caret stated that the goal of the USM is to embrace its founding mission: affordable access to higher education for Maryland citizens. He added that it is important to think of what we do for Maryland first, and for the world second, as a public institution serving the state of Maryland.

He stated that Maryland has the highest median income in the country, is one of the most-educated states, and is first in National Institutes of Health (NIH) funding, which is due to the educated workforce USM has put out in recent years. He also noted that the USM still needs to take cuts, but added that when you give us $1, we will give you $6 back in economic churn, which means the USM can help the state come out of economic doldrums.

Governor's Budget

Chancellor Caret stated that the operating budget and capital budget drive the campuses.

He noted that Governor Hogan's budget gave the USM a 7% increase this year, while other state agencies faced numerous cuts. In addition, Governor Hogan has helped with the Health and Retirement budget and provided almost $7 million in enhancement funds. Chancellor Caret explained that the $7 million will be used for the College Completion Agenda project that he and Governor Hogan developed in summer 2015 when they were both relatively new to their jobs and were looking for a collaborative initiative.

The College Completion Agenda provides funding to each campus through a request for proposals to look at areas where we can expand the number of graduates and also to campuses that are not producing graduates at the level that the USM would like. UMD received money to expand the number of graduates in areas of need. UMD has the highest graduation rate in the System and did not need money to raise the level of graduates.

Capital Budget
Chancellor Caret reported that the USM received about $250 million this year, which is not enough to complete the number of delayed and deleted projects. He added that a $400 million jail in Baltimore is no longer going to be completed. This frees up that money, over the next 5 years, for USM capital projects.

SB1052- The University of Maryland Strategic Partnership Act of 2016
Chancellor Caret explained that a merger was attempted about five years ago and resulted in the MPower initiative, which has been great for the state. SB1052 did not call for a merger, but for a strategic partnership. Chancellor Caret compared the outcome of the legislation, if it passes, to a holding company. A holding company called the University of Maryland would be created, but two companies would still exist inside it - University of Maryland, College Park, and University of Maryland, Baltimore. The legislation would create a very tight strategic partnership between the two campuses, which allows the relationship between them to grow and strengthen regardless of who is leading the universities. Chancellor caret added that the USM is supportive of the bill with amendments.

Chair-Elect Goodman thanked Chancellor Caret and opened the floor for questions.

Q&A
Senator Locke, exempt staff, asked about the sustainability of private philanthropy as a method to accelerate capital projects and noted that many donors believe the state should provide the buildings.
Chancellor Caret responded that this was a concern of the Board of Regents (BOR). The BOR noted that some campuses have different socioeconomic makeups and cannot attract the same kind of donations that we get at UMD. They expressed concern that those campuses would never get a building because projects with large private donations would keep rising on the list. He thinks you will see a balance. Private money accelerates the building, but the capital projects have to be something that the System wants as well as the university. The BOR tries to be fair in the process of allocating capital money and there will be a balance between all projects.

Senator Blase, undergraduate student, College of Agriculture and Natural Resources, introduced Maya Spaur, undergraduate student and Director of Sustainability for the Student Government Association.
Spaur asked what could be expected to happen with regards to fossil fuel divestment.
Chancellor Caret responded that he had mentioned in a previous meeting that fossil fuel divestment was an issue in the University of Massachusetts System when he was leaving it. All of us share the same goals, that we should have a more sustainable global community, but there are a lot of other issues associated with it - wishes of the donors, the fiduciary role of the foundation board, the need to maximize return on investment. These are being

looked at in order to find a path forward, but it will not happen overnight. How do you not lose a ton of money in the process and still have a more green investing philosophy?

Senator Cartwright, faculty, College of Arts and Humanities, noted the importance of producing well-educated citizens who are prepared to take part and lead in a democratic society.
Chancellor Caret noted that the reason for the creation of higher education was to produce the leaders of the future. As the need grew, higher education expanded. Chancellor Caret agreed with Senator Cartwright's comments and noted that there are different paths for different people, but they all allow people to grow.

Senator Barbarin, faculty, College of Behavioral and Social Sciences, asked for more information on SB1052.
Chancellor Caret responded that he was speaking on behalf of the BOR. The BOR does not want a merger or anything that looks like we are moving towards a merger. One thing the BOR did not like was the mandatory merger of HR systems. In addition, they did not understand what the faculty committee, now known as the steering committee, was meant to do. They received clarification on that. The BOR also did not like the possibility of having one president for two campuses, which is a section that has now been removed from the bill. Lastly, the students on the other campuses in the System should not be lost in the shuffle. The partnership creates a major research enterprise. Chancellor Caret asked for some money to be built in for other System campuses. All of the issues mentioned have been either added or removed from the bill. Chancellor Caret noted that the bill is a healthy bill as it stands now and has great potential for moving forward.

Chair-Elect Goodman thanked Chancellor Caret for coming.

Report of the Chair

Nominations Committee
Chair-Elect Goodman reported that the Senate Nominations Committee is in the process of generating slates of candidates to run for open positions on Senate-elected committees and councils, including next year's Senate Executive Committee, Senate Committee on Committees, University Athletic Council, Council of University System Faculty (CUSF), and Campus Transportation Advisory Committee. The committee is still looking for candidates to run for these prestigious positions. He noted that not all positions require Senate membership, encouraged senators and their colleagues to run, as well – in particular for the Athletic Council and for CUSF. Additionally, all newly elected senators from this year's elections are eligible to nominate themselves.

He noted that candidates would be considered by the Senate Nominations Committee for placement on the slate for election. All candidates would submit a short candidacy statement for the ballot after spring break. Elections would be held in-person at our Transition Meeting on May 5th. He encouraged senators to visit the Senate website for more information on any of the positions. Those interested in running should contact the Senate Office or fill out a nomination form and return it to a Senate staff member. He noted

that hard copy forms were available at the registration table and thanked everyone for their interest in running or for nominating a colleague.

Senate Forums
Chair-Elect Goodman noted that, since our last meeting in February, the Senate had hosted two campus-wide forums. The first forum was with Provost Rankin regarding the Draft Strategic Plan Update. This provided an opportunity for members of the campus community to provide feedback and ask questions directly to the Provost regarding the Draft Update. He noted that this Plan Update would come back to the Senate for approval. The second forum was with President Loh regarding the Strategic Partnership Act of 2016 (SB1052), which would expand upon the success of the MPower initiative to create one University of Maryland with two campuses (College Park and Baltimore). He stated that this was an excellent opportunity for members of the campus community to get a brief overview of the bill and provide feedback directly to the President. He thanked those who attended and provided input. These two events were an excellent opportunity for the campus community to engage with the administration on issues that will affect the entire University.

SEC Endorsement of Strategic Partnership Act
Chair-Elect Goodman reported that he, the Senate Executive Committee, and the Senate Chair recently expressed strong support for Maryland Senate Bill SB1052 as follows:

"As the Chair and Chair-Elect and with the endorsement of the Senate Executive Committee of the University Senate that represents the students, faculty, and staff of the University, we express our strong support for Maryland Senate Bill SB1052, which creates a strategic partnership between the University of Maryland and the University of Maryland Baltimore. We feel that this bill provides for significantly increased research and educational opportunities for students and faculty at both institutions, as it builds on the success of MPower and codifies and expands the existing relationship into law. In addition, we feel that this bill will enable both institutions to take a more active role in addressing the significant needs of the cities of Baltimore and College Park as well as Prince Georges County and the State of Maryland as whole. We urge passage of this legislation."

He noted there would be a motion for the Senate to vote to support the Senate bill under new business. Therefore, we will need to ensure that we have time at the end of the meeting to fully discuss and vote on that motion.

Revisions to the IT Council Section of the Senate Bylaws (Senate Doc. No. 15-16-04) (Action)

Jess Jacobson, Chair of the Elections, Representation, and Governance (ERG) Committee, presented the Revisions to the IT Council Section of the Senate Bylaws (Senate Doc. No. 15-16-04) and provided background information.

Goodman opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. Goodman noted that an amendment to the Bylaws required a 2/3 vote in favor. The result was 80 in favor, 1 opposed, and 3 abstentions. **The motion to approve the amendment to the Bylaws passed.**

Modify the Membership of the Information Technology Council to include a Representative of the University Libraries (Senate Doc. No. 15-16-18) (Action)

Jacobson presented the proposal to Modify the Membership of the Information Technology Council to include a Representative of the University Libraries (Senate Doc. No. 15-16-18) and provided background information.

Goodman opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. Goodman noted that an amendment to the Bylaws required a 2/3 vote in favor. The result was 85 in favor, 1 opposed, and 0 abstentions. **The motion to approve the amendment to the Bylaws passed.**

Review of Faculty Salary Inequities (Senate Doc. No. 12-13-50) (Action)

KerryAnn O'Meara, Chair of the Faculty Affairs Committee, presented the Review of Faculty Salary Inequities (Senate Doc. No. 12-13-50) and provided background information.

Goodman opened the floor to discussion of the proposal.

Senator Cartwright made a motion to amend Recommendation 4 as follows:

"To ensure there are not systemic inequities by gender and race, the Faculty Affairs Committee recommends that ~~IRPA conduct an~~ ~~annual~~ **a** salary analysis **be conducted on a regular basis, at intervals of approximately three years,** to be ~~submitted~~ **reported** to the Office of Faculty Affairs."

Chair-Elect Goodman called for a second. The motion was seconded.

Chair-Elect Goodman opened the floor to discussion of the amendment.

Senator Cartwright introduced Betsy Beise, Associate Provost for Academic Planning and Programs, who explained the burden on the Office of Institutional Research, Planning, and Assessment (IRPA) to conduct an annual review and noted that there are only a few hires so an annual review would not be necessary. She also explained that a review would be dependent on merit money availability, which does not come every year.

O'Meara stated that the Faculty Affairs Committee discussed this amendment and supports it. She stated that the intent of the recommendation was that the analysis was done and it does not matter who does it.

Hearing no further discussion, Chair-Elect Goodman called for a vote on the amendment. The result was 72 in favor, 9 opposed, and 7 abstentions. **The amendment passed.**

Senator Owen, faculty, University Libraries, made a motion to amend Recommendation 1 as follows:

"To increase transparency, the Faculty Affairs Committee recommends that the University of Maryland ADVANCE Dashboard be accessible and advertised to faculty as a resource, and that it be expanded to include **full-time library faculty as well as** full-time professional track faculty."

Chair-Elect Goodman called for a second. The motion was seconded.

Chair-Elect Goodman opened the floor for discussion on the amendment.

O'Meara stated that the Faculty Affairs Committee agreed with the proposed amendment and that it was not the committee's intention to leave library faculty out of the dashboard.

Senator Owen introduced Patti Cossard, Art Librarian and Chair of the Libraries Faculty Merit and Annual Review Committee. Cossard stated the reason this amendment is important is that, currently, Library faculty are in two spaces. The new University of Maryland Plan of Organization for Shared Governance states that Library faculty are equal to tenured/ tenure-track faculty, but they are coded differently in the University Human Resources (UHR) systems, where the information for the ADVANCE dashboard is pulled from. Their status is not called tenure but is called permanent status although that is, for all intents and purposes, the same.

Senator Delwiche, faculty, College of Mathematical and Natural Sciences, asked if there are other categories of faculty who have been left out of the database. He specifically mentioned University of Maryland Extension (UME) faculty with the title of Agent.

O'Meara explained that the expansion of the dashboard is an expansion to all full-time faculty including professional track faculty. She explained that it would not include part-time faculty, but noted that the expansion to professional track faculty should include agents. O'Meara asked Beise to comment.

Beise clarified that UME faculty with the title of Agent are currently included in the dashboard because they are part of the tenured/tenure-track faculty group.

Hearing no further discussion, Chair-Elect Goodman called for a vote on the amendment. The result was 76 in favor, 4 opposed, and 5 abstentions. **The amendment passed.**

Chair-Elect Goodman noted that the discussion would return to the recommendations as amended.

Senator Brauth, faculty, College of Behavioral and Social Sciences, noted that the policy talks about merit pay committees and added that these committees, in his experience, do not have much time to delve into salary history and may not meet often. He asked if post-tenure review committees could be added to the language in addition to merit pay committees.

O'Meara stated that when the Faculty Affairs Committee met with Deans and Department Chairs, they learned that the duties of merit pay committees vary greatly and that some unit-level merit pay committees are already doing this research and recommendation. She noted that this recommendation allows the current practice in some departments to expand to all departments. She added that the Faculty Affairs Committee never discussed the role of the post-tenure review committee.

Brauth explained that, in his department, the merit pay committee does not know a faculty member's salary and it would be a radical change for his department.

O'Meara noted that the post-tenure review committees would not deal with inequities among assistant professors because they are pre-tenure.

Beise noted that there is nothing in the report that would preclude a post-tenure review committee from doing this analysis.

Ellin Scholnick, member of the Faculty Affairs Committee and Faculty Ombudsperson, explained that the merit review committee has the whole spectrum of cases and the post-tenure review committee only sees one case.

Brauth made a motion to amend the recommendations as follows:

"The Faculty Affairs Committee recommends that unit-level merit pay committees **as well as post-tenure review committees** be provided relevant data and make recommendations regarding salary equity adjustments in each unit."

Chair-Elect Goodman called for a second. The motion was seconded.

Chair-Elect Goodman opened the floor to discussion of the amendment.

O'Meara noted that the wording "as well as" makes it look like two groups are making the decision. She noted that this was worrisome.

Brauth noted that merit pay committees do not meet every year.

O'Meara clarified that the recommendation is that they would meet every year and be given salary information for the whole spectrum and make recommendations for the department.

Chair-Elect Goodman suggested a friendly amendment to change "as well as" to "or" so the amendment reads as follows:

"The Faculty Affairs Committee recommends that unit-level merit pay committees **or post-tenure review committees** be provided relevant data and make recommendations regarding salary equity adjustments in each unit."

Marc Pound, member of the Faculty Affairs Committee, stated that he opposed the amendment because there is the possibility of leaving out professional-track faculty. He added that because the language changed to "or" the amendment is giving departments the option that the merit pay committee does not meet but the post-tenure review committee does. In this case, professional track faculty would not have the opportunity for review or pay increases in that year where the merit pay committee does not meet. He added that the merit pay committee would meet annually even if merit pay is not available in order to address issues of salary compression. He explained that money to eliminate salary inequities due to compression would not come from a merit pay fund.

Senator Witzleben, faculty, College of Arts and Humanities, stated that he opposed the amendment because the post-tenure review committee in his department is the faculty review committee, which has no discussion of salary. He stated that the two committees were looking at two different things.

Hearing no further discussion, Chair-Elect Goodman called for a vote on the amendment. The result was 10 in favor, 60 opposed, and 14 abstentions. **The amendment failed.**

Chair-Elect Goodman opened the floor to additional discussion of the recommendations of the as amended.

Senator Cartwright noted that in the Department of English there are a large number of part-time professional track faculty who face salary compression and hopes that this problem can be looked at in the future.

Senator Moser Jones, faculty, School of Public Health, asked for clarification on Recommendation #4 in regards to how the research would ensure that there are not differences by gender and race.

O'Meara stated that the spirit of the recommendation was that the research would investigate and inform so that the inequity could be addressed. She noted that the language had been amended so that it does not have to be IRPA. She added that the Faculty Affairs Committee looked at other Big Ten institutions and large state schools, and the common denominator was that they all did a regression analysis to look at all of the factors that influence salary.

Senator Campbell, faculty, College of Education, stated that there was no definition of the word "faculty" in the report. She added that in the appendix, there is a definition of faculty that is limited to tenured/ tenure-track and permanent status/ permanent status-track library. She stated that the assumption in her department was the professional track faculty were not included in these recommendations except in the recommendation about the dashboard.

O'Meara explained that there was a policy passed last year that explained that professional track faculty should be integrated into the merit pay policies for every college and the Provost had asked each of the colleges to present their plans for making this happen. She noted that the merit pay policies for professional track faculty could include salary compression issues. She stated that the spirit of the report is that it would include all faculty and that the wording can get clunky to keep repeating every group of faculty.

Campbell stated that her department has two merit pay committees, one for professional track faculty and another for tenured/ tenure-track faculty, and that it was not clear that the policies are identical for both groups.

O'Meara noted that one report could not smooth out every difference that exists in every department.

Campbell asked for clarification on who the information provided would apply to.

O'Meara explained that it would be for all faculty, but that there is an issue with implementation, since the unit will implement the policy.

Senator Yotsukura, faculty, College of Arts and Humanities, stated that the School of Literature, Languages, and Cultures (SLLC) has a special committee to look at issues of salary compression within the School. They are focusing on faculty within SLLC, but are

also looking at data from other areas of the University and other Big Ten Universities. They are aware that salary compression is of particular issue at the associate professor level. SLLC believes that salary compression should be addressed not just at the University level, but also through other unit-based committees.

Hearing no further discussion, Chair-Elect Goodman called for a vote on the report as amended. The result was 69 in favor, 5 opposed, and 6 abstentions. **The motion passed.**

New Business

Senator Cartwright made a motion to endorse a resolution in support of SB1052 as follows:

Whereas SB1052 creates a strategic partnership between the University of Maryland and the University of Maryland Baltimore.

Whereas the bill provides for significantly increased research and educational opportunities for students and faculty at both institutions, as it builds on the success of MPower and codifies and expands the existing relationship into law.

Whereas, the bill will strengthen both institutions, it will enable them together to take a more active role in addressing the significant needs of the cities of Baltimore and College Park as well as Prince Georges County and the State of Maryland as a whole.

Be it resolved the University of Maryland College Park Senate, which represents faculty, staff, and students of the University, expresses its strong support for Maryland Senate Bill SB1052 and urges passage of this legislation.

Goodman called for a second. The motion was seconded.

Goodman opened the floor to discussion of the resolution; hearing none, he called for a vote on the resolution. The result was 58 in favor, 8 opposed, and 10 abstentions. **The resolution passed.**

Adjournment

The meeting was adjourned at 4:51 p.m.